

**PROCLAMATION OF A LOCAL EMERGENCY
BY COUNTY OF MONTEREY
COUNTY ADMINISTRATIVE OFFICER**

In the Matter of Proclaiming the Existence of a)
Local Emergency within the County of Monterey)

WHEREAS, the California Emergency Services Act (Government Code section 8630, *et seq.*) establishes procedures for proclaiming emergencies and for responding promptly to the needs that arise during emergencies; and,

WHEREAS, Section 2.68.025 of the Monterey County Code and Section 8630 of the Government Code empower the County Administrative Officer, or designee, to proclaim the existence of a local emergency when the County of Monterey (“County”) is affected by or likely to be affected by a public calamity, if the Board of Supervisors is not in session; and,

WHEREAS, shortly after 3:00 p.m. on January 16, 2025, a fire began at the Vistra Energy (“Vistra”) 300-MW Phase I battery energy storage facility located at the Moss Landing Power Plant; and,

WHEREAS, the Vistra operation is one of the largest lithium battery storage facilities in the world and the fire caused the lithium batteries to burn; and,

WHEREAS, local fire officials could not extinguish the fire due to the extreme heat from the multiple lithium batteries burning; and,

WHEREAS, in response to the fire, on January 16th, the Monterey County Sheriff evacuated approximately 1,200 individuals in the area and that evacuation order remains in place; and,

WHEREAS, also on January 16th, both northbound and southbound lanes of California State Route 1 (“Highway 1”) were closed at Salinas Road and other local area roads were closed; and

WHEREAS, Highway 1 and local area roads remain closed and due to these continuing road closures local residents, businesses, and the traveling public have been impacted; and,

WHEREAS, also on January 16th due to potential hazardous fumes from the fire, County health officials advised residents to stay indoors, keep windows and doors closed, limit outdoor exposure, and turn off ventilation systems; and,

WHEREAS, the County of Santa Cruz Public Health officials also asked residents to stay indoors, close windows and doors, limit outdoor exposure, and turn off ventilation systems overnight on January 16th. As of January 17th, Santa Cruz County residents are told there is no imminent threat and can resume normal activities; and,

WHEREAS, on January 17th, North Monterey County Unified School District closed all of its schools and district offices, and Hartnell College closed its Castroville Education Center; and,

WHEREAS, the fire burned throughout the night and as of January 17th the fire began to subside, but is still currently burning and official monitoring of the area and air continue; and,

WHEREAS, the cause of the fire has not yet been determined, but an investigation will begin once the fire is extinguished; 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 the effects of the local emergency and preserve the safety for the public; and,

WHEREAS, this local emergency does not permit a delay resulting from a competitive solicitation of bids for contracts, and immediate action is necessary to respond to the emergency, and,

WHEREAS, the Board of Supervisors of the County of Monterey is not in session as of the time of execution of this proclamation; and,

WHEREAS, every reasonable effort has been made to confer with one or more members of the Board of Supervisors of the County of Monterey.

NOW, THEREFORE, IT IS PROCLAIMED, as defined in Government Code section 8558(c) and Public Contract Code section 1102, that a local emergency now exists in Monterey County.

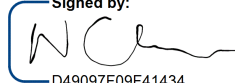
During the existence of said local emergency the powers, functions, and duties of the County Administrative Officer and the emergency organization of the County of Monterey shall be those prescribed by state law and the ordinances, resolutions, and approved plans of the County in order to mitigate the effects of said local emergency.

During the existence of said local emergency the powers, functions, and duties of the County Administrative Officer, or designee, the Public Works, Facilities, and Parks Department (PWF&P), the Department of Housing and Community Development, and the Department of Emergency Management shall be those prescribed by state law and the ordinances, resolutions, and approved plans of the County in order to mitigate the effects of the local emergency.

Pursuant to Public Contract Code sections 20134, 22050, and 20395, the PWF&P Director, or designee, is hereby authorized to engage independent contractors to complete all necessary work to mitigate the effects of said local emergency. Contracts for this work may be executed without prior Board of Supervisors of the County of Monterey approval of the plans, specifications, and working details, without giving notice for bids to let contracts.

The County Administrative Officer, or designee, is hereby designated as the authorized representative for public and individual assistance of the County of Monterey for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

SIGNED AND SUBSCRIBED at Salinas, California this 17th day of January 2025.

Signed by:


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Nicholas Chiulos
Chief Assistant County
Administrative Officer
County of Monterey