

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Nm Agenda Number:
Prepared on: February 26, 2004
Department Name: County Administrator
Department No.: 0130
Agenda Date: March 9, 2004
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown
County Administrator

STAFF CONTACT: Bruce Carter, OES Manager 681-5559

SUBJECT: Terminate the Declaration of a Local Emergency Relating to the December 22, 2003 San Simeon Earthquake Emergency (FEMA-DR-1505) for Santa Barbara County

Recommendation(s):

That the Board of Supervisors:

Approve the Resolution Proclaiming the Termination of Local Emergency, Resolution Number 03-384, relating to the December 22, 2003 San Simeon Earthquake.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 2; Ensure the Public Health and Safety and Provide Essential Infrastructure.

Executive Summary and Discussion:

County Code Chapter 12, Section 6 requires that the Board shall review, at least every fourteen days until a local emergency is terminated, the need for continuing the local emergency, and shall proclaim the termination of such local emergency at the earliest possible date. Due FEMA's denial of the County's appeal and also due to the receipt of the federal declaration of disaster by President George W. Bush, the State of Emergency Proclamation by Governor Arnold Schwarzenegger, and the finding by U.S. Small Business Administration Acting Associate Administrator for Disaster Assistance S. George Camp that Santa Barbara County constitutes a disaster area, the resulting availability of State and federal resources no long

make it necessary to continue our County's Proclamation of Local Emergency related to the December 22, 2003 earthquake. Therefore, the conditions that warranted the local emergency no longer exist and it is recommended that the Board of Supervisors formally terminate the local emergency for the December 22, 2003 San Simeon Earthquake.

Background

On December 22, 2003 at or about 11:16 a.m. a magnitude 6.5 earthquake occurred near San Simeon in San Luis Obispo County (San Simeon Earthquake). On December 24, 2003, when the Board of Supervisors was not in session, Director of Emergency Services Michael F. Brown, proclaimed the existence of a local emergency for Santa Barbara County in connection with the December 22, 2003 San Simeon Earthquake and continuing aftershocks. On December 29, 2003, your Board approved a resolution # 03-384 ratifying this act and proclaiming the existence of a local emergency relative to the continuing earthquake emergency and seeking both a State and Presidential Declaration of Emergency. Your Board reaffirmed the Proclamation on January 14, January 28, February 10, and February 24, 2004.

On December 31, 2003, Lieutenant Governor Cruz M. Bustamante, acting in Governor Schwarzenegger's absence, proclaimed the County of Santa Barbara to be in a State of Emergency. On January 13, 2004 President George Bush proclaimed the County of Santa Barbara to be a major disaster (FEMA-DR-1505) but only provided for federal Public Assistance disaster funds, no Individual Assistance for private individuals, and very limited assistance to businesses from the Small Business Administration.

On February 2, 2004 the County's Office of Emergency Services received a formal request from the Cities of Guadalupe and Santa Maria that the County, on their behalf, pursue a Request for Reconsideration to amend the January 13, 2004 Presidential Disaster Declaration to also include federal Individual Assistance for Santa Barbara County residents. On February 4, 2004, the County submitted to the State a formal request for reconsideration of the Presidential Disaster Declaration to include the same federal disaster assistance, including Public Assistance, Individual Assistance and Small Business Administration funding programs, as was granted to San Luis Obispo County agencies, businesses and private residents. FEMA closed the incident period for San Simeon Earthquake effective February 6, 2004.

Upon receipt of the County's request, an Individual Assistance Preliminary Damage Assessment Team was sent on February 6, 2004 to conduct a second survey of the additional damages reported. Based on their assessment, the State then forwarded on February 10, 2004 the County's request to Federal Emergency Management Agency (FEMA).

On February 25, 2004 FEMA issued its denial of the State's appeal on behalf of Santa Barbara County. (*Attachment 1*) FEMA has determined that the damages in Santa Barbara County are not of the severity and magnitude to warrant any additional federal disaster assistance for the San Simeon Earthquake Disaster (FEMA-DR-1505). This is FEMA's final decision on this issue in accordance with 44 CFR 206.46(b).

Mandates and Service Levels:

No change in programs or service level.

Fiscal and Facilities Impacts:

There are no direct fiscal or facilities impacts as a result of these recommendations.

Special Instructions:

Return one signed copy of the Resolution to the Office of Emergency Services.

Concurrence:

Public Works

County Counsel

Auditor Controller

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

IN THE MATTER OF TERMINATING THE) RESOLUTION NO. 04-____
EXISTENCE OF A LOCAL EMERGENCY DUE)
TO THE SAN SIMEON EARTHQUAKE)
_____)

WHEREAS, a Proclamation of Local Emergency was made by the Director of Emergency Services on December 24, 2003 due to the effects of the San Simeon earthquake, and was ratified by the Board of Supervisors on December 29, 2003 by Resolution 03-384;

WHEREAS, the Board of Supervisors reviewed the need for continuing the Proclamation of Local Emergency on January 13, January 27, February 10 and February 24, 2004 and determined the need for the Proclamation to remain in effect;

WHEREAS, on December 31, Lieutenant Governor Cruz M. Bustamonte, acting in Governor Arnold Schwarzenegger's absence, proclaimed a State of Emergency in Santa Barbara County; on January 13, 2004 President George W. Bush declared a major disaster exists in California, making Federal funding available for disaster recovery efforts; on January 14, 2004 U.S. Small Business Administration Acting Administrator for Disaster Assistance S. George Camp made a finding that Santa Barbara County constitutes a disaster area;

WHEREAS, due to disaster recovery assistance being made available by State and Federal agencies, there is no longer a need to continue the Proclamation of Local Emergency.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Santa Barbara County Board of Supervisors that the Proclamation of Local Emergency for Santa Barbara County related to the San Simeon earthquake is to be terminated at 11:59 P.M. on March 9, 2004.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 9th day of March, 2004, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

COUNTY OF SANTA BARBARA

ATTEST:

MICHAEL F. BROWN
CLERK OF THE BOARD

JOSEPH CENTENO, Chair
Board of Supervisors

By _____
Chief Deputy Clerk

APPROVED AS TO FORM:
SHANE STARK
COUNTY COUNSEL

APPROVED AS TO FORM:
ROBERT GEIS
AUDITOR-CONTROLLER

By _____

By _____