

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No: 08-234**

- Adopt a Resolution: )
- a. Ratifying the County Administrative Officer's proclamation of )  
a local emergency dated June 16, 2008 that the closure of the )  
North Wing of the Monterey County Courthouse continues to )  
pose an emergency requiring immediate action; )
- b. Finding that the closure of the North Wing of the Monterey )  
County Courthouse continues to pose an emergency requiring )  
immediate action; and )
- c. Ratifying the execution of emergency contracts and emergency )  
actions taken by the Public Works Director or his designee to )  
respond to the emergency (4/5ths vote required). )

Upon motion of Supervisor Salinas, seconded by Supervisor Armenta, and carried by those members present, the Board hereby adopts the attached Resolution:

- a. Ratified the County Administrative Officer's proclamation of a local emergency dated June 16, 2008 that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action;
- b. Found that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action; and
- c. Ratified the execution of emergency contracts and emergency actions taken by the Public Works Director or his designee to respond to the emergency (4/5ths vote required).

PASSED AND ADOPTED this 24<sup>th</sup> day of June, 2008, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Mettee-McCutchon, Potter  
NOES: None  
ABSENT: None

I, Annette D'Adamo, Interim 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 74 for the meeting on June 24, 2008.

Dated: June 25, 2008

Annette D'Adamo, Interim Clerk of the Board of Supervisors  
County of Monterey, State of California

By *Paula L. Quiñones*  
Deputy

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No: 08 – 234**

- a. Ratifying the County Administrative Officer's proclamation of a local emergency dated June 16, 2008 that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action; )
- b. Finding that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action; and )
- c. Ratifying the execution of emergency contracts and emergency actions taken by the Public Works Director or his designee to respond to the emergency (4/5ths vote required) )

The Board of Supervisors of the County of Monterey finds:

- A. On September 10, 2006, under Section 2.68.060 of the Monterey County Code and Section 8630 of the Government Code, the Monterey County Administrative Officer proclaimed the existence or threatened existence of a local emergency as defined in Section 2.68.020 of the Monterey County Code, Section 8558(c) of the Government Code and Section 1102 of the Public Contract Code; and thereafter at 14 day intervals the Board of Supervisors has adopted resolutions extending the local emergency;
- B. Public Contract Code Sections 20134 and 22050 provide that when an emergency as defined by Public Contract Code Section 1102 exists, the Board or an agency officer so authorized by the Board may proceed, through the use of day labor or contracts, or a combination thereof, to replace or repair any and all structures as necessary to permit the continued conduct of County operations or services, without giving notice for bids to let contracts, provided that such action be approved by four-fifths vote of the Board and provided that the Board make a finding that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency;
- C. Immediate action to abate and renovate the West Wing at the Monterey County Government Center to provide for two courtrooms and office space; renovate modular 1 to provide for three courtrooms; relocate and renovate modular 5 to provide for two courtrooms; relocate information technology equipment into the Administration Building; and modify the East Wing as necessary to provide facilities to the Superior Court of California, County of Monterey, is needed to permit continued conduct of Court operations. This emergency does not permit a delay resulting from a competitive solicitation for bids, and immediate emergency action is necessary to respond to the emergency.
- D. On June 16, 2008, under Section 2.68.060 of the Monterey County Code and Section 8630 of the Government Code, the Monterey County Administrative Officer proclaimed the existence or threatened existence of a local emergency as defined in Section 2.68.020 of the Monterey County Code, Section 85589(c) of the Government Code and Section 1102 of the Public Contract Code.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Board of Supervisors hereby finds that the foregoing facts are true and correct;
2. The Board hereby ratifies the County Administrative Officer's proclamation of local emergency dated June 16, 2008 that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action;
3. The Board of Supervisors hereby finds that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action and declares that a local emergency as defined by Section 8558(c) of the Government Code and Section 1102 of the Public Contract Code continues to exist at the North Wing of the Monterey County Courthouse requiring immediate action without adopting plans and specifications and giving notice for bids to let contracts; and
4. The Board of Supervisors hereby ratifies execution of the emergency contracts listed in the attachment and the emergency actions taken by the Public Works Director or his designee to respond to the emergency.

PASSED AND ADOPTED on this 24<sup>th</sup> day of June, 2008, upon motion of Supervisor Salinas, seconded by Supervisor Armenta, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Mettee-McCutchon, Potter  
NOES: None  
ABSENT: None

I, Annette D'Adamo, Interim 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 74 for the meeting on June 24, 2008.

Dated: June 25, 2008

Annette D'Adamo, Interim Clerk of the Board of Supervisors  
County of Monterey, State of California

By *Paola L. Jimenez*  
Deputy

<b>COPIES FURNISHED:</b>	
<i>3 - Public Works</i>	
_____	
_____	
<i>6/26/08</i>	<i>PLM</i>
<b>Date</b>	<b>Initials</b>