

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RATIFYING) RESOLUTION NO. 07- 227
PROCLAMATION OF THE EXISTENCE)
OF A LOCAL EMERGENCY CAUSED BY)
FIRE. AND CONFIRMING)
THE REQUEST FOR A STATE OF)
EMERGENCY;)
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_____)

WHEREAS, Government Code, Sections 8558 and 8630, et seq., and Chapter 12 of the Santa Barbara County Code empower the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the County is affected or likely to be affected by a public calamity and the Board of Supervisors is not in session, subject to ratification by the Board of Supervisors within seven days; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within this County, caused by fire commencing on or about on July 4, 2007; and

WHEREAS, the Director of Emergency Services of the County of Santa Barbara did proclaim the existence of a local emergency within the County of Santa Barbara, on the 3rd day of August, 2007, at 1425 hours, at which time the Board of Supervisors was not in session (a copy is attached of the "Proclamation of Local Emergency by Director of Emergency Services"); and

WHEREAS, on the 3rd day of August, 2007 at 1425 hours, at which time the Board of Supervisors was not in session, the Director of Emergency Services of the County of Santa Barbara also requested the Governor of California to proclaim the County of Santa Barbara, to be in a State of Emergency within the meaning of Government Code Section 8558 (a copy is attached of the "Request to Governor to Proclaim a State of Emergency When Board of Supervisors is not in Session"); and

WHEREAS, the Board of Supervisors does hereby find that these conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency and warranted the request to the Governor of California for a State of Emergency, covering the County of Santa Barbara.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that the proclamation of the existence of a local emergency as issued by the Director of Emergency Services is ratified by the Board of Supervisors of the County of Santa Barbara; and

IT IS FURTHER ORDERED that the requests to the Governor of California, by the Director of Emergency Services, to proclaim the County of Santa Barbara to be in a State of Emergency covering the County of Santa Barbara, are confirmed by the Board of Supervisors of the County of Santa Barbara.

IT IS FURTHER PROCLAIMED AND ORDERED that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors of the County of Santa Barbara, California.

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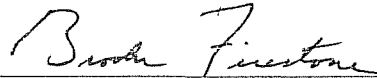
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 3rd day of August 3, 2007, at an Emergency Meeting pursuant to Government Code 54956.5 by the following vote:

AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0

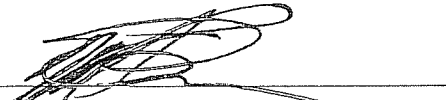


Chair, Board of Supervisors

ATTEST:

MICHAEL F. BROWN
CLERK OF THE BOARD

By


Deputy

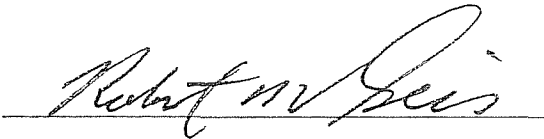
APPROVED AS TO FORM:
STEPHEN SHANE STARK
COUNTY COUNSEL

By


Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, C.P.A.
AUDITOR-CONTROLLER

By





**PROCLAMATION OF LOCAL EMERGENCY
BY DIRECTOR OF EMERGENCY SERVICES
REQUESTING GOVERNOR TO
PROCLAIM A STATE OF EMERGENCY**

WHEREAS, Chapter 12, Section 6 of the Santa Barbara County Code, empowers the County of Santa Barbara, Director of Emergency Services, to proclaim a local emergency if the Board of Supervisors is not in session; and

WHEREAS, Section 8558 (c) of the Government Code defines a "Local Emergency" as: "the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, complications resulting from the Year 2000 Problem, or other conditions, other than conditions resulting from a labor controversy, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission; and,"

WHEREAS, conditions of extreme peril to the safety of persons and property within the County of Santa Barbara have arisen as a result of the Zaca Fire. The Zaca Fire began on July 4, 2007, and is threatening populated areas, which has led to mandatory evacuations. The Zaca Fire has now consumed 38,030 acres. These conditions constitute a local emergency as defined in Government Code Section 8558, subdivision (c); and"

WHEREAS, the Director of Emergency Services finds that conditions of extreme peril to the safety of persons and property as a result of the Zaca Fire necessitate the proclamation of the existence of a local emergency within the County of Santa Barbara; and,

WHEREAS, the Board of Supervisors of Santa Barbara County are not in session; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists in the County of Santa Barbara


1. That all the recitals set forth herein above are true, correct, and valid; and
2. That these aforementioned conditions of extreme peril are not the results of labor controversy; and

3. That in furtherance of this proclamation of local emergency, there is hereby invoked in the County of Santa Barbara all of the powers and mechanisms set forth in the California Emergency Services Act (Government Code sections 8550 et seq.), Santa Barbara County Code, Chapter 12, Section 6 and all other applicable laws, as said powers and mechanisms may hereafter be used by authorized personnel of the County of Santa Barbara; and
4. That, pursuant to Santa Barbara County Code, Chapter 12, Section 6(a)(6)(C) and (D), the Director of Emergency Services is empowered to require emergency services of any county officer or employee and to requisition necessary personnel or material of any county department or agency; and
5. That a copy of this Proclamation of Local Emergency shall be posted on all outside public access doors of the County Administration Building, and personnel of said County shall endeavor to make copies of this Proclamation available to news media; and
6. That conditions of extreme peril to the safety of persons and property within the County of Santa Barbara have arisen as a result of the Zaca Fire, commencing on July 4, 2007, and by August 2, 2007 has grown to over 38,030 acres, threatening populated areas and forcing mandatory evacuations at which time the Board of Supervisors of Santa Barbara County were not in session and said conditions constitute a local emergency as defined in Government Code Section 8558, subdivision (c); and
7. That this Proclamation of Local Emergency shall be effective immediately and shall remain in effect for a period of seven (7) days from the date hereof, unless ratified by the Board of Supervisors, and extended, or unless sooner terminated.

IT IS ORDERED that a copy of this proclamation is forwarded to the State Director of Emergency Services and the Governor of California with a request that the Governor proclaim a State of Emergency and provide state assistance.

Dated: August 3, 2007

Time: 1425


County Administrator /
Director of Emergency Services
County of Santa Barbara