



# MARIPOSA COUNTY

Administration · 209-966-3222



## **RESOLUTION - ACTION REQUESTED 2013-239**

MEETING: June 18, 2013

TO: The Board of Supervisors

FROM: Rick Benson, County Administrative Officer

RE: Adopt Resolution Ratifying Declaration Proclaiming Existence of a Local Emergency

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### **RECOMMENDATION AND JUSTIFICATION:**

(A) Make a finding per Government Code Section 54954.2(b)(1) which allows your Board to consider an item not on the agenda when your Board determines that an emergency situation exists.

The Board may discuss an item which was not previously placed on the agenda at a regular meeting, provided the Board determines that there is a need for immediate action which cannot reasonably wait for the next regularly scheduled meeting. (California Government Code § 54954.2(b)(2)) The need for immediate action must have come to the attention of the Board after the agenda was posted. A two-thirds vote is required.

The wild land fire known as the Carstens Fire started on June 16, 2013, after the June 13, 2013 preparation and posting of the June 18, 2013 meeting agenda.

(B) It is recommended that your Board adopt the attached Resolution ratifying the attached Declaration Proclaiming Existence Of A Local Emergency And Requesting; (1) The Governor To Proclaim A State Of Emergency; And (2) Requesting A Presidential Declaration Of A State Of Emergency Proclaiming Existence Of A Local Emergency And Requesting The Governor Of The State Of California And The President Of The United States To Proclaim A State Of Emergency For The County of Mariposa.

On June 17, 2013 Chairman Stetson, acting in his capacity as the Director of Emergency Services pursuant to Mariposa County Code Section 2.80.040, issued the attached Declaration proclaiming a local emergency as a result of the Carstens Fire. Pursuant to Government Code Section 8630, whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing Board.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:** Your Board has ratified similar

declarations during other emergencies.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:** If your Board does not ratify the Chairman's declaration, the County will not be eligible for possible State or Federal disaster assistance.

**FINANCIAL IMPACT:**

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**ATTACHMENTS:**

**2013 Carstens Fire Emergency Resolution (DOC)**

**2013 Carstens Fire Emergency Proclamation (PDF)**

**CAO RECOMMENDATION**

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Kevin Cann, District IV Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**RESOLUTION NO. 13-239**

**RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY AND REQUESTING DECLARATION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY AND REQUESTING; (1) THE GOVERNOR TO PROCLAIM A STATE OF EMERGENCY FOR THE COUNTY OF MARIPOSA; AND (2) REQUESTING A PRESIDENTIAL DECLARATION OF A STATE OF EMERGENCY FOR THE COUNTY OF MARIPOSA**

**WHEREAS**, Section 8630 of the Government Code mandates that a local emergency may be proclaimed by the governing body of a local agency, or, if it has been previously declared by an official designated by the governing body, such local emergency must be ratified within 7 days by the governing body of the local agency; and

**WHEREAS**, the Board of Supervisors does hereby find that conditions of extreme peril to the safety of persons and property have arisen within Mariposa County, caused by the Carstens Fire commencing on or about June 16, 2013; and

**WHEREAS**, the Chairman of the Board of Supervisors serving in his capacity as Director of Emergency Services of Mariposa County on June 17<sup>th</sup>, 2013 declared the existence of a local emergency and requested the Governor of the State of California and President of the United States to Proclaim a State of Emergency in the County of Mariposa; and

**WHEREAS**, the Carstens Fire is causing ongoing damage, the extent of which has not been completely compiled, to County and other public and district facilities, including but not limited to roads, with the initial estimates of damage being unknown at this time; and

**WHEREAS**, the Carstens Fire is posing an immediate threat to numerous private homes and other structures; and

**WHEREAS**, local resources have been deployed to the Carstens Fire within Mariposa County, thereby depleting fire protection and response resources; and

**WHEREAS**, it has now been found that local resources are unable to cope with the effects of this emergency; and

**WHEREAS**, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a local emergency;

**NOW, THEREFORE, BE IT HEREBY PROCLAIMED** that a local emergency now exists throughout Mariposa County and the prior Declaration of Emergency issued by the Emergency Services Director is hereby ratified; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that during the existence of the local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency services organization of the County shall be those prescribed by state law, by ordinances, and by resolutions of Mariposa County approved by the Board of Supervisors; and

**IT IS FURTHER ORDERED** that a copy of this Resolution be forwarded to the Governor of the State of California and the President of the United States with the request that they proclaim that the County of Mariposa continues to be in a state of emergency; and

