

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Riverside County Fire Department – Office of Emergency Services

SUBMITTAL DATE:
May 19, 2014

SUBJECT: Declaration of Local Emergency in Riverside County due to Dangerous Explosive Materials

RECOMMENDED MOTION: That the Board of Supervisors:

1. Ratify the Proclamation of Local Emergency by the Director of Emergency Services, and
2. Adopt Resolution No. 2014-127.

BACKGROUND:

Summary

On May 14, 2014, the Sheriff's Department Bomb Squad responded to a call for assistance at 16278 Bright Morning Court (APN: 140-221-005) in the unincorporated area of Riverside County, California. Landscapers had uncovered two wires in the backyard of the residence that were positively identified as wires used in electronic blasting caps. It is suspected that they had failed to detonate in the early 1990s when the local area was being graded and developed for home sites. Due to the unpredictable nature of the wires and the potential for the existence of explosive devices, removal, detonation or other abatement was necessary.

(Cont.)

Peter Lent, Deputy Director, OES
For John Hawkins, Fire Chief

FORM APPROVED COUNTY COUNSEL
BY: PAMELA J. WALLS
DATE: 5/19/14
Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS: _____ **Budget Adjustment:** _____
For Fiscal Year: _____

C.E.O. RECOMMENDATION: APPROVE
 BY:
 Tina Grande
 County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Stone and Benoit
 Nays: None
 Absent: Ashley
 Date: May 20, 2014
 xc: Fire-OES

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: _____ District: _____ Agenda Number: _____

3-44

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Declaration of Local Emergency in Riverside County due to Dangerous Explosive
Materials**

DATE: May 19, 2014

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

On May 16, 2014, the County's Director of Emergency Services signed a Proclamation of Local Emergency due to the extreme peril endangering persons and property in the surrounding area as a result of the explosive materials and device. Voluntary evacuation of the surrounding area occurred at the request of the Sheriff's Department. At the time of the signing of the Proclamation, the Board of Supervisors of the County of Riverside was not in session, necessitating the Director's action to sign the Proclamation declaring the site a local emergency. In the evening of May 16, 2014, the explosive materials and device were detonated. No persons were injured and no property was damaged. The premises are no longer dangerous, and there is no further need to declare the conditions a local emergency.

It is requested that the Board of Supervisors ratify the Proclamation of Local Emergency by the Director of Emergency Services and adopt Resolution 2014-127. Since the explosive materials and device were abated without injury or property damage, there is no need for out-of-county assistance. Because of the successful abatement, there is no longer a condition of local emergency.

Impact on Citizens and Businesses

Prior to the abatement, residents in the surrounding area voluntarily evacuated and potential existed for damage to persons and property. The explosive materials/device were successfully abated resulting in no damage to persons or property.

SUPPLEMENTAL:

Additional Fiscal Information

Unknown at this time.

Contract History and Price Reasonableness

N/A

2
3 RESOLUTION NO. 2014-127

4 RATIFYING THE DECLARATION OF A LOCAL EMERGENCY UNDER
5 GOVERNMENT CODE SECTION 8630 AND COUNTY ORDINANCE NO. 533
6

7 WHEREAS, Government Code Section 8630 authorizes the Board of Supervisors to proclaim the
8 existence of a "local emergency," and

9 WHEREAS, Government Code Section 8558(c) defines a "local emergency" to include the
10 "existence of conditions of disaster or of extreme peril to the safety of persons and property within the
11 territorial limits of a county, city and county, or city, caused by such conditions as air pollution, fire,
12 flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or
13 disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other
14 conditions, other than conditions resulting from a labor controversy, which are or are likely to be beyond
15 the control of the services, personnel, equipment, and facilities of that political subdivision and require the
16 combined forces of other political subdivisions to combat"; and,

17 WHEREAS, conditions of extreme peril to the safety of persons and property arose within this
18 County caused by the presence of a wires positively identified as used in explosive blasting caps which
19 may have been left over from home site grading in the early 1990s; and

