

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

Resolution No.: 17-291)
 Resolution of the Monterey County Board of)
 Supervisors to:)
)
 Extend the Proclamation of a Local)
 Emergency dated February 15, 2017 and)
 ratified on February 22, 2017, and reviewed)
 and extended on March 21, 2017, April 18,)
 2017, May 16, 2017, June 13, 2017, July 11,)
 2017, July 25, 2017, August 3, 2017, and)
 August 29, 2017 for atmospheric river events)
 which occurred between February 7, through)
 20, 2017 which has resulted in multiple)
 significant rainfall and events causing)
 damage to public infrastructure and private)
 property within Monterey County (4/5th vote)
 required))

RECITALS:

WHEREAS, 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 Supervisors does hereby find as follows:

1. Damages to infrastructure which has occurred from localized flooding, roadway slope erosion and embankment slip-outs, debris flows, landslides, and culvert failure affecting the safety of said roadways; obstruction of public roadways from storm water, storm debris and roadway failure; damage to storm drain infrastructure; and damage to public and private utilities and damage to public facilities and parks. Until action is taken to address these safety concerns, such damage will result in road closures, areas of isolation, loss of power and other critical infrastructure that will continue to impact public safety and repose;
2. 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;
3. 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;

4. On February 15, 2017, pursuant to County Code, the County Administrative Officer signed an emergency proclamation to initiate the protective/responsive process;
5. On February 22, 2017, the Board of Supervisors ratified the emergency proclamation;
6. On March 21, 2017, April 18, 2017, May 16, 2017, June 13, 2017, July 11, 2017, July 25, 2017, August 3, 2017 and August 29, 2017 the Board of Supervisors reviewed the need for continuing the local emergency, and found that the need exists;
7. Since February 7 through 20, 2017, the conditions warranting and necessitating a proclamation of the existence of a local emergency have not been resolved and immediate action continues to be necessary to mitigate the effects of the local emergency;
8. The specific areas of concern from the storms are areas of Carmel Valley, Prunedale, Palo Colorado and Big Sur;
9. Additional areas of concern identified from the storms are the Nacimiento Dam and Reservoir, and the Cachagua area;
10. The emergency will not permit a delay resulting from a competitive solicitation for bids;
11. 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. The need for continuing the local emergency has been reviewed on this date, and the Board finds that the need exists.
3. A local emergency as defined in Government Section 8558c and Public Contract Code Section 1102 is hereby proclaimed to still exist in Monterey County due to significant rainfall causing damage to local infrastructure and private property.
4. 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.
5. During the existence of said local emergency, the powers, functions, and duties of the County Administrative Officer, the Director of Public Works and Facilities, and the General Manager of the Water Resources Agency shall be those prescribed in State and local law in order to mitigate the effects of the local emergency.

6. 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 extension, are hereby ratified by the Board of Supervisors of the County of Monterey.

7. 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.

8. The RMA Director or his designee, pursuant to Public Contract Code Sections 20134, 20395, and 22050, and the General Manager of the Water Resources Agency as provided by applicable law, are 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 provided such action does not affect the County's eligibility for state and federal funds.

9. The repair work is statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15269(c) for emergency projects.

PASSED AND ADOPTED upon motion of Supervisor Phillips, seconded by Supervisor Salinas and carried this 29th day of August 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams

NOES: None

ABSENT: None

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 80 for the meeting on August 29, 2017.

Dated: August 29, 2017
File ID: A 17-350

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

By _____
Deputy