



BENJAMIN P. de MAYO
COUNTY COUNSEL

MEMORANDUM

TO: Members of the Board of Supervisors
FROM: Benjamin P. de Mayo, County Counsel
SUBJECT: Resolution Ratifying the Chair of the Board's October 21, 2007 Proclamation of a Local Emergency Regarding the Santiago Fire

October 22, 2007

On October 21, 2007, the Chair of your Board proclaimed the existence of a local emergency in connection with the Santiago Fire, located within the geographic area of the County of Orange. Pursuant to Government Code section 8630(b), your Board must ratify the local emergency within seven days of the initial proclamation.

Since this item is not on the agenda of tomorrow's meeting, in order to consider the matter of the local proclamation of emergency pursuant to Government Code section 54954.2(b)(2), your Board needs to determine by a two-thirds vote that there is a need to take immediate action and that the need for action came to the attention of your Board subsequent to the agenda being posted as specified in subdivision (a) of section 54954.2.

Recommended Actions:

1. Determine by a two-thirds vote that there is a need to take immediate action and that the need for action came to the attention of your Board subsequent to the agenda being posted as specified in Government Code section 54954(a).
2. Adopt Resolution ratifying the Chair of the Board's October 21, 2007 Proclamation of a Local Emergency.
3. Direct staff to agendize this item on the November 6, 2007 Board agenda for consideration of whether to continue the emergency proclamation in effect, pursuant to Government Code section 8630 and section 3-1-6(a) of the Codified Ordinances of the County of Orange.

BPD:HES:dm

Attachments: Proclamation of Local Emergency
Draft Resolution

cc: Darlene Bloom, Clerk of the Board
Thomas G. Mauk, County Executive Officer

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3 COUNTY OF ORANGE
4 STATE OF CALIFORNIA
5 PROCLAMATION OF A LOCAL EMERGENCY

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7 REQUEST FOR GOVERNOR TO DECLARE A STATE OF EMERGENCY

8 WHEREAS, in accordance with Government Code Section 8630, a local emergency may be
9 proclaimed by the Board of Supervisors of the County of Orange or by an official so designated by
10 ordinance adopted by the Board of Supervisors; and

11 WHEREAS, Section 3-1-6(a) of the Codified Ordinances of the County of Orange provides that the
12 Director of Emergency Services shall request the Board of Supervisors to proclaim a local emergency when
13 the Board of Supervisors is in session and the Chair of the Emergency Management Council to so proclaim
14 when the Board of Supervisors is not in session; and

15 WHEREAS, on this date the Board of Supervisors is not in session, and the Director of Emergency
16 Services has requested that the Chair of the Emergency Management Council proclaim a local emergency;
17 and

18 WHEREAS, existing conditions regarding the Santiago Fire coupled with projected conditions
19 collectively constitute conditions of extreme peril to the safety of persons and property within the territorial
20 limits of the County of Orange which conditions are or are likely to be beyond the control of the services,
21 personnel, equipment and facilities of the County of Orange, and require the combined forces of other
22 political subdivisions to combat;

23 IT IS HEREBY PROCLAIMED that a local emergency exists within the geographic area of the
24 County of Orange;

25 IT IS FURTHER PROCLAIMED AND ORDERED that as of this date all County departments and
26 agencies take those actions, measures and steps deemed necessary to assure the safety and welfare of
27 Orange County residents and property, including requesting mutual aid to the extent such aid is necessary.
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ACCORDINGLY, THE CHAIR OF THE BOARD OF SUPERVISORS ACTING AS THE CHAIR
OF THE EMERGENCY MANAGEMENT COUNCIL HEREBY REQUESTS the Governor to declare a
State of Emergency and request a Presidential Declaration of Emergency in and for the County of Orange.

Date: October 21, 2007

Signed:

Time: 20:47

Chris Norby
Chair of the Board of Supervisors Acting as the Chair
of the Emergency Management Council
County of Orange

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3 RESOLUTION OF THE BOARD OF SUPERVISORS OF
4 ORANGE COUNTY, CALIFORNIA

5 October 23, 2007

6 WHEREAS, Government Code section 8630 and Section 3-1-6(a) of the Codified Ordinances of
7 the County of Orange empower the Director of Emergency Services to request the Chair of the Board of
8 Supervisors to proclaim the existence or threatened existence of a local emergency; subject to
9 ratification by the Board of Supervisors within seven days; and

10 WHEREAS, the Santiago Fire is burning in Orange County and weather conditions are projected
11 to remain hot and dry with continuing high winds; and

12 WHEREAS, the locally available resources are inadequate to cope with the emergency and such
13 conditions are beyond the control of the services, personnel, equipment, and facilities of the County,
14 requiring the combined forces of other political subdivisions to combat; and

15 WHEREAS, at the request of the Director of Emergency Services, the Chair of the Board of
16 Supervisors, on October 21, 2007, did proclaim the existence of local emergency within the County of
17 Orange; and

18 WHEREAS, the Board of Supervisors does hereby find that the aforesaid conditions of extreme
19 peril did warrant and necessitate the proclamation of the existence of a local emergency; and

20 WHEREAS, the Board of Supervisors also finds a local emergency does exist and shall be
21 deemed to continue to exist until its termination is proclaimed by the Board of Supervisors;

22 NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors does
23 hereby ratify the Chair of the Board's October 21, 2007 Proclamation of a Local Emergency.

24 BE IT FURTHER RESOLVED that all powers, functions, and duties of the emergency
25 organization of the County of Orange shall be vested in such persons as prescribed by federal and state
26 law, by ordinances, resolutions, and by the Orange County Emergency Plan now in effect.

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1 BE IT FURTHER RESOLVED that all County departments and agencies take those actions,
2 measures, and steps deemed necessary to assure the safety and welfare of Orange County citizens and
3 property, including requesting mutual aid to the extent such aid is necessary.

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