

Bd: 1/26/10, # 558A



**OFFICE OF THE COUNTY COUNSEL
COUNTY OF ORANGE**

333 W. Santa Ana Blvd., Suite 407
Santa Ana, California 92701
Direct No.: (714) 834-5133
Fax No.: (714) 834-2359

**NICHOLAS S. CHRISOS
COUNTY COUNSEL**

M E M O R A N D U M

January 22, 2010

TO: Members of the Board of Supervisors

FROM: Nicholas S. Chrisos, County Counsel

**SUBJECT: Resolution Ratifying the Vice Chair of the Board's January 22, 2010
Proclamation of a Local Emergency regarding Winter Storms**

On January 22, 2010, the Vice Chair of your Board proclaimed the existence of a local emergency in connection with damage caused by the recent winter storms, 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.

Recommended Action:

1. Adopt Resolution ratifying the Vice Chair of the Board's January 22, 2010 Proclamation of a Local Emergency.
2. Direct staff to agendize this item on the February 2, 2010 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.

Nicholas S. Chrisos

NSC:HES:eb
Attachments: Proclamation of Local Emergency
Draft Resolution

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

COUNTY OF ORANGE
STATE OF CALIFORNIA

PROCLAMATION OF A LOCAL EMERGENCY

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

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

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

WHEREAS, there has been a series of severe winter storms involving tornadoes, high winds and significant rainfall throughout the County of Orange, including watershed areas previously damaged by wildfire; and

WHEREAS, these severe winter storms have caused and are likely to cause continued flooding, debris flows, mudslides, slope failure, erosion, harbor damage, road failures, utility outages, levee failure, damage to the flood control system and related damage throughout the County; and

WHEREAS, the State of California has issued a proclamation of a state of emergency in the County of Orange and other surrounding Counties as result of the damage caused by the severe winter storms pursuant to Government Code Section 8625;

WHEREAS, existing conditions, coupled with projected weather conditions collectively constitute conditions of extreme peril to the safety of persons and property within the territorial limits of the County of Orange. These conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of the County of Orange, and require the combined forces of other political subdivisions to combat;

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

3 IT IS FURTHER PROCLAIMED AND ORDERED that as of this date, all powers, functions and
4 duties of the emergency organization of the County of Orange shall be vested in such persons as prescribed
5 by federal and state law, by ordinances, resolutions, and by the Orange County Emergency Plan now in
6 effect;

7 IT IS FURTHER PROCLAIMED AND ORDERED that as of this date, all County departments and
8 agencies take those actions, measures and steps deemed necessary to assure the safety and welfare of
9 Orange County residents and property, including requesting mutual aid to the extent such aid is necessary.

10
11 Date: 1/22/10
12 Time: 1:57 PM

Signed:

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

1
2
3 RESOLUTION OF THE BOARD OF SUPERVISORS OF
4 ORANGE COUNTY, CALIFORNIA

5 January 26, 2010

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 or Vice Chair
8 of the Board of Supervisors to proclaim the existence or threatened existence of a local emergency;
9 subject to ratification by the Board of Supervisors within seven days; and

10 WHEREAS, severe winter storms involving tornadoes, high winds and significant rainfall
11 throughout the County of Orange, including watershed areas previously damaged by wildfire, have
12 caused and are likely to continue to result in flooding, debris flows, mudslides, slope failure, erosion,
13 harbor damage, road failures, utility outages, levee failure, damage to the flood control system and
14 related damage throughout the County; and

15 WHEREAS, the State of California has issued a proclamation of a state of emergency in the
16 County of Orange and other surrounding counties as a result of the damage caused by the severe winter
17 storms pursuant to Government Code Section 8625; and

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

21 WHEREAS, at the request of the Director of Emergency Services, the Vice Chair of the Board of
22 Supervisors, on January 22, 2010, did proclaim the existence of a local emergency within the County of
23 Orange; and

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

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

28 //

1 NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors does
2 hereby ratify the Vice Chair of the Board's January 22, 2010 Proclamation of a Local Emergency.

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

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

9 //

10 //

11 //

12 //

13 //

14 //

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //