MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA ACTION FORM

DATE: August 1, 2008
AGENDA ITEM NO.

DEPARTMENT: Administration
BY: Rick Benson
PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

The following actions are recommended as a result of the Telegraph Fire in the County:

A) Resolution Proclaiming the Existence of a Local Emergency and Requesting Declaration Proclaiming Existence of a Local Emergency and Requesting: 1) The Governor to Proclaim a State of Emergency; and 2) Requesting a Presidential Declaration of a State of Emergency; and

B) Approval of Designation of Applicant’s Agent Resolution Appointing Individuals to Act on Behalf of Mariposa County

The resolutions are attached, as well as the Emergency Declaration. These actions are necessary to obtain available state and federal assistance.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None on this matter. The Board has proclaimed the existence of a local emergency in the past due to fires, floods, and most recently due to the Ferguson Rockslide and the Oliver Fire.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? ( ) Yes (X) No Current FY Cost: $
Budgeted in Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $
Additional Funding Needed: $
Source:
Internal Transfer
Unanticipated Revenue
Transfer Between Funds
Contingency
( ) General ( ) Other

Annual Recurring Cost: $
List Attachments, number pages consecutively
Resolution Proclaiming Local Emergency
Designation of Applicant’s Agent Resolution
Declaration Proclaiming Local Emergency

CLERK’S USE ONLY:
Res. No. 08-341 Ord. No. 
Vote - Ayes: 5 Noes: 
Absent: 
( ) Approved
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: 

Attest: MARGIE WILLIAMS, Clerk of the Board County of Mariposa, State of California
By: 
Deputy

COUNTY ADMINISTRATIVE OFFICER:
\(\checkmark\) Requested Action Recommended
( ) No Opinion
Comments:

Revised Dec. 2002
RESOLUTION NO. 08- 341

RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY AND REQUESTING DECLARATION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY AND REQUESTING: (1) THE GOVERNOR TO PROCLAIM A STATE OF EMERGENCY FOR THE COUNTY OF MARIPOSA; AND (2) REQUESTING A PRESIDENTIAL DECLARATION OF A STATE OF EMERGENCY FOR THE COUNTY OF MARIPOSA

WHEREAS, Section 8630 of the Government Code mandates that a local emergency may be proclaimed by the governing body of a local agency, or, if it has been previously declared by an official designated by the governing body, such local emergency must be ratified within 7 days by the governing body of the local agency; and

WHEREAS, the Board of Supervisors does hereby find that conditions of extreme peril to the safety of persons and property have arisen within Mariposa County, caused by the Telegraph Fire commencing on or about July 25, 2008; and

WHEREAS, the Emergency Services Director has previously declared a local emergency in Mariposa County as a result of a series of fires; and

WHEREAS, the Governor of the State of California has previously declared a state of emergency for the County of Mariposa; and

WHEREAS, the Chairman of the Board of Supervisors serving in his capacity as Director of Emergency Services of Mariposa County on July 26th, 2008 declared the existence of a local emergency and requested the Governor of the State of California and President of the United States to Proclaim a State of Emergency in the County of Mariposa; and

WHEREAS, in the Merced River Drainage area, north and south of the Merced River, the Telegraph Fire is causing ongoing damage, the extent of which has not been completely compiled, to County and other public and district facilities, including but not limited to roads and structure with the initial estimates of damage being unknown at this time; and

WHEREAS, the Telegraph Fire is posing an immediate threat to numerous private homes and other structures and the Merced River Watershed; and

WHEREAS, local resources have been deployed to the Telegraph Fire within Mariposa County, thereby depleting fire protection and response resources; and

WHEREAS, it has now been found that local resources are unable to cope with the effects of this emergency; and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a local emergency;
NOW, THEREFORE, BE IT HEREBY PROCLAIMED that a local emergency now exists throughout Mariposa County and the prior Declaration of Emergency issued by the Emergency Services Director is hereby ratified; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of the local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency services organization of the County shall be those prescribed by state law, by ordinances, and by resolutions of Mariposa County approved by the Board of Supervisors; and

