

**PROCLAMATION OF A LOCAL EMERGENCY
BY THE MONTEREY COUNTY BOARD OF SUPERVISORS**

Resolution No.15-_____

Ratify and extend the County Administrative)
Officer's Proclamation)
of a Local Emergency within Monterey County)
Dated April 12th, 2016 (4/5th vote required...)

RECITALS:

WHEREAS, The Section 2.68.060 of the Monterey County Code and Section 8630 of the Government Code empower the County Administrative Officer or his designee, or the Board of Supervisors if the Board of Supervisors is in session, to proclaim the existence of a Government Code Section 8558(c) local emergency when the County is affected by or likely to be affected by a public calamity; and

WHEREAS, the County Board of Superrvisors does hereby find as follows:

1. A succession of El Nino enhanced winter storms occurring on January 19, 22, and 31, and March 4 and 10, 2016 have resulted in multiple significant rainfall and extreme tide events causing damage to public infrastructure within Monterey County;
2. Damages to local infrastructure have included localized flooding, roadway slope erosion and embankment slip-outs affecting the safety of said roadways; obstruction of public roadways from storm debris; damage to storm drain infrastructure; and damage to public and private utilities;
3. Such damages have resulted in road closures, areas of isolation, loss of power and other critical infrastructure affecting the public's safety;
4. Immediate action is necessary to address these safety issues;
5. That the foregoing conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the County of Monterey and require the combined forces of other political subdivisions, including but not limited to state and federal assistance to combat;
6. That the aforesaid conditions of extreme peril warrant and necessitated the proclamation of the existence of a local emergency and immediate action by the County Administrative Officer was necessary to mitigate the effects of the local emergency;
7. On April 1, 2016, pursuant to County Code, the County Administrative Officer, through his designee, Nicholas E. Chiulos, Assistant County Administrative Officer, signed an emergency proclamation to initiate the protective/responsive process;
8. Since April 1, 2016, the conditions warranting and necessitating a proclamation of the existence of a local emergency have not been resolved and immediate action continue necessary to mitigate the effects of the local emergency;

9. That the County Board of Supervisors was not in session and could not immediately be called to session, and therefore it was appropriate that a Proclamation of a Local Emergency by the County Administrative Officer be initially required and be reissued until the County Board of Supervisors could be called into session; and,

10. Emergency conditions continue to exist, necessitating extension of this Proclamation of a Local Emergency.

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. A local emergency as defined in Government Section 8558c and Public Contract Code Section 1102 is hereby proclaimed to exist throughout the County of Monterey.
3. 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, including but not limited to utilizing state and/or federal assistance as appropriate.
4. During the existence of said local emergency, the powers, functions, and duties of the County Administrative Officer and the Public Works Director shall be those prescribed in State and local law in order to mitigate the effects of the local emergency.
5. The actions of the County Administrative Officer and the Emergency Organization of this County in response to the local emergency to date, including but not limited to the Proclamation of Local Emergency and its reissuance, are hereby ratified by the Board of Supervisors of the County of Monterey.
6. The governing body shall review the need for continuing the local emergency at least once every thirty day until the governing body terminates the local emergency.
7. Pursuant to Public Contract Code Sections 20134, 20395, and 22050, the Public Works Director or his designee is hereby authorized to engage independent contractors and engineering services to complete all necessary work to mitigate the effects of said local emergency. Contracts for this work may be executed without prior Board approval of the plans, specifications, and working details, without giving notice for bids to let contracts.

PASSED AND ADOPTED by the Board of Supervisors of the County of Monterey, this 12th day of April, 2016, by the following vote, to wit:

AYES: Supervisors

NOES:

ABSENT:

I, Gail T. Borkowski, 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___ for the meeting on April 12, 2016.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

Deputy

By _____ ,