

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

Resolution No.14-_____

In the Matter of Proclaiming the Existence)
of a Local Emergency within Monterey County)
Dated October 14, 2014 (4/5th vote required...)

RECITALS:

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 a public calamity and the Board of Supervisors is not in session, subject to confirmation of the Board of Supervisors within seven days thereafter, and

WHEREAS, due to a failure in the flap gate and culvert system underneath Moss Landing Road, seawater intrusion through the Moro Cojo Slough has occurred and contamination threatens the critical groundwater resources around the Slough; and

WHEREAS, the continued failure of the flap gate and culvert system will result in damage to structures including critical utilities and County roadways; and

WHEREAS, prolonged exposure of increased salinity can impact water wells in the immediate area that provide potable water for multiple properties; and

WHEREAS, as a result of these circumstances conditions of peril exist to the safety and well-being of the residents, including their animals, who live nearby and depend on these water sources, and immediate action is necessary to address these public health and safety issues; and

WHEREAS, the aforementioned 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

WHEREAS, this emergency does not allow a delay resulting from permits related to construction, particularly those relating to coastal areas or other environmentally sensitive zones, and immediate action is necessary to respond to the emergency and prevent further damage to critical infrastructure, **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. A local emergency as defined in Government Section 8558c and Public Contract Code Section 1102 is hereby proclaimed to exist throughout said County.

3. 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.

4. During the existence of said local emergency, the powers, functions, and duties of the County Administrative Officer and the Public Works Director shall be those prescribed in State and local law in order to mitigate the effects of the local emergency.

5. Pursuant to Public Contract Code Sections 20134, 22050, and 20395, the Public Works Director or his designee is 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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Monterey, this 14th day of October, 2014, by the following vote, to wit:

AYES: Supervisors

NOES:

ABSENT:

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___ for the meeting on October 14, 2014.

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

Deputy By _____ ,