

MARIPOSA COUNTY

Administration • 209-966-3222



RESOLUTION - ACTION REQUESTED 2013-362

MEETING: August 27, 2013

TO: The Board of Supervisors

FROM: Rick Benson, County Administrative Officer

RE: Rim Fire Declaration Proclaiming Existence of a Local Emergency

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 Rim Fire started in Tuolumne County on or about August 17, 2013. The fire progressed into Mariposa County August 24, 2013 after the August 22, 2013 preparation and posting of the August 27, 2013 meeting agenda.

- (B) It is recommended that your Board adopt the attached Declaration Proclaiming Existence of a Local Emergency and Requesting (1) the Governor to Proclaim a State of Emergency and (2) a Presidential Declaration of a State of Emergency for the County of Mariposa.

On August 26, 2013 the Fire Chief informed the Board that the Rim Fire has progressed into Mariposa County to the degree that local resources are unable to cope with the effects of the emergency and recommended a declaration proclaiming a local emergency.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Your Board has made or ratified similar declarations during other emergencies.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the Board does not declare a local emergency the County will not be eligible for possible State or Federal disaster assistance.

FINANCIAL IMPACT:

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ATTACHMENTS:

2013 Rim Fire Emergency Proclamation (DOC)

**Statement by Wendy Brown-Barry Regarding Need for Emergency Declaration
(PDF)**

CAO RECOMMENDATION

Requested Action Recommended

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

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

WHEREAS, Section 8630 of the Government Code and Chapter 2.80 of the Mariposa County Code authorize the Director of Emergency Services to proclaim the existence of a local emergency within the County of Mariposa when it is affected or likely to be affected by the existence or threatened existence of conditions of emergency or of extreme peril to the safety of persons and property within the territorial limits of Mariposa County; and

WHEREAS, the Director of Emergency Services does hereby find that conditions of extreme peril to the safety of persons and property have arisen within Mariposa County, caused by the Rim Fire which started on or about August 17, 2013; and

WHEREAS, the Rim Fire is causing ongoing damage to County and other public and district facilities, including but not limited to roads and structures within Mariposa County, the extent of which has not been completely compiled; and

WHEREAS, the Rim Fire is posing an immediate threat to numerous private homes and other structures within Mariposa County; and

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

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

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

NOW, THEREFORE, BE IT HEREBY DECLARED that a local emergency now exists throughout Mariposa County; and

IT IS FURTHER DECLARED 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, and by ordinances and resolutions of Mariposa County approved by the Board of Supervisors; and

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

IT IS FURTHER ORDERED that a copy of this Declaration 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 purposes of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance; and

BE IT FURTHER RESOLVED that the County of Mariposa also requests the State of California to waive regulations that may hinder response and recovery efforts, to make available recovery assistance under the California Disaster Assistance Act, and to expedite access to federal resources and any other appropriate federal relief programs; and

BE IT FURTHER RESOLVED AND ORDERED that the local State of Emergency shall be deemed to continue to exist until its termination is proclaimed by the Mariposa County Board of Supervisors.


PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 27th day of August, 2013 by the following vote:

AYES: STETSON, JONES, BIBBY, CANN, CARRIER

NOES: NONE

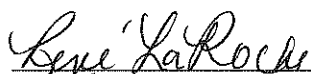
ABSENT: NONE

ABSTAINED: NONE



LEE STETSON, Chairman
Mariposa County Board of Supervisors

ATTEST:



RENÉ LaROCHE
Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel