

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

ADOPT RESOLUTION NO. 2011-01, A RESOLUTION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, PROCLAIMING AND CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY

Summary Statement:

California Government Code Section 8630 and the Town's Municipal Code, Chapter 2.40, empowers the Director of Emergency Services of the Town to proclaim the existence or threatened existence of a local emergency when the Town is affected or likely to be affected by a public calamity and the Town Council is not in session.

Conditions of extreme peril, caused by a series of severe rainstorms commencing on or about December 22, 2010, warranted and necessitated the proclamation and confirmation of the existence of a local emergency because the initial estimated costs to repair the damages are greater than the Town' fiscal ability to recover.

The Town's Director of Emergency Services did proclaim the existence of a local emergency within the Town on the 22nd day of December 2010. Attached is Local Resolution No. 2010-57, proclaiming the existence of a local emergency.

Notably, the existence of said local emergency shall be deemed to exist until the Town Council proclaims its termination.

Recommended Action:

Adopt Resolution No. 2011-01, A Resolution of the Town of Apple Valley, Proclaiming and Confirming the Existence of a Local Emergency.

Proposed by: Frank Robinson, Town Manager

Item Number: _____

Town Manager Approval: _____

Budgeted Item: Yes No N/A

RESOLUTION NO. 2011-01

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, PROCLAIMING AND CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, California Government Code Section 8630 and Town of Apple Valley Municipal Code Chapter 2.40, empowers the Director of Emergency Services of the Town of Apple Valley to proclaim the existence or threatened existence of a local emergency when the Town of Apple Valley is affected or likely to be affected by a public calamity, and when the Town Council of the Town of Apple Valley is not in session; and

WHEREAS, conditions of extreme peril to the safety of persons and/or property have arisen within the Town of Apple Valley caused by a series of severe rainstorms commencing on or about December 22, 2010, at which time the Town Council of the Town of Apple Valley was not in session when the conditions of extreme peril became evident; and

WHEREAS, said Town Council does hereby find that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency; and

WHEREAS, the Director of Emergency Services of the Town of Apple Valley did proclaim the existence of a local emergency within said Town on the 22nd day of December 2010; and

WHEREAS, the initial estimated costs to repair the damages are greater than the Town's fiscal ability to recover.

NOW, THEREFORE, BE IT PROCLAIMED that such local emergency does exist as set forth in Resolution No. 2010-57, and shall be deemed to continue to exist until the Town Council of the Town of Apple Valley proclaims its termination.

Adopted by the Town Council and signed by the Mayor and attested by the Town Clerk this 11th day of January, 2011.

Scott Nassif, Mayor

Attest:

La Vonda M-Pearson, Town Clerk

**TOWN OF APPLE VALLEY
STATE OF CALIFORNIA
LOCAL RESOLUTION NO. 2010-57**

PROCLAMATION CONFIRMING EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, California Government Code Section 8630 and Apple Valley Ordinance No. 36 Chapter 2.40 et. seq. empower the Director or Assistant Director of Emergency Services of the Town of Apple Valley to proclaim the existence or threatened existence of a local emergency when the Town of Apple Valley is affected or likely to be affected by a public calamity and the Town Council of Apple Valley meets within seven days; and


WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within Apple Valley, caused by heavy rains and flooding commencing on or about 0800 on the 22nd day of December, 2010; at which time the Town Council of the Town of Apple Valley was not in session; and

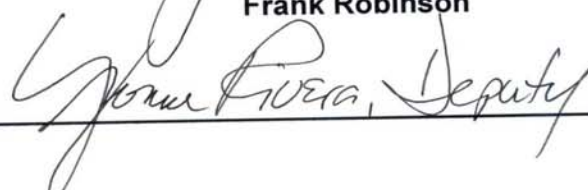
WHEREAS, said Town Council does hereby find that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency; and

WHEREAS, the Director of Emergency Services of the Town of Apple Valley did proclaim the existence of a local emergency within said Town on the 22nd day of December, 2010;

NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that such local emergency does exist as set forth in Resolution No. 2010-57 and shall be deemed to continue to exist until its termination is proclaimed by the Town Council, Town of Apple Valley, State of California.

DATED: 12-22-2010

TOWN MANAGER 
Frank Robinson

Attest: 

Emergency Proclamation