20 WHEREAS, the conditions described above could have resulted in damage to people and
21 property, both real and personal; and

22 WHEREAS, during the evening of May 16, 2014, the explosive materials and devise were
23 detonated and abated without damage to persons or property; and

24 WHEREAS, the May 16, 2014 Proclamation of a Local Emergency by the Director of
25 Emergency Services must be ratified by the Board of Supervisors; now therefore;

26 ///

27 ///

1 BE IT RESOLVED, DETERMINED AND ORDERED AND DECLARED by the Board of
2 Supervisors of the County of Riverside, State of California, in regular session assembled on May 20,
3 2014, at 9:00 am in the meeting room of the Board of Supervisors, located on the First Floor of the
4 County Administrative Center, 4080 Lemon Street, Riverside, CA, that on or about May 14 through 16,
5 2014, a local emergency existed at 16728 Bright Morning Court in unincorporated area of Riverside
6 County, California.

7 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that during the existence of
8 the emergency, powers, functions and duties of the Director of Emergency Services and the Emergency
9 Management Organization of Riverside County were those prescribed by State law and the ordinances,
10 resolutions, and approved plans of the County of Riverside in order to mitigate the effects of said
11 emergency.

12 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Director of
13 Emergency Services acted pursuant to Government Code section 8630 and Riverside County Ordinance
14 No. 533 in declaring a local emergency and authorizing the abatement of that emergency. The conditions
15 were successfully abated resulting in no damage to persons or property. The local emergency has
16 terminated.

17 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Proclamation of Local
18 Emergency by the Director of Emergency Services on May 16, 2014, is hereby ratified.

19 ROLL CALL:

20 Ayes: Jeffries, Tavaglione, Stone and Benoit
21 Nays: None
22 Absent: Ashley

23 FORM APPROVED COUNTY COUNSEL
24 BY: Pamela J. Walls 5/19/14
PAMELA J. WALLS DATE

25 The foregoing is certified to be a true copy of a
26 resolution duly adopted by said Board of Super-
visors on the date therein set forth.

27 KECIA HARPER-HEM Clerk of said Board
By: [Signature] Deputy

28 PJW:tw
05/19/14

G:\Property\PWALLS\Emergency Services\Resolution.docx

COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

PROCLAMATION OF A LOCAL EMERGENCY
BY THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, Government Code section 8630 and Ordinance 533 of the County of Riverside empowers the Director of Emergency Services to proclaim the existence of a "Local Emergency" when the Board of Supervisors is not in session; and

WHEREAS, that at the time of this Proclamation, the Board of Supervisors is not in session; and

WHEREAS, this Proclamation of Local Emergency will be placed on the May 22, 2014, Board Agenda for ratification by the Board of Supervisors pursuant to applicable law; and

WHEREAS, the Director of Emergency Services finds:

1. On May 14, 2014, the Sheriff's Department Bomb Squad responded to a call for assistance at 16278 Bright Morning Court (APN: 140-221-005) in the unincorporated area of Riverside County, California. Landscapers had uncovered two wires at the bottom of a hole they dug. These wires were identified as wires used in electronic blasting caps. The devices may have been used to blast the area in or about 1990 to create the home sites. According to the Sheriff's Bomb Squad, such blasting caps are notoriously unpredictable and their removal could result in no damage or the destruction of one or more homes.
2. The explosive devices are located in the rear yard area of a private residential home, surrounded by other residential homes that are potentially at risk. The surrounding residents have voluntarily evacuated their homes until the explosive devices and materials are removed.
3. The explosive devices and materials that have been positively identified create an ongoing condition of extreme peril directly endangering persons and property within the unincorporated area of the County, and at the time of this Proclamation, there are still unknowns that may necessitate broader cross-jurisdictional mutual aid and assistance.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a "Local Emergency" exists in the County of Riverside; and

