

DEPARTMENT: Administration

BY: Rick Benson

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

The following actions are recommended as a result of the rain damage in the County: Adopt a Resolution Proclaiming the Existence of a Local Emergency and Requesting: The Governor and President to Proclaim a State of Emergency; and Adopt a Resolution Appointing Individuals to Act on Behalf of Mariposa County.

The resolutions are attached, as well as the Emergency Declaration. These actions are necessary to obtain available state and federal assistance.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None on this matter. The Board has proclaimed the existence of a local emergency in the past due to fires and floods.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: The County would forgo potential state and federal disaster funding.

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Resolution Proclaiming Local Emergency
Source:		Designation of Applicant's Agent Resolution
Internal Transfer _____		Declaration Proclaiming Local Emergency
Unanticipated Revenue _____ 4/5's vote		
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
() General () Other		

CLERK'S USE ONLY:

Res. No.: 11-7 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California

By: _____
 Deputy

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

CAO: *RJB*

RESOLUTION NO. 11-7

**RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY,
RATIFYING THE DECLARATION OF EMERGENCY ISSUED BY THE
EMERGENCY SERVICES DIRECTOR, 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**

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 heavy rains commencing on or about December 28, 2010; and

WHEREAS, the Emergency Services Director has previously declared a local emergency in Mariposa County as a result of washed out roads; and

WHEREAS, on December 29, 2010, the Chairman of the Board of Supervisors, serving in his capacity as Director of Emergency Services of Mariposa County, 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, mudslides and rockslides on Ben Hur Road and Old Highway have caused roadways to partially wash away, the extent of which has not been completely compiled, which will require extraordinary mitigation response by this County, the initial estimates of damage being unknown at this time but no less than \$100,000; and

WHEREAS, Ben Hur Road provides the only viable means of ingress and egress to 25 County residential dwellings in the area and is the only route available to emergency personnel; and

WHEREAS, local resources have been deployed to Ben Hur Road, Old Highway and other damaged roads within Mariposa County, and will require extraordinary local response for life and safety protection, as well as associated emergency response; and

WHEREAS, it has now been found that local resources are unable to fully 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 to be in a state of emergency with the California Declaration being in accordance with and to be compensated through the California Disaster Assistance Agreement (CDAA); 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 Rick 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 Rick Benson, or his designee, is hereby designated as the authorized representative for public assistance, and Rick 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.

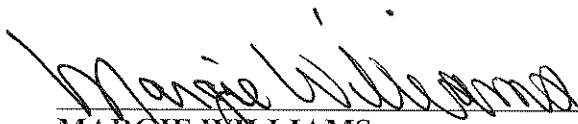
PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 4th day of January, 2011 by the following vote:

AYES: STETSON, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE



Jim Allen, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel

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

WHEREAS, Section 8630 of the Government Code and Chapter 2.80 of the Mariposa County Ordinance Code authorizes 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 heavy rains commencing on or about December 28, 2010; and

WHEREAS, the Board of Supervisors is not in session, and that conditions of extreme peril to the safety and persons and property have arisen within Mariposa County and local emergency response agencies are faced with being extended beyond their functional capabilities because of flooding within Mariposa County; and

WHEREAS, mudslides and rockslides on Ben Hur Road and Old Highway have caused roadways to partially wash away, the extent of which has not been completely compiled, which will require extraordinary mitigation response by County, the initial estimates of damage being unknown at this time but no less than \$100,000; and

WHEREAS, Ben Hur Road provides the only viable means of ingress and egress to 25 County residential dwellings in the area and is the only route available to emergency personnel; and

WHEREAS, local resources have been deployed to Ben Hur Road, Old Highway and other damaged roads within Mariposa County, and will require extraordinary local response for life and safety protection, as well as associated emergency response; 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 fully 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, by ordinances, and by 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 the President of the United States with the request that they proclaim the County of Mariposa to be in a state of emergency with the California Declaration being in accordance with and to be compensated through the California Disaster Assistance Agreement (CDAA); and

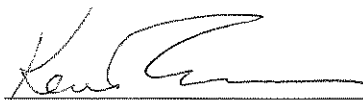
IT IS FURTHER ORDERED that a copy of this Declaration be forwarded to the State Director of the Office of Emergency Services; and

IT IS FURTHER ORDERED that Rick 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 Rick Benson, or his designee, is hereby designated as the authorized representative for public assistance, and Rick 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.

IT IS FURTHER ORDERED that Rick Benson, or his designee place on the agenda of the Board of Supervisors for their meeting of January 4, 2011 a proposed resolution for adoption ratifying this declaration; and

This Declaration is issued this 29th day of December 2011, by the Mariposa County Director of Emergency Services pursuant to the authority granted to the Director of Emergency Services by Mariposa County Code section 2.80.040




KEVIN CANN, Chairman
Mariposa County Board of Supervisors
Director of Emergency Services

ATTEST:



TRACY GAUTHIER
Deputy Clerk of the Board

APPROVED AS TO FORM:



RICHARD J. BENSON
County Administrative Officer



STEVEN W. DAHLEM
County Counsel

Richard is the doing new work

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA
(Governing Body) (Name of Applicant)

THAT _____, Chair, Board of Supervisors OR
(Title of Authorized Agent)

Allen, Toschi, Public Works Director, OR
(Title of Authorized Agent)

Richard J. Benson, County Administrative Officer
(Title of Authorized Agent)

is hereby authorized to execute for and in behalf of the County of Mariposa, a public entity
(Name of Applicant)
established under the laws of the State of California, this application and to file it in the Office of Emergency Services for
the purpose of obtaining certain federal financial assistance under P.L. 93-288 as amended by the Robert T. Stafford
Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster
Assistance Act.

THAT the County of Mariposa, a public entity established under the laws of the State of California,
(Name of Applicant)

hereby authorizes its agent(s) to provide to the State Office of Emergency Services for all matters pertaining to such state
disaster assistance the assurances and agreements required.

- This is a universal resolution and is effective for all open and future disasters.
 This is a disaster specific resolution and is effective for only disaster number(s) _____.

Passed and approved this 4th day of January, 2011

_____, Chair, Board of Supervisors
(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, Margie Williams, duly appointed and Clerk of the Board of
(Name) (Title)

Mariposa County, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

resolution passed and approved by the Board of Supervisors of the County of Mariposa
(Governing body) (Name of Applicant)

on the 4th day of January, 2011.

(Signature) Clerk of the Board
(Title)

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AND REQUESTING; (1) THE GOVERNOR TO PROCLAIM A STATE OF
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WHEREAS, Section 8630 of the Government Code and Chapter 2.80 of the Mariposa County Ordinance Code authorizes 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 heavy rains commencing on or about December 28, 2010; and

WHEREAS, the Board of Supervisors is not in session, and that conditions of extreme peril to the safety and persons and property have arisen within Mariposa County and local emergency response agencies are faced with being extended beyond their functional capabilities because of flooding within Mariposa County; and

WHEREAS, mudslides and rockslides on Ben Hur Road and Old Highway have caused roadways to partially wash away, the extent of which has not been completely compiled, which will require extraordinary mitigation response by County, the initial estimates of damage being unknown at this time but no less than \$100,000; and

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ATTEST:



TRACY GAUTHIER
Deputy Clerk of the Board



KEVIN CANN, Chairman
Mariposa County Board of Supervisors
Director of Emergency Services

APPROVED AS TO FORM:



RICHARD J. BENSON
County Administrative Officer



STEVEN W. DAHLEM
County Counsel