

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, Monterey County Code section 2.68.060 and Government Code section 8630(c) empower the County Administrative Officer or her 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, an Atmospheric River event commencing on February 3, 2024 and continuing into February 4, 2024 has resulted in heavy rainfall, extremely strong winds, mudslides, and coastal flood and high surf hazards causing damage to public infrastructure and private property within Monterey County; and

WHEREAS, the County 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 Monterey County Operational Area on February 4, 2024 and does hereby find as follows:

- Heavy rainfall, extremely strong winds, mudslides, and coastal flood and high surf hazards threaten residents, property, critical infrastructure, and transportation systems in the County of Monterey, including but not limited to:
 - Loss of safe ingress and egress; and
 - Inundation of agricultural fields; and
 - Erosion and excessive transport of sediment; and
- Conditions of extreme peril to the safety of person and property arose within the area of the Carmel Lagoon and Carmel River in Monterey County caused by tidal action, river flow and flooding commencing on or about February 3, 2024; and
 - County Public Works crews have prepared for this event by taking protective measures; and
 - Water has risen to a level that threatens the flooding of homes and residences in low lying areas near the Carmel Lagoon and Carmel River; and
 - 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 Lagoon as well as the Carmel River other nearby areas. Immediate action is necessary to address these public health and safety issues; and
- Conditions of extreme peril to the safety of person and property arose within the area of Bolsa Knolls caused by creek flow and flooding commencing on or about February 3, 2024; and
 - County Public Works crews have prepared for this event by taking protective measures; and
 - Water has risen to a level that threatens the flooding of homes and residences in low lying areas near in Bolsa Knolls; and
- Conditions of extreme peril to the safety of person and property arose within the areas of Arroyo Seco and Laureles Grade due to mudslides commencing on or about February 3, 2024;
- Conditions of extreme peril to the safety of person and property arose within the area of the Salinas River Lagoon and the Salinas River in Monterey County caused by tidal action, river flow and flooding commencing on or about February 3, 2024;
- 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 and require 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 Government Code section 8558(c) and Public Contract Code section 1102 that a local emergency now exists throughout said County:

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 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 4th day of February 2024.

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