

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No.: 24-013

Ratifying the Proclamation)
of a Local Emergency issued)
by the County Administrative)
Officer on January 3, 2024)

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, Section 2.68.060 of the Monterey County Code and Section 8630 of the Government Code empower the County Administrative Officer or 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 ratified 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, a storm event commencing December 27, 2023, and continuing into January 2024, has resulted in and is anticipated to result in multiple significant rainfall and coastal flooding events causing damage to public infrastructure and private property within Monterey County; and,

WHEREAS, conditions of extreme peril to the safety of person and property arose within the area of the Carmel Lagoon in Monterey County caused by tidal action, river flow and flooding commencing during the early morning of December 28, 2023; and,

WHEREAS, water has risen and during the rains and storm surge that may continue to rise to a level that threatens the flooding residences in low lying areas near the Carmel River Lagoon, and flooding may inundate potable water delivery systems, sewer collection systems, and other utility systems in the area; and,

WHEREAS, water has risen and during the rains and storm surge that may continue to rise to a level that threatens the flooding residences in low lying areas near the Salinas River Lagoon, and threatens the loss of safe ingress and egress, including emergency service access, the inundation of agricultural fields, and erosion and excessive transport of sediment; and,

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the ratification of the Proclamation of the Existence of a Local Emergency issued by the County Administrative Officer on January 3, 2024, and immediate action is necessary to mitigate public calamity, and to protect life and property as affected by such emergency.

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors in and for the County of Monterey as follows:

1. The Proclamation of a Local Emergency issued by the County Administrative Officer on January 3, 2023, is hereby ratified.
2. Pursuant to Government Code Section 8630(c) the Board of Supervisors shall review the continuing need for a local emergency at least once every sixty (60) days, until terminated by the Board of Supervisors.
3. 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.
4. 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.
5. 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

PASSED AND ADOPTED on this 9th day of January 2024, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, 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 82 for the meeting January 9, 2024.

Dated: January 16, 2024

File ID: RES 24-004

Agenda Item No.: 61

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



Vicente Ramirez, Deputy

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