

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

**IN THE MATTER OF THE
EXISTENCE OF LOCAL
EMERGENCY DUE TO THE GAP
FIRE BURN DAMAGES**

RESOLUTION NO. 08 – _____

WHEREAS, Chapter 12, Section 6 of the Santa Barbara County Code, empowers the Director of Emergency Services for the Santa Barbara County Operational Area, to request the Santa Barbara County Board of Supervisors to proclaim a local emergency if he or she believes that conditions present a threat or potentially pose a threat of disaster or of extreme peril: 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, 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, the Director of Emergency Services believes that conditions of extreme peril potentially exist for persons and property in the County of Santa Barbara as a result of the Gap Fire burn damage, and these conditions necessitate the proclamation of the existence of a local emergency within the County of Santa Barbara; and,

WHEREAS, the Gap Fire began on July 1, 2008, and was contained July 28, 2008. The Gap Fire burned and damaged over 9,400 acres in the hills above the residences and businesses of the City of Goleta, City of Santa Barbara and unincorporated areas; and,

WHEREAS, on July 2, 2008, when the Board of Supervisors was not in session, the Acting Director of Emergency Services proclaimed the existence of a local emergency within the County of Santa Barbara due to the Gap Fire. The proclamation was ratified by the Board of Supervisors on July 3, 2008. The proclamation of a local emergency for the active Gap Fire was allowed to terminate once the fire was contained.

WHEREAS, on July 3, 2008 the Governor of California proclaimed the County of Santa Barbara to be in a State of Emergency as a result of the Gap Fire.

WHEREAS, the United States Forest Service has identified that significant threats exist to persons and properties due to the potential for increased rain runoff from the burn area during the upcoming rainy season. The increased rain runoff will considerably increase the likelihood of flooding and landslides;

WHEREAS, the Director of Emergency Services believes that because of these extreme conditions, extensive local, state and federal resources are now required to mitigate the threats, and believes these conditions constitute a local emergency as defined in Government Code Section 8558, subdivision (c), and requests the Board of Supervisors to proclaim a local emergency due to the Gap Fire burn damages.

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

That all the recitals set forth herein above are true, correct, and valid; and,

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 Gap Fire. The Gap Fire burned over 9,400 acres and damaged the hillsides over the populated areas of Santa Barbara County. The burn damage has created conditions of extreme peril that now threatens populated areas with flooding and landslides due to the significant increase in rain runoff that will likely result during the upcoming rainy season. These conditions of extreme peril constitute a local emergency as defined in Government Code Section 8558, subdivision (c); and,

1. These conditions of extreme peril are not the results of labor controversy; and,
2. 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,

3. That, pursuant to Santa Barbara County Code, Chapter 12, Section 6 the Board of Supervisors is empowered to require the emergency services of any county officer or employee and to requisition necessary personnel or material of any county department or agency; and,
4. That a copy of this Proclamation of Local Emergency shall be posted at the County Administration Building in Santa Barbara, County offices in Santa Ynez, Lompoc and Santa Maria. Copies of this Proclamation shall be made available to news media and available on the County's web site (www.countyofsb.org); and,
5. That this Proclamation of Local Emergency shall be effective immediately and shall remain in effect until such time that the Board of Supervisors determines that a threat no longer exists; and,
6. The Board of Supervisors shall review and, if deemed necessary, ratify the proclamation at least every fourteen (14) days.

IT IS ORDERED that a copy of this proclamation be forwarded to the State Director of Emergency Services.

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PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California this _____ day of _____, 2008, by the following

vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Supervisor Salud Carbajal, Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

By _____
Deputy