

EX-AGENDA REQUEST

**JUSTIFICATION FOR THE NECESSITY FOR THE BOARD OF SUPERVISORS
TO TAKE ACTION ON A MATTER NOT ON THE POSTED AGENDA**

[Submit an Original + 12 copies to the Clerk of the Board]

TO: BOARD OF SUPERVISORS

FROM: Michael F. Brown, County Administrator

DEPARTMENT: County Administrator

MEETING Date: January 11, 2005

SUBJECT: Ratification of Proclamation of a local Emergency caused by heavy rain and confirming the request of the Governor to declare a State of Emergency.

RECOMMENDED BOARD ACTION:

That the Board adopt a resolution ratifying the proclamation of a local emergency and confirming the request of the Governor to declare a State of Emergency.

REASON ITEM CANNOT BE PLACED ON FUTURE AGENDA: On January 10, 2005 a Local Emergency was proclaimed by the County Administrator and a request was made of the Governor of California to proclaim the County of Santa Barbara to be in a State of Emergency. According to State Statute, such a proclamation must be ratified by the Board of Supervisors within seven days. The next regular meeting of the Board of Supervisors will be held after that seven day period.

STATEMENT OF REASON FOR EMERGENCY*, OR WHY NEED FOR ACTION AROSE AFTER THE AGENDA WAS POSTED:

The Local Emergency was proclaimed after the 72 hour Brown Act posting requirement for the January 11, 2005 Board of Supervisors meeting had passed.

Signature of Requester/Title

**Signature of Supervisor or
County Administrator**

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

IN THE MATTER OF RATIFYING) RESOLUTION NO. 05-_____
PROCLAMATION OF THE EXISTENCE)
OF A LOCAL EMERGENCY CAUSED BY)
HEAVY RAIN, AND CONFIRMING)
THE REQUEST FOR A STATE OF)
EMERGENCY; AND REQUESTS A)
PRESIDENTIAL DECLARATION OF)
EMERGENCY)
_____)

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 heavy rain, storm conditions and flooding commencing on or about on January 1, 2005; 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 10th day of January, 2005, 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 10th day of January, 2005, 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, and it now finds that it is warranted to additionally ask the Governor to request the President of the United States to issue a Presidential Declaration 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; and the Board asks the Governor to request the President of the United States to issue a Presidential Declaration of Emergency covering 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 _____ day of January, 2005, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair, Board of Supervisors

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy

APPROVED AS TO FORM:
STEPHEN SHANE STARK
COUNTY COUNSEL

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

By _____
Deputy County Counsel

By _____