

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

Resolution No.15- - _____
Proclamation of the Existence of a _____)
Local Emergency as of October 30, 2019)

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, or the Board of Supervisors, if the Board of Supervisors is in session, to proclaim the existence of a local emergency when the County is affected by or likely to be affected by a public calamity; and

WHEREAS, pursuant to Government Code Section 8630 (b), once a local emergency is declared, it will remain in effect for a period of no more than seven (7) days, unless extended by the Board of Supervisors; and

WHEREAS, pursuant to Government Code Section 8630(c), the Board of Supervisors shall review the need for continuing the local emergency at least once every sixty (60) days until the Board of Supervisors terminates the local emergency; and

WHEREAS, the governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant; and

WHEREAS, pursuant to Government Code Section 8685 et. seq., in order to obtain monies from both state and federal agencies, the local government must declare a local emergency; and

WHEREAS, conditions of a local emergency can be better controlled if the local government has specific powers granted through the proclamation of a local emergency; and

WHEREAS, the Director of Emergency Services requests to be authorized to request financial assistance from the State of California and Federal Government on behalf of the residents of the Monterey County; and

WHEREAS, the Director of Emergency Service s requests to be authorized to execute all necessary contracts to obtain supplies, equipment and such other items found lacking and needed for the protection of life and property and to bind the county for fair value thereof or commandeer for public use as may be required, with approval from the Office of County Counsel and subsequent ratification by the Board of Supervisors, for agreements under one hundred thousand dollars (\$100,000).

WHEREAS, The Pacific Gas and Electric (PGE) Company provides natural gas and electric service to Monterey County Operational Area.

WHEREAS, given the continued and growing threat of extreme weather and wildfires, and as an additional precautionary measure following the 2017 and 2018 wildfires, to reduce the risk of wildfire conflagrations;

WHEREAS, PGE has implemented policies and procedures related to proactively turning off power for safety – and later restoring power – when gusty winds and dry conditions, combined with a heightened fire risk, threaten a portion of the electric system. This is often called proactive de-energization and restoration in the industry; PG&E is calling this a Public Safety Power Shutoff.

WHEREAS, damages have resulted in many areas of the County that include damage to the public due to complete loss of electrical power; and

WHEREAS, efforts to respond to, mitigate, and recover from this intentional power shut off involve assets from Monterey County government, and other local governments in Monterey County; 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 to protect life and property as affected by such emergency; and

WHEREAS, the County Administrative Officer has made every reasonable effort to confer with one or more members of the Board of Supervisors;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED

A local emergency, as defined in Government Section 8558(c), now exists throughout the County of Monterey.

1. The proclamation of a local emergency shall expire seven (7) days after issuance unless confirmed and ratified by the Board of Supervisors, pursuant to Government Code Section 8630(6).
2. Pursuant to Government Code Section 8630(c) the governing body shall review the continuing need for a local emergency at least once every sixty (60) days, until terminated by the Board of Supervisors.
3. During the existence of said local emergency the powers, functions, and duties of the County Administrative Officer or his designee, the Resource Management Agency, 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.
4. Pursuant to Public Contract Code Sections 20134, 22050, and 20395, the Resource Management Director or 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.

5. The Director of Emergency Services is authorized to request financial assistance from the State of California and Federal Government on behalf of the residents of the Monterey County; and

6. The Director of Emergency Services is authorized to execute all necessary contracts to obtain supplies, equipment and such other items found lacking and needed for the protection of life and property and to bind the county for fair value thereof or commandeer for public use as may be required, with approval from the Office of County Counsel, with subsequent ratification by the Board of Supervisors, for agreements under one hundred thousand dollars (\$100,000).

7. Charles J McKee, or his designee, is hereby designated as the authorized representative for public and individual assistance of the County of Monterey for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

by the Board of Supervisors that a local emergency exists within the County of Monterey pursuant to Section 2.68.060 of the Monterey County Code and Section 8630 of the Government Code and as defined by Section 8558 of the Government Code, and shall be deemed to continue to exist subject to review and termination by the Board of Supervisors pursuant to Section 8630 or the Government Code; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions and duties of the emergency organization of this county shall be those prescribed by State law, including but not limited to Section 8634 of the Government Code, County ordinances and resolutions and the current Monterey County Emergency Operations Plan.

PASSED AND ADOPTED this 5th day of November 2019, by the following vote, to wit:

AYES: Supervisors

NOES:

ABSENT:

I, Valerie Ralph, 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 _____.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
, Deputy

