

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

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

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

**WHEREAS**, The County Administrative Officer of the County of Monterey did proclaim the existence of a local emergency within the County on December 11, 2022 and does hereby find as follows;

- Conditions of extreme peril to the safety of person and property arose within the area of the Carmel Lagoon in Monterey County caused by tidal action, river flow and flooding commencing during the early morning of December 11, 2022; and
- Water has risen to a level that threatens the flooding of homes and residences in low lying areas near the Carmel Lagoon;
- Flooding may inundate potable water delivery systems, sewer collection systems, and other utility systems in the area;
- Conditions of peril exist to the safety and well being of the residents living around the Lagoon as well as other nearby areas. Immediate action is necessary to address these public health and safety issues;
- 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 for flood fighting efforts;
- That 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
- That this emergency does not permit a delay resulting from a competitive solicitation to let contracts for bids, and immediate action is necessary to respond to the emergency, and

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

**WHEREAS**, I have made every reasonable effort to confer with one or more members of the Board of Supervisors;

**WHEREAS**, I find that the foregoing conditions are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of the County of Monterey and require the combined forces of other political subdivision to combat; 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,

**NOW, THEREFORE, IT IS PROCLAIMED**, as defined in Government Section 8558c and Public Contract Code Section 1102 that a local emergency now exists throughout said County; and

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 Public Works, Facilities, and Parks Department, Department of Housing and Community Development, and the Emergency Organization of Monterey 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 the local emergency.

Pursuant to Public Contract Code Sections 20134, 22050, and 20395, the Public Works Director or his 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 approval of the plans, specifications, and working details, without giving notice for bids to let contracts.

**SIGNED AND SUBSCRIBED** at Salinas, California this 12<sup>th</sup> day of December 2022.

DocuSigned by:  
  
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Nick Chiulos,  
Assistant County Administrative Officer  
on behalf of  
Charles J. McKee  
County Administrative Officer