**IT IS FURTHER ORDERED** that a copy of this Resolution be forwarded to the State Director of the Office of Emergency Services; and

**IT IS FURTHER ORDERED** that Richard J. Benson, County Administrative Officer and Emergency Services Officer, or his designee, is hereby designated as the local Hazard Mitigation Coordinator of the County of Mariposa for the purpose of assessing damage within Mariposa County and consulting with federal/state survey teams about hazard mitigation actions; and

**IT IS FURTHER ORDERED** that Richard J. Benson, or his designee, is hereby designated as the authorized representative for public assistance, and Richard J. Benson, or his designee, is hereby designated as the authorized representative for individual assistance of the County of Mariposa for purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 18th day of June, 2013 by the following vote:

AYES: Stetson, Jones, Bibby, Cann, Carrier  
NOES: None  
ABSENT: None  
ABSTAINED: None



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**LEE STETSON**, Chairman  
Mariposa County Board of Supervisors

**ATTEST:**



\_\_\_\_\_  
**RENÉ LaROCHE**  
Clerk of the Board

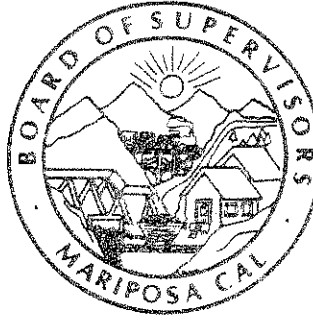
**APPROVED AS TO FORM:**



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**STEVEN W. DAHLEM**  
County Counsel

# Mariposa County Board of Supervisors

District 1 ..... LEE STETSON  
District 2 ..... MERLIN JONES  
District 3 ..... JANET BIBBY  
District 4 ..... KEVIN CANN  
District 5 ..... JOHN CARRIER



RICHARD J. BENSON  
County Administrative Officer

RENÉ LAROCHE  
Clerk of the Board

P. O. Box 784  
Mariposa, CA 95338  
(209) 966-3222  
(800) 736-1252  
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[www.mariposacounty.org/board](http://www.mariposacounty.org/board)

June 18, 2013

Honorable Barack Obama  
The White House  
1600 Pennsylvania Ave, NW  
Washington, DC 20500

Dear Mr. President:

Recently the Carstens wildfire is having a significant effect on Mariposa County. In response to the fire, the Mariposa County Board of Supervisors has declared a local emergency and is requesting a Presidential Declaration of a state of emergency. Enclosed is Mariposa County Resolution No. 13-239 proclaiming the existence of a local emergency and requesting declaration proclaiming existence of a local emergency and requesting the Governor to proclaim a state emergency for the County of Mariposa and requesting a Presidential Declaration of a state of emergency for the County of Mariposa.

Very truly yours,

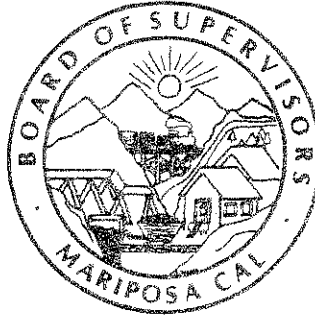
Lee Stetson  
Chair, Board of Supervisors

Enclosures

cc: Governor Jerry Brown  
Mark Ghilarducci, Secretary, California State Office of Emergency Services  
Congressman Tom McClintock  
Senator Jeff Denham  
Assemblyman Frank Bigelow

# Mariposa County Board of Supervisors

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June 18, 2013

The Honorable Jerry Brown  
Governor, State of California  
State Capital Building, Sacramento, CA 95814

Via: Mark Ghilarducci  
Secretary, California State Office of Emergency Services  
3650 Schriever Avenue  
Mather, CA 95655

Dear Governor Brown:

Enclosed are two copies of Mariposa County's Declaration proclaiming the existence of a local emergency, requesting a Governor's declaration of a state of emergency for the County of Mariposa, and requesting a Presidential Declaration of a state of emergency for the County of Mariposa.

We want to take this opportunity to thank you for your action to proclaim a state of emergency in Mariposa County due to the Carstens wildfire. As always, the assistance of your Office of Emergency Services was essential and invaluable to this small county in preparing this request.

Very truly yours,

Lee Stetson  
Chair, Board of Supervisors

Enclosures

Cc: Congressman Tom McClintock  
Senator Jeff Denham  
Assemblyman Frank Bigelow