

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No. 23-109

Ratifying the Declaration by the Monterey)
County Health Officer of a Local Health Emergency)
due to the March 2023 Storms)

RECITALS:

WHEREAS, commencing in early March 2023, severe storms (“March 2023 Storms”) impacted Monterey County communities and residents resulting in storm damage and flooding, particularly in areas adjacent to rivers and other waterways in the county; and

WHEREAS, damage and breach of levees in the county caused localized flooding in certain communities, including the community of Pajaro, which resulted in intrusion of water into structures including businesses and homes; and

WHEREAS, the March 2023 Storms have caused damage to open spaces, structures and dwellings, thus compromising containers with hazardous waste, which represents a substantial present or potential threat to human health and the environment; and

WHEREAS, circumstances of potential release of hazardous materials from containers compromised by storm damage and flooding, by reason of the magnitude and frequency of the storms, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and will require the combined forces of a mutual aid region, regions, and state; and

WHEREAS, on March 9, 2023, the Chief Administrative Officer (CAO) proclaimed the existence of a local emergency due to the March 2023 Storms;

WHEREAS, on March 14, 2023, the Board of Supervisors ratified the CAO’s proclamation of a local emergency regarding the March 2023 Storms; and,

WHEREAS, Dr. Edward Moreno is the Health Officer of the County of Monterey; and,

WHEREAS, pursuant to section 101080 of the California Health and Safety Code, Dr. Moreno found that conditions of potential exposure to hazardous waste exist, resulting in an immediate threat to the health and safety of the public in the areas impacted by the flooding; and

WHEREAS, pursuant to section 101085 of the California Health and Safety Code, Monterey County needs other political subdivisions and State agencies to provide mutual aid, including personnel, equipment, and other available resources; and

WHEREAS, the Board of Supervisors' next regular meeting is scheduled for March 28, 2023; and

WHEREAS, on March 22, 2023, Dr. Moreno, in accordance with the authority vested in him by section 101080 of the California Health and Safety Code, Declared a Local Health Emergency for the affected areas of the County of Monterey due to the March 2023 Storms; and,

WHEREAS, in accordance with the powers and duties of the local health officer vested by sections 101085 of the California Health and Safety Code, Dr. Moreno recognizes that all assisting state agencies, in particular the California Office of Emergency Services and the California Environmental Protection Agency and its departments including the Department of Toxic Substances Control, may provide mutual aid, including personnel equipment, and other available resources, to assist political subdivisions during this local health emergency; and,

WHEREAS, Emergency conditions continue to exist, necessitating ratification of the Local Health Emergency; and,

WHEREAS, the earliest meeting at which ratification of the Local Health Emergency could be scheduled for consideration by the Board of Supervisors is its regular meeting on March 28, 2023; and,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors in and for the County of Monterey as follows:

1. The above recitals are true and correct.
2. The Declaration of a Local Health Emergency by the Health Officer of the County of Monterey in response to the March 2023 Storms is hereby ratified by the Board of Supervisors of the County of Monterey.
3. Pursuant to section 101080 of the California Health and Safety Code, the Board of Supervisors shall review the need for continuing the local health emergency at least once every 30 days and shall proclaim the termination of the local health emergency at the earliest possible date that conditions warrant the termination.

PASSED AND ADOPTED on this 28th day of March 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams

NOES: None

ABSENT: None

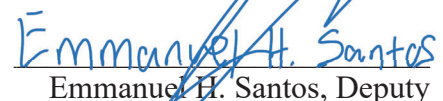
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on March 28, 2023.

Dated: March 29, 2023

File ID: RES 23-056

Agenda Item No. 22

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos, Deputy