IT IS FURTHER ORDERED that a copy of this Resolution be forwarded to the Governor of the State of California and the President of the United States with the request that they proclaim that the County of Mariposa continues to be in a state of emergency; and

IT IS FURTHER ORDERED that a copy of this Resolution be forwarded to the State Director of the Office of Emergency Services; and

IT IS FURTHER ORDERED that Rick Benson, County Administrative Officer and Emergency Services Officer, or his designee, is hereby designated as the local Hazard Mitigation Coordinator of the County of Mariposa for the purpose of assessing damage within Mariposa County and consulting with federal/state survey teams about hazard mitigation actions; and

IT IS FURTHER ORDERED that Rick Benson, or his designee, is hereby designated as the authorized representative for public assistance, and Rick Benson, or his designee, is hereby designated as the authorized representative for individual assistance of the County of Mariposa for purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 1st day of August, 2008 by the following vote:

AYES: ABORN, TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

LYLE TURPIN, Chairman
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM:

THOMAS P. GUARINO
County Counsel
August 1, 2008

Honorable George W. Bush
The White House
1600 Pennsylvania Ave, NW
Washington, DC 20500

Dear Mr. President:

Recently the Telegraph wildfire is having a significant effect on Mariposa County. In response to the fire, the Mariposa County Board of Supervisors has declared a local emergency and is requesting a Presidential Declaration of a state of emergency. Enclosed is Mariposa County Resolution No. 08-341 proclaiming the existence of a local emergency and requesting declaration proclaiming existence of a local emergency and requesting the Governor to proclaim a state emergency for the County of Mariposa and requesting a Presidential Declaration of a state of emergency for the County of Mariposa.

Very truly yours,

[Signature]

Lyle Turpin
Chair, Board of Supervisors

Enclosures

Cc: Governor Arnold Schwarzenegger
    Henry R. Renteria, Director, California State Office of Emergency Services
    Congressman George Radanovich
    Senator Dave Cogdill
    Assemblyman Tom Berryhill
August 1, 2008

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capital Building, Sacramento, CA 95814

Via: Henry R. Renteria
Director, California State Office of Emergency Services
3650 Schriever Avenue
Mather, CA 95655

Dear Governor Schwarzenegger:

Enclosed is Mariposa County Resolution No. 08-341 proclaiming the existence of a local emergency and requesting declaration proclaiming existence of a local emergency and requesting the Governor to proclaim a state emergency for the County of Mariposa and requesting a Presidential Declaration of a state of emergency for the County of Mariposa. We want to take this opportunity to thank you for your action to proclaim a state of emergency in Mariposa County due to the Telegraph wildfire.

As always, the assistance of your Office of Emergency Services was essential and invaluable to this small county in preparing this request.

Very truly yours,

Lyle Turpin
Chair, Board of Supervisors

Enclosures

Cc: Congressman George Radanovich
Senator Dave Cogdill
Assemblyman Tom Berryhill
DECLARATION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY AND REQUESTING: (1) THE GOVERNOR TO PROCLAIM A STATE OF EMERGENCY; AND (2) REQUESTING A PRESIDENTIAL DECLARATION OF A STATE OF EMERGENCY

WHEREAS, Section 8630 of the Government Code and Chapter 2.80 of the Mariposa County Ordinance Code authorizes the Director of Emergency Services to proclaim the existence of a local emergency within the County of Mariposa when it is affected or likely to be affected by the existence or threatened existence of conditions of emergency or of extreme peril to the safety of persons and property within the territorial limits of Mariposa County caused by fire; and

WHEREAS, the Director of Emergency Services does hereby find that conditions of extreme peril to the safety of persons and property have arisen within Mariposa County, caused by the Telegraph Fire commencing on or about July 25, 2008; and

WHEREAS, the Board of Supervisors is not in session, and that conditions of extreme peril to the safety and persons and property have arisen within Mariposa County and local emergency response agencies are faced with being extended beyond their functional capabilities because of the wildland fires throughout Mariposa County; and

WHEREAS, in the Merced River Drainage area, north and south of the Merced River, the Telegraph Fire is causing ongoing damage, the extent of which has not been completely compiled, to County and other public and district facilities, including but not limited to roads and structures the initial estimates of damage being unknown at this time; and

