

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA**

IN THE MATTER OF DECLARING A)	
DISASTER OR EMERGENCY PURSUANT)	DECLARATION No. D-20-0002
TO NEB. REV. STAT. § 81-829.50 IN)	
RESPONSE TO THE IMMINENT DANGER)	
OF CIVIL DISTURBANCE, DISORDER, AND)	
RIOT)	

WHEREAS, Neb. Rev. Stat. § 81-829.50 provides that a local emergency may be declared only by the principal executive officer of a local government who finds that conditions defined as a disaster or emergency exist or by a person who by resolution has been authorized and designated by the governing board of a local government to determine that an emergency within the scope of his or her authorization exists;

WHEREAS, for purposes of the Emergency Management Act, Neb. Rev. Stat. §§ 81-829.36 through 81-829.75 (“Act”), local government means a county, village, or city of any class;

WHEREAS, for purposes of the Act, an “Emergency” means any event or the imminent threat thereof causing serious damage, injury, or loss of life or property resulting from any natural or manmade cause which, in the determination of the person authorized by resolution by the governing board of a local government, requires immediate action to accomplish the purposes of the Act and to effectively respond to the event or threat of the event;

WHEREAS, for purposes of the Act, a “Disaster” means any event or the imminent threat thereof causing widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause;

WHEREAS, pursuant to Neb. Rev. Stat. §§ 22-155 and 23-101, the County of Lancaster is a county of the State of Nebraska;

WHEREAS, Neb. Rev. Stat. § 23-103 provides that the powers of a county as a body corporate or politic shall be exercised by a county board;

WHEREAS, the Board of County Commissioners of the County of Lancaster, Nebraska (“Board”) is the governing board of the County of Lancaster, Nebraska (“County”);

WHEREAS, pursuant to County Resolution No. R-19-0037, the Board has authorized the Chair of the Board to declare that a local emergency exists pursuant to Neb. Rev. Stat. § 81-829.50;

WHEREAS, on June 1, 2020, and June 2, 2020, the Mayor of the City of Lincoln, Nebraska, declared an emergency to protect the residents of the City of Lincoln, Nebraska, from the imminent danger of civil disturbance, disorder, and riot due to acts of vandalism, property damage, and rioting occurring in the City of Lincoln, Nebraska;

WHEREAS, the County remains subject to an emergency declaration pursuant to County Declaration No. D-20-0001 as a result of the COVID-19 pandemic;

WHEREAS, the Board finds that conditions defined as a Disaster or an Emergency exist in the County; and

WHEREAS, the Board therefore wishes to declare that a local emergency is occurring in the County as a result of the imminent danger of civil disturbance, disorder, and riot due to acts of vandalism, property damage, and rioting occurring in the City of Lincoln, Nebraska.

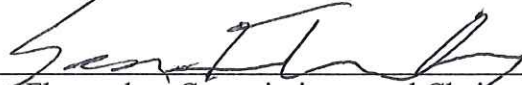
NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LANCASTER, NEBRASKA, DECLARES AS FOLLOWS:

1. The Board finds that the imminent danger of civil disturbance, disorder, and riot due to acts of vandalism, property damage, and rioting occurring in the City of Lincoln, Nebraska:
 - a. Constitutes an Emergency because it is causing serious damage, injury, or loss of life or property resulting from a natural or manmade cause which, in the determination of the Chair, requires immediate action to accomplish the purposes of the Act and to effectively respond to the event; and
 - b. Constitutes a Disaster because it is causing widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause.


2. Therefore, the Chair hereby declares that a local emergency is occurring in the County as a result of imminent danger of civil disturbance, disorder, and riot due to acts of vandalism, property damage, and rioting occurring in the City of Lincoln, Nebraska.
3. In order to effectively respond to this local emergency, the Chair shall, as necessary:
 - a. Expend emergency funds from all available sources;
 - b. Invoke mutual aid agreements;
 - c. Apply to the State of Nebraska for assistance from the Governor's Emergency Fund and any other resources as deemed necessary;
 - d. Request National Guard support at the Hall of Justice building located at 575 South 10th Street, Lincoln, Nebraska; and
 - e. Take all other steps the Chair deems necessary.

DATED this 2nd day of June, 2020.

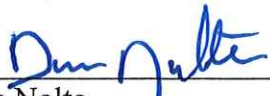
BY THE CHAIR OF THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER COUNTY,
NEBRASKA


Sean Flowerday, Commissioner and Chair
Board of County Commissioner of Lancaster County,
Nebraska

APPROVED AS TO FORM
this 2 day of JUNE, 2020.


For PATRICK F. CONDON
Lancaster County Attorney

ATTEST:


Dan Nolte
Lancaster County Clerk