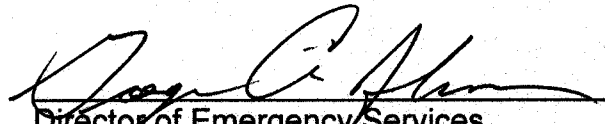
IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of the "Local Emergency," the powers, functions and duties of the Director of Emergency Services and the Emergency Management Organization of this County shall be those

prescribed by State law and the ordinances, resolutions and approved plans of the County of Riverside in order to mitigate the effects of the "Local Emergency," and

IT IS FURTHER PROCLAIMED AND ORDERED THAT the "Local Emergency" shall be deemed to continue to exist for the next seven days, and thereafter by ratification of the Board of Supervisors, until its termination is proclaimed by the Board of Supervisors of the County of Riverside.

IT IS FURTHER PROCLAIMED AND ORDERED that a copy of this Proclamation be forwarded to the Governor of the State of California.

Dated: May 16, 2014


Director of Emergency Services
County of Riverside



JAY E. ORR
COUNTY EXECUTIVE OFFICER

**COUNTY OF RIVERSIDE
EXECUTIVE OFFICE**

GEORGE A. JOHNSON
CHIEF ASSISTANT COUNTY EXECUTIVE OFFICER
ROB FIELD
ASSISTANT COUNTY EXECUTIVE OFFICER
ECONOMIC DEVELOPMENT AGENCY
MICHAEL T. STOCK
ASSISTANT COUNTY EXECUTIVE OFFICER
HUMAN RESOURCES
ED CORSER
COUNTY FINANCE DIRECTOR
CHRISTOPHER HANS
CHIEF DEPUTY COUNTY EXECUTIVE OFFICER

DIRECTOR OF EMERGENCY SERVICES

May 16, 2014

**NOTICE OF ENTRY ONTO PROPERTY AND REMOVAL AND/OR
DETONATION OF EXPLOSIVE DEVICES AND MATERIALS LOCATED
AT 16278 BRIGHT MORNING COURT, RIVERSIDE, CALIFORNIA**

TO: EMILLE DECUIR
16278 Bright Morning Court
Riverside, California

YOU ARE NOTIFIED that a public health and safety emergency has arisen as a result of dangerous explosive devices/materials located at 16278 Bright Morning Court (APN 140-221-005) in the unincorporated area of Riverside County. Riverside County Sheriff's Bomb Squad responded to a request for assistance when your landscapers dug a hole and discovered wires at the bottom of the hole. These wires have been positively identified as used in blasting caps. Blasting caps are unpredictable, and such explosive material could endanger the persons, homes and property in the area. For public safety reasons, the wires cannot be left where they are and must be removed, detonated or otherwise abated.

YOU ARE FURTHER NOTIFIED that the abatement of the explosive devices and materials could damage or destroy your home and real or personal property. The law does not obligate the government to compensate you for the damage to your property.

YOU ARE FURTHER NOTIFIED that you will not be permitted access to the property once the abatement commences until the County and appropriate authorities determine that the property no longer poses a threat to public health and safety. You will be notified when that determination occurs.

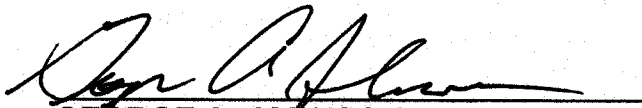
You may want to consult an attorney of your choice at your expense. It is your responsibility to seek and obtain a hearing in the Superior Court (or other court of competent jurisdiction) if you wish to challenge the abatement of the explosive devices and materials or anything related to it. You should serve any such court papers on:

The Clerk of the Board of Supervisors
4080 Lemon Street
Riverside, California 92501

Emille Decuir
May 16, 2014
Page 2

The abatement of the explosive devices and materials described above will go forward as set forth above, unless an order of the Superior Court (or other court of competent jurisdiction) prohibiting it is also served.

Sincerely,



GEORGE A. JOHNSON
Assistant County Executive Officer
Director of Emergency Services Designee