

Resolution No.)
Ratifying the Proclamation)
of a Local Emergency issued)
by the County Administrative)
Officer on March 31, 2024)

WHEREAS, the California Emergency Services Act (California Government Code, section 8550, *et seq.*) defines a local emergency as the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat; and

WHEREAS, Monterey County Code, section 2.68.025 and California Government Code, section 8630 establish procedures for proclaiming emergencies and empower the County Administrative Officer to proclaim the existence of a local emergency when the County is affected by or threatened to be affected by a public calamity, if the Board of Supervisors is not in session; and

WHEREAS, pursuant to Government Code, section 8630, subdivision (b), once a local emergency is declared, it will remain in effect for a period of no more than seven (7) days, unless ratified by the Board of Supervisors; and,

WHEREAS, pursuant to Government Code, section 8630, subdivision (c), the Board of Supervisors shall review the need for continuing the local emergency at least once every sixty (60) days until the Board of Supervisors terminates the local emergency; and,

WHEREAS, the governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant; and,

WHEREAS, conditions of a local emergency can be better controlled if the local government has specific powers granted through the proclamation of a local emergency; and,

WHEREAS, major Atmospheric River events in January 2023, March 2023, and February 2024, in addition to winter storm rain events, led to soil saturation, which on March 30, 2024, caused State Route 1 near Rocky Creek Bridge to be undermined. Due to existing landslides to the south, the slide on State Route 1 near the bridge isolated residents, visitors, and essential personnel in the Big Sur area.

WHEREAS, the Administrative Officer of the County of Monterey, did proclaim the existence of a local emergency within the Monterey County Operational Area on March 31, 2024.

WHEREAS, the Board of Supervisors was not in session as of the date of this proclamation; and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency and immediate action is necessary to mitigate public calamity and the other effects of local emergency.

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

That during the existence of said local emergency the powers, functions, and duties of the County Administrative Officer and the Emergency Organization of this County shall be those prescribed by state law and the ordinances, resolutions, and approved plans of the County of Monterey in order to mitigate the effects of said local emergency; and

During the existence of said local emergency the powers, functions, and duties of the County Administrative Officer, or designee, the Sheriff's Office, Department of Public Works, Facilities, and Parks, Department of Housing and Community Development, and the Emergency Organization of the County of Monterey shall be those prescribed by State law and the ordinances, resolutions, and approved plans of the County of Monterey in order to mitigate the effects of the local emergency; and

The Proclamation of a Local Emergency issued by the County Administrative Officer on March 31, 2024, is hereby ratified.

Pursuant to Government Code Section 8630(c) the Board of Supervisors shall review the continuing need for a local emergency at least once every sixty (60) days, until terminated by the Board of Supervisors.

PASSED AND ADOPTED on this 2nd day of April, upon motion of Supervisor _____, seconded by Supervisor _____, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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 resolution of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____.

Dated:

Valerie Ralph

Clerk of the Board of Supervisors

County of Monterey, State of California

By _____

, Deputy