DEPARTMENT: County Counsel

RECOMMENDED ACTION AND JUSTIFICATION:
Add Dana Hertfelder, Public Works Director and Blaine Shultz, Fire Chief to Office of Emergency Services (OES) Designation of Applicant’s Agent Resolution.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
Resolution Adopted on May 23, 2006 did not include these agents.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Don’t add these agents.

<table>
<thead>
<tr>
<th>Financial Impact?</th>
<th>Yes</th>
<th>No</th>
<th>Current FY Cost: $</th>
<th>Annual Recurring Cost: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budgeted In Current FY?</td>
<td>Yes</td>
<td>No</td>
<td>Partially Funded</td>
<td></td>
</tr>
<tr>
<td>Amount in Budget:</td>
<td>$</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Funding Needed:</td>
<td>$</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source:
- Internal Transfer
- Unanticipated Revenue: 4/5’s vote
- Transfer Between Funds: 4/5’s vote
- Contingency: 4/5’s vote

( ) General ( ) Other

CLERK’S USE ONLY:
Res. No.: 461
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:
( ) Requested Action Recommended
( ) No Opinion
Comments: ______

CAO: ______
DESIGNATION OF
APPLICANT'S AGENT RESOLUTION

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA
(Governing Body)

THAT

Lee Stetson, Chair, Board of Supervisors, OR
(Title of Authorized Agent)

Dana Hertfelder, Director of Public Works, OR
(Title of Authorized Agent)

Blaine Shultz, Fire Chief
(Title of Authorized Agent)

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. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the Natural 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 23rd day of May, 2006

[Signature], LEE STETSON, Chairman
Mariposa County Board of Supervisors

CERTIFICATION

I, ________________, duly appointed and Clerk of the Board of Mariposa County, 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 23rd day of May, 2006.

Date: ________________

Clerk of the Board
(Official Position)

[Signature]

OES Form 130 (10/07) DAD Form
WHEREAS, Section 8630 of the Government Code mandates that a local emergency may be proclaimed only 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, Board of Supervisors does hereby find that conditions of extreme peril to the public health, safety, and welfare has arisen and continues to exist due to the landslides causing the closure of State Highway 140; and

WHEREAS, a new source area slide occurred on May 14th, 2006 and rainfall during the past few days has further saturated the slope at risk; and

WHEREAS, according to the California Department of Transportation the slope at risk contains 2.5 to 3 million cubic yards of soil and rock; and

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

WHEREAS, the neighboring counties have currently been declared to be in a state of emergency by proclamation by the Governor of the State of California on May 10th 2006; and

WHEREAS, Mariposa County has experienced an increased burden on its infrastructure due to flooding in neighboring counties causing the closure of State Highway 120 which has caused the diversion of traffic from state roads to Mariposa County roads, for which the current estimate to repair exceeds Nine Hundred and Fifty Thousand Dollars ($950,000); and

WHEREAS, Mariposa County Unified School District is experiencing great hardship in transporting students and maintaining its facilities incurring in excess of Two Thousand Dollars ($2,000) a week in additional costs; and

WHEREAS, the slide has impacted public transportation including the YARTS system; and

WHEREAS, the closure of State Highway 140 is estimated to result in additional burdens on County Roads J-132 and Smith Station Road and the costs of such additional burdens on County Roads are estimated to exceed sixty five thousand dollars ($65,000); and

WHEREAS, the California Department of Transportation estimates that the costs to temporarily re-open one lane of Highway 140 will exceed One and a Half Million Dollars ($1,500,000) and a long term repair will be in excess of Five Million Dollars ($5,000,000); and
WHEREAS, the County Fire Department is of the opinion that the closure of Highway 140, the primary transportation access to the County communities of El Portal, Yosemite West and Foresta, will create additional difficulty in providing Fire protection and ambulance and emergency services to Yosemite National Park and those County communities and that through increased traffic at other park entrances, response times to emergency events will be increased; and

WHEREAS, the El Portal community has been severely impacted by the restricted access; and

WHEREAS, the County Fire Department has been in contact with PG&E and has been informed that their transmission towers providing a primary source of electricity to Yosemite National Park and the County communities of El Portal, Yosemite West and Foresta are located on unstable areas adjacent to the landslide areas; and

WHEREAS, the County Fire Department is concerned that the failure of these towers could cause a fire in the area and that the cost to suppress such a fire could exceed Four to Five Million Dollars; and

WHEREAS, the County Fire Department has been informed that the cost to relocate the threatened PG&E towers will cost Two-Hundred and Fifty Thousand Dollars ($250,000) to One Million Dollars ($1,000,000); and

WHEREAS, it is estimated that losses to the tourism industry, Mariposa County’s largest industry, are anticipated to exceed Fourteen and a Half Million Dollars ($14,500,000) if the Highway 140 closure continues through the summer season and that without these revenues the continued viability of many of these businesses is in doubt; and

WHEREAS, that in consideration of the multiplier effect of these catastrophic revenue losses on other businesses in the County, the total damage to Mariposa County’s economy will be many times that amount; and

WHEREAS, the cornerstone of funding for the entire range of County Government services, including the highest priority of the electorate, public safety programs, could be threatened by the continued closure of Highway 140, and while the prudent reserves accumulated in the past by the Board of Supervisors are adequate to transition the County over a short-term shutdown, continued public uncertainty about the future of State Highway 140’s operations could permanently reduce County’s revenues for months and possibly years to come; and

WHEREAS, it has now been found that local resources are unable to cope with the effects of this emergency;
NOW, THEREFORE, BE IT HEREBY PROCLAIMED that a local emergency now exists throughout Mariposa County; and

IT IS FURTHER RESOLVED 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 RESOLVED AND ORDERED that Mike Coffield, Interim County Administrative Officer and Emergency Services Officer, or his designee, is 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 RESOLVED AND ORDERED that Mike Coffield, Interim County Administrative Officer and Emergency Services Officer, or his designee, is hereby designated as the authorized representative for public assistance, and Mike Coffield, or his designee, is hereby designated as the authorized representative for individual assistance of the County of Mariposa for the purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance; and

IT IS FURTHER RESOLVED AND ORDERED that a copy of this resolution be forwarded by Mike Coffield, Interim County Administrative Officer and Emergency Services Officer to the Governor of California with the request that he proclaim the County of Mariposa to be in a state of emergency; and further that the Governor request a Presidential Declaration of Emergency; and

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

IT IS FURTHER RESOLVED AND ORDERED that the following documents and photographs are incorporated as part of this resolution and shall be attached as Exhibits:

Exhibit A - FACT SHEET MARIPOSA ROUTE 140 LANDSLIDE (2 pages text, 5 photographs).
Exhibit B - Memorandum dated May 22, 2006 from Chief Schultz to County Counsel (1 page).
Exhibit C - Memorandum dated May 22, 2006 from Public Works Director Hertfelder to Chairman Stetson (1 page text, 48 photographs).
Exhibit D - E-mail dated May 22, 2006 from Cal Trans District 10 to Public Works Director Hertfelder (1 page).
Exhibit E - Fax dated May 22, 2006 from Mariposa Unified School District to County Counsel (2 pages).
Exhibit F - 8 photographs of landslide from Cal Trans.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 23rd day of May, 2006 by the following vote:

AYES: STETSON, TURPIN, BIBBY, FRITZ, PICKARD

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE

LEE STETSON, Chairman
Mariposa County Board of Supervisors

MARGIE WILLIAMS, Clerk of the Board

THOMAS P. GUARINO, County Counsel