

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

Resolution No.: 19-077

Adopted Resolution No. 19-077 to ratify the)
Proclamation of Local Emergency signed by)
The County Administration Officer on)
March 7, 2019 for multiple atmospheric)
rivers and cumulative winter storms.)
(4/5th vote required).)

RECITALS:

WHEREAS, On March 7, 2019, pursuant to County Code, the County Administrative Officer signed an emergency proclamation to initiate the protective/responsive process;

WHEREAS, Section 2.68.060 of the Monterey County Code and Section 8630 of the Government Code empowers the Monterey County Board of Supervisors to ratify the proclamation of an emergency when the County is affected by conditions of extreme peril; and

WHEREAS, damages to County infrastructure which has occurred from localized flooding, roadway slope erosion and embankment slip-outs, debris flows, landslides, and culvert failure affecting the safety of said roadways; obstruction of public roadways from storm water, storm debris and roadway failure; damage to storm drain infrastructure; and damage to public and private utilities and damage to public facilities and parks; and

WHEREAS, action not taken to address these safety concerns, such damage will result in road closures, areas of isolation, loss of power and other critical infrastructure that will continue to impact public safety and repose; and

WHEREAS, recent and forecast precipitation and stream flows may cause river elevations to rise beyond flood levels flooding possibly impacting homes and surrounding agricultural lands, roadways, septic collection systems and other utility systems in the area; and

WHEREAS, 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, including but not limited to state and federal assistance to combat; and

WHEREAS, 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 a 4/5ths vote of the Board and provided that the Board makes a finding that the

emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action was necessary to respond to the emergency;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors in and for the County of Monterey, that a Proclamation of Existence of a Local Emergency is hereby proclaimed and ordered to be issued on March 7, 2019, and the execution of emergency contracts and emergency actions taken to respond to the emergency are hereby authorized.

BE IT FURTHER RESOLVED that, during the existence of said local emergency, the powers, functions, and duties of the County Administrative Officer, Water Resource Director, and the Emergency Organization of this County are as 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.

BE IT FURTHER RESOLVED that, pursuant to Public Contract Code Sections 20134, 22050, and 20395, the Public Works Director or his designee, are 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, and without giving notice for bids to let contracts.

BE IT FURTHER RESOLVED that said local emergency exists in accordance with Section 2.68.060 of the Monterey County Code and Section 8630(b) of the Government Code.

PASSED AND ADOPTED this 12th day of March 2019, by the following vote, to wit:

AYES: Supervisors Parker, Alejo, Phillips, Lopez and Adams

NOES: None

ABSENT: None

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 81 for the meeting on March 12, 2019.

Dated: March 13, 2019
File ID: RES 19-022

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

By _____, Deputy
Valerie Ralph, Clerk of the Board