



## RESOLUTION NO. 2021-30

OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**DECLARING AND ACKNOWLEDGING THE EXISTENCE OF AN EMERGENCY DUE TO THE RIVER FIRE AND AUTHORIZING THE DISTRICT TO ENTER INTO NECESSARY CONTRACTS TO ACCESS, INSPECT, AND REPAIR DISTRICT PROPERTY AND FACILITIES, TO PROTECT DISTRICT WATER SUPPLIES, AND TO PROVIDE FOR THE HEALTH AND SAFETY OF AGENCY EMPLOYEES AND THE PUBLIC IN GENERAL**

**WHEREAS**, On August 4, 2021, the River Fire started near Colfax, California, and rapidly increased in size to threaten Nevada Irrigation District water supplies, facilities, property, and the public in general; and

**WHEREAS**, the Nevada County Board of Supervisors adopted Resolution 21-365 ratifying a local health emergency proclamation due to the immediate public health threat caused by hazardous waste and debris from the River Fire; and

**WHEREAS**, the Placer County adopted a proclamation adopting an emergency due to the River Fire; and

**WHEREAS**, NID owns approximately 320 acres of forested lands within the River Fire burn area; and

**WHEREAS**, approximately 15,000 individual treated water users and 3,000 raw water customers receive supply water from the conveyances of the Bear River and the Bear River Canal and are downstream of the River Fire burn area; and

**WHEREAS**, emergency and ongoing remediation of the burn area lands in the Bear River watershed will assist in short and long-term benefits to water quality, protection of the environment and the District's downstream facilities; and

**WHEREAS**, it is of benefit to the District to take actions required to protect the water supply prior to the onset of any precipitation events; and

**WHEREAS**, due to local emergency conditions and the need for immediate action, it has been determined that it may be necessary to take expedited action not consistent with the authority levels identified in the District's Procurement Policy.

**NOW, THEREFORE, BE IT RESOLVED**, the recitals stated above are true and correct and are incorporated herein as findings of the Board of Directors:

**BE IT FURTHER RESOLVED**, that a local emergency now exists throughout Nevada Irrigation District, and such period of local emergency shall continue for so long as conditions so warrant that designation, in the discretion of the Board of Directors.

**BE IT FURTHER RESOLVED**, as a result of the condition of local emergency, the General Manager is authorized and directed to:

- a. Negotiate and enter into contracts outside of the competitive bidding requirements of the-Public Contract Code otherwise applicable to District actions and the District's Procurement Policy, in delegated purchasing authority temporarily for the duration of this local emergency increased to \$500,000, in order to avoid danger to life and property, to protect the environment and District facilities and ongoing operations and to protect the health and safety of the public, including District employees; and
- b. Take such further reasonable and necessary actions to respond to conditions of local emergency and to avoid and/or mitigate interruption of essential public water services, hydroelectric generation, and impacts to the environment; and
- c. Provide regular updates to the Board of Directors on actions taken by the General Manager under authorities delegated by this Resolution; if appropriate, based on the action taken, the General Manager will seek ratification by the Board of Directors of such actions taken.

**BE IT FURTHER RESOLVED**, that the Board shall regularly and continually review whether or not the local emergency conditions as set forth in this Resolution continue to exist until the Board determines that the subject emergency no longer exists.

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**PASSED AND ADOPTED** by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 25th day of August 2021 by the following vote:

<b>AYES:</b>	Directors: Heck, Hull, Johansen, Peters, Bierwagen
<b>NOES:</b>	Directors: None
<b>ABSENT:</b>	Directors: None
<b>ABSTAINS:</b>	Directors: None

  
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President of the Board of Directors

**Attest:**   
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Secretary to the Board of Directors