



County of Sonoma

State of California

Date: April 2, 2019

Item Number: _____
Resolution Number: _____

4/5 Vote Required

**RESOLUTION OF BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA
DECLARING THE NEED FOR CONTINUING THE LOCAL EMERGENCY PURSUANT TO GOVERNMENT
CODE SECTION 8630 DUE TO THE SONOMA COMPLEX FIRES AND CONCURRENTLY EXTENDING THE
PROVISIONS OF CALIFORNIA PENAL CODE SECTION 396 PROHIBITING PRICE GOUGING IN TIMES
OF EMERGENCY FOR ANOTHER 60 DAYS**

WHEREAS, California Government Code section 8630 and Section 10.5, Chapter 10 of the Sonoma County Code, empowers the County Administrator to proclaim the existence of a local emergency when the county is affected or likely to be affected by a public calamity is subject to ratification by the Board of Supervisors at the earliest practicable time; and

WHEREAS, conditions of extreme peril to the safety of persons and property arose within the County caused by threat of the existence of multiple fires, referred to as the Sonoma Complex Fires, commencing on or about midnight on the 8th day of October, 2017, at which time the Board of Supervisors of the County of Sonoma was not in session; and

WHEREAS, the County Administrator of the County of Sonoma did proclaim the existence of a local emergency within the Sonoma County Operational Area on the 9th day of October, 2017 and then made another proclamation with a request that the Governor of the State of California make available California Disaster Act Assistance and seek all available forms of disaster assistance and relief programs, including a request for a Presidential Declaration of a Major Disaster; and

WHEREAS, the scope of disaster caused by the fast-moving and widespread scope of the destruction of the fires, including loss of many homes and evacuation of thousands of people, caused the Governor of the State of California to proclaim a State of Emergency and declare eligibility for Fire Management Assistance Grant and other relief programs; and

WHEREAS, the Federal Government made a Presidential Declaration of the existence of a major disaster for the State of California (FEMA-4344-DR), dated October 10, 2017, and related determinations and amendments; and

WHEREAS, on October 10, 2017, the Board of Supervisors of the County of Sonoma adopted Resolution No. 17-0389 ratifying the County Administrator's Proclamations of the existence of a local emergency relating to the Sonoma Complex Fires; and

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WHEREAS, California Government Code section 8630 of Article 14, Local Emergency, of Chapter 7 of the Emergency Services Act requires that the County review the need for continuing the local emergency at least once every 60 days until the local governing body terminates the local emergency; and

WHEREAS, at the time, the Sonoma Complex Fires resulted in the most devastating wildfires in the history of the State of California, causing the death of at least 24 people, charring 110,720 acres, destroying 6,950 structures (including 5,143 housing structures), and displacing thousands of Sonoma County residents; and

WHEREAS, the Sonoma Complex Fires left a large debris field in their wake, creating unique removal concerns due to the potential presence of hazardous materials and the large scale of the incident; and

WHEREAS, the total number of properties included within the debris removal program is 4,888, including 3,674 properties that participated in the public cleanup program, and 1,214 properties that participated in the private program; and

WHEREAS, most properties are in the final stages of debris clean-up, however, approximately 722 properties were evaluated by the California Office of Emergency Services for over-excavation and 381 determined eligible and have been backfilled; and

WHEREAS, as long as any fire debris remains on the ground, it poses an imminent and extensive threat to public health and safety, the environment (including creating serious concerns for water quality and supply due to the presence of hazardous materials and the damage to sewer service laterals), public infrastructure, and undamaged property; and

WHEREAS, major winter storms have buffeted the region in 2019, including in the burn zone, causing slope failures that have impacted infrastructure and threatened waterways demonstrating the need for continued erosion control efforts to address secondary hazards post-fire; and

WHEREAS, additional anticipated rains pose further threats to damaged infrastructure and the surrounding natural environment; and

WHEREAS, due to the severity and pervasiveness of the Sonoma Complex Fires disaster, there is an ongoing and imminent threat to public safety and undamaged property that support the need to continue the local emergency.

NOW, THEREFORE, IT IS HEREBY DECLARED that the Board of Supervisors hereby finds there is an ongoing and imminent threat to public safety and undamaged property that warrant the need to continue the local emergency as authorized by Government Code section 8630; and

IT IS FURTHER PROCLAIMED AND ORDERED that the local emergency ratified by Resolution No. 17-0389, as previously amended and continued by Resolution No. 17-0431 on November 7, 2017, and subsequently continued for a further 30 days by Resolution No. 17-0457 on December 5, 2017, and

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for a further 30 days by Resolution No. 17-0515 on December 29, 2017, and for a further 30 days by resolution No.18-0022 on January 23, 2018, and for a further 30 days by resolution No.18-0056 on February 13, 2018, and for a further 30 days by resolution No.18-0068 on February 27, 2018, for a further 30 days by resolution No.18-0095 on March 20, 2018, and for a further 30 days by resolution No.18-0131 on April 17, 2018, and for a further 30 days by resolution No.18-0161 on May 8, 2018, and for a further 30 days by resolution No.18-0224 on June 5, 2018, and for a further 30 days by resolution No.18-0248 on June 11, 2018, and for a further 30 days by resolution No.18-0266 on July 10, 2018, and for a further 30 days by resolution No.18-0301 on August 7, 2018, and for a further 30 days by resolution No.18-0337 on August 28, 2018, and for a further 30 days by resolution No.18-0395 on September 25, 2018, and for a further 30 days by resolution No.18-0450 on October 23, 2018, and for a further 30 days by resolution No.18-0490 on November 13, 2018, and for a further 30 days by resolution No.18-0514 on December 11, 2018, and for a further 60 days by resolution No.19-0007 on January 8, 2019, is hereby continued for another 60 days in accordance with Government Code section 8630 and shall continue in full force and effect as originally proclaimed by the County Administrator on October 9, 2017, and nothing contained herein shall be construed modify, invalidate, or otherwise affect any provision of said Proclamation of local emergency.

PASSED AND ADOPTED by the Board this 2nd day of April, 2019.

Supervisors:

Gorin:

Zane:

Gore:

Hopkins:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.