WHEREAS, the Telegraph Fire is posing an immediate threat to numerous private homes and other structures and the Merced River Watershed; and

WHEREAS, local resources have been deployed to the Telegraph Fire within Mariposa County, thereby depleting fire protection and response resources; and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a local emergency;

WHEREAS, it has now been found that local resources are unable to cope with the effects of this emergency;

NOW, THEREFORE, BE IT HEREBY DECLARED that a local emergency now exists throughout Mariposa County; and

IT IS FURTHER DECLARED AND ORDERED that during the existence of the local emergency the powers, functions, and duties of the Director of Emergency Services and the
emergency services organization of the County shall be those prescribed by state law, by ordinances, and by resolutions of Mariposa County approved by the Board of Supervisors; and

**IT IS FURTHER DECLARED AND ORDERED** that a copy of this Declaration be forwarded to the Governor of the State of California and the President of the United States with the request that they proclaim the County of Mariposa to be in a state of emergency; and

**IT IS FURTHER ORDERED** that a copy of this Declaration be forwarded to the State Director of the Office of Emergency Services; and

**IT IS FURTHER ORDERED** that Rick Benson, County Administrative Officer and Emergency Services Officer, or his designee, is hereby designated as the local Hazard Mitigation Coordinator of the County of Mariposa for the purpose of assessing damage within Mariposa County and consulting with federal/state survey teams about hazard mitigation actions; and

**IT IS FURTHER ORDERED** that Rick Benson, or his designee, is hereby designated as the authorized representative for public assistance, and Rick Benson, or his designee, is hereby designated as the authorized representative for individual assistance of the County of Mariposa for purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

**IT IS FURTHER ORDERED** that Rick Benson, or his designee place on the agenda of the Board of Supervisors for their meeting of August 5, 2008 a proposed resolution for adoption ratifying this declaration; and

This Declaration is issued this 26th day of July 2008, by the Mariposa County Director of Emergency Services pursuant to the authority granted to the Director of Emergency Services by Mariposa County Code section 2.80.040

\[Signature\]

Lyle Turpin, Chairman
Mariposa County Board of Supervisors
Director of Emergency Services

**ATTEST:**

\[Signature\]

Margie Williams
Clerk of the Board

\[Signature\]

Richard J. Benson
County Administrative Officer

\[Signature\]

APPROVED AS TO FORM

\[Signature\]

Thomas P. Guarino
County Counsel 7-30-08
DESIGNATION OF
APPLICANT’S AGENT RESOLUTION
Mariposa County Res. No. 08-342

BE IT RESOLVED BY THE Board of Supervisors OF THE County of Mariposa
(Governing Body)
(Name of Applicant)

THAT
Rick Benson, County Administrative Officer
(Title of Authorized Agent)

Jim Wilson, County Fire Chief
(Title of Authorized Agent)

Dana Herfeldeger, Public Works Director
(Title of Authorized Agent)

Brian Muller, Sheriff

is hereby authorized to execute for and in behalf of the__County of Mariposa____, a public entity
established under the laws of the State of California, this application and to file it in the Office of Emergency Services for the
purpose of obtaining certain federal financial assistance under P.L. 94-295 as amended by the Robert T. Stafford Disaster Relief
and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the__County of Mariposa____, a public entity established under the laws of the State of California, hereby
authorizes its agent(s) to provide to the State Office of Emergency Services for all matters pertaining to such state disaster
assistance the assurances and agreements required.

Passed and approved this _1st____ day of _August____ 2008

LYLE TURPIN, Chairman, Mariposa County Board of Supervisors
(Name and Title)

CERTIFICATION

I, __Margie Williams___, duly appointed and Clerk of the Board of
(Name)
Mariposa County
(Title)
do hereby certify that the above is a true and correct copy of a
resolution passed and approved by the Board of Supervisors of the__County of Mariposa____ on the
(Governing Body)
(Name of Applicant)

_1st____ day of _August____ 2008

Date: _August 1, 2008_

Clerk of the Board
(Official Position)

Margie Williams
(Signature)