

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

IN THE MATTER OF RATIFYING)	RESOLUTION NO. 09-_____
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;

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within this County, caused by fire commencing on May 5, 2009 (the Jesusita Fire);

WHEREAS, the Acting 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 5th day of May, 2009, at 1740 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");

WHEREAS, on the 6th day of May, 2009 at 1515 hours, at which time the Board of Supervisors was not in session, the Acting Director of Emergency Services of the County of Santa Barbara requested that the Governor of California 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"); 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 Acting Director of Emergency Services is ratified by the Board of Supervisors of the County of Santa Barbara; and

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

IT IS FURTHER PROCLAIMED AND ORDERED that the need for continuing the local emergency shall be reviewed by the Board of Supervisors at least every 14 days until it is terminated.

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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 May 2009, 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:
DENNIS A. MARSHALL
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
(GENERAL)**

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, or other conditions, other than conditions resulting from a labor controversy, which conditions 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, and;

WHEREAS, On May 5, 2009, conditions of extreme peril to the safety of persons and property have arisen within the County of Santa Barbara, caused by **FIRE (Jesusita Fire)**. The conditions of extreme peril merit the proclamation of a local emergency. The Board of Supervisors of the County of Santa Barbara is currently not in session; and

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

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

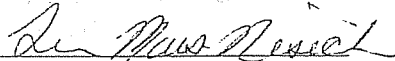
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BY DIRECTOR OF EMERGENCY SERVICES
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4. That, pursuant to Santa Barbara County Code, Chapter 12, Section 6(a)(6)(C) and (D), the Director of Emergency Services is empowered to require emergency services 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 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 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.

Dated: May 5, 2009

Time:

17:40


County Executive Officer /
Director of Emergency Services
County of Santa Barbara



REQUEST TO GOVERNOR TO PROCLAIM A STATE OF EMERGENCY

WHEREAS, Chapter 12, Section 6 (b) 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, On May 5, 2009 at 1740 hours, the Director of Emergency Services proclaimed the existence of a local emergency within the County of Santa Barbara as a result of the **Jesusita Fire**; and

WHEREAS, the **Jesusita Fire** began at approximately 1330 hours on May 5, 2009, and has led to mandatory evacuations of 1200 homes and the closure of 14 schools. Mandatory evacuations remain in place and other populations have been displaced through evacuation warnings. Approximately 196 acres had burned as of 0800 hours on May 6, 2009, and extensive local, state and federal fire resources have been called upon; and

WHEREAS, due to the evacuation of over 1200 homes and the imminent threat to life and property, the conditions have reached a point that have outstripped the County's local response resources and the County of Santa Barbara, Director of Emergency Services has decided that it is necessary to request the Governor of the State of California to proclaim a State of Emergency for the County of Santa Barbara; and

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

NOW, THEREFORE, IT IS HEREBY PROCLAIMED

1. That a local emergency continues to exist in the County of Santa Barbara due to the **Jesusita Fire**, as defined in Government Code Section 8558, subdivision (c); and,
2. That the Governor of California is requested to proclaim a State of Emergency for the County of Santa Barbara as a result of the **Jesusita Fire**.

Dated: May 6, 2009

Time: 1515

Assistant County Executive Officer/
Acting Director of Emergency Services
County of Santa Barbara