

PROCLAMATION OF A LOCAL EMERGENCY BY 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 responding promptly to the needs that arise during emergencies; and

WHEREAS, Monterey County Code, section 2.68.060 and California Government Code, section 8630(c) empower the County Administrative Officer, or 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 Administrative Officer of the County of Monterey and ex officio County Administrator of the Monterey County Water Resources Agency, did proclaim the existence of a local emergency within the County on December 27, 2023 and does hereby find as follows:

- Coastal flood and high surf hazards threaten residents, property, critical infrastructure, and transportation systems in the County of Monterey; and
- Conditions of extreme peril to the safety of person and property arose within the area of the Carmel Lagoon in the County of Monterey caused by tidal action, river flow and flooding commencing during the early morning of December 28, 2023;
 - County Public Works crews have prepared for this event by taking protective measures;
 - Water has risen to a level that threatens the flooding of homes and residences in low lying areas near the Carmel Lagoon;
 - Flooding and coastal hazards may inundate potable water delivery systems, sewer collection systems, and other utility systems in the area; and
 - Conditions of peril exist to the safety and wellbeing of the residents living around the Carmel Lagoon as well as other nearby areas. Immediate action is necessary to address these public health and safety issues; and
- Sandbar management activities are required at the Salinas River Lagoon Mouth by Monterey County Water Resources Agency staff. From modeling results performed by the National Weather Service California-Nevada River Forecast Center, this action is necessary effective approximately January 4, 2024, due to late December 2023 storm events causing surges and high-water levels in the Salinas River Lagoon and forecasted early January 2024 storms expected to exacerbate these conditions. These conditions could lead to possible loss of life and property in areas near and adjacent to the Salinas Lagoon. Forecasted conditions may result in the following:
 - Inundation of residences, including Twin Bridges Cabin Association, Monterey Dunes Colony and Lagoon residences;
 - Loss of safe ingress and egress, including emergency service access;
 - Inundation of agricultural fields;
 - Erosion and excessive transport of sediment; and
- 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 the Monterey County Water Resources Agency requiring the combined forces of other political subdivisions to combat; 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, 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 the other effects of local emergency.

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

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 (Department of Emergency Management) 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 Sheriff's Office, Department of Public Works, Facilities, and Parks, Department of Housing and Community Development, 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 of Monterey in order to mitigate the effects of the local emergency; and

Pursuant to Public Contract Code, sections 20134, 20395, and 22050, the Public Works Director and the General Manager of the Water Resources Agency, or their designees, are 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 3rd day of January 2024.

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Sonia M. De La Rosa
County Administrative Officer
County of Monterey