

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

Resolution No. 16-206

Ratify and extend the County Administrative)
Officer’s Proclamation of a Local Emergency)
within Monterey County Dated July 23, 2016)
(4/5th vote required).....)

RECITALS:

WHEREAS, The 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 Government Code Section 8558(c) local emergency when the County is affected by or likely to be affected by a public calamity; and

WHEREAS, the County Board of Supervisors does hereby find as follows:

- 1. The wildfire known as the Soberanes Fire began July 22, 2016, has threatened numerous residences and hundreds of acres of valuable forest and watersheds resulting in evacuations and displacement of residents; road closures; areas of isolation; damage to property and utility systems; and damage to critical infrastructure and endangered species; and
- 2. The wildfire is still burning out of control, with no known containment date. The wildfire has charred in excess of 11,000 acres, destroyed numerous structures, and is threatening at least 1,500 residences, an unknown number of accessory buildings, and damaged power, phone and other critical infrastructure in the fire area; and there is imminent threat to values at risk for additional damage and/or destruction; and
- 3. Efforts to bring this wildfire under control, assist the affected population with care and shelter; to restore the burned area and/or recover from the effects of this devastating wildfire , involve assets from Monterey County government, other local governments in Monterey County, and other local governments within California, as well as California State and federal fire and law enforcement assets, the American Red Cross and other volunteer organizations; and
- 4. Immediate action is necessary to address these safety issues; and
- 5. That 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;
- 6. That the aforesaid conditions of extreme peril warrant and necessitated the proclamation of the existence of a local emergency and immediate action by the County Administrative Officer was necessary to mitigate the effects of the local emergency;

7. On July 23, 2016, pursuant to County Code, the County Administrative Officer signed an emergency proclamation to initiate the protective/responsive process; and
8. The conditions warranting and necessitating a proclamation of the existence of a local emergency have not been resolved and immediate action continue necessary to mitigate the effects of the local emergency; and
9. That the County Board of Supervisors was not in session and could not immediately be called to session, and therefore it was appropriate that a Proclamation of a Local Emergency by the County Administrative Officer be initially required and be reissued until the County Board of Supervisors could be called into session; and
10. Emergency conditions continue to exist, necessitating extension of this Proclamation of a Local Emergency and request both state and federal assistance to respond to and recover from this disaster.

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 the County of Monterey.
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, including but not limited to utilizing state and/or federal assistance as appropriate.
4. During the existence of said local emergency, the powers, functions, and duties of the County Administrative Officer and the Resource Management Agency Public Works Director shall be those prescribed in State and local law in order to mitigate the effects of the local emergency.
5. The actions of the County Administrative Officer and the Emergency Organization of this County in response to the local emergency to date, including but not limited to the Proclamation of Local Emergency and its reissuance, are hereby ratified by the Board of Supervisors of the County of Monterey.
6. The governing body shall review the need for continuing the local emergency at least once every thirty days until the governing body terminates the local emergency.
7. Pursuant to Public Contract Code Sections 20134, 20395, and 22050, 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 upon motion of Supervisor Salinas, seconded by Supervisor Armenta carried this 26th day of July 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Salinas, Parker and Potter

NOES: None

ABSENT: Supervisor Phillips

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 79 for the meeting on July 26, 2016.

Dated: July 27, 2016
File Number: RES 16-043
Corrected: August 3, 2016

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

By



Deputy