

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

**Resolution No.: 22-038**

Ratify the Proclamation of a Local Emergency )  
issued by the County Administrative Officer on )  
January 27, 2022, related to the Colorado Fire within )  
Monterey County. )

**RECITALS:**

**WHEREAS**, Section 2.68.060 of the Monterey County Code and Section 8630 of the Government Code empower the County Administrative Officer, acting as the Director of Emergency Services to Request the Board of Supervisors to proclaim the existence or threatened existence of a "local emergency" if the Board of Supervisors is in session, or to issue such proclamation if the Board of Supervisors is not in session. Whenever a local emergency is proclaimed by the Director, the Board of Supervisors shall take action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect; and,

**WHEREAS**, the wildfire known as the Colorado Fire began January 21, 2022, has destroyed at least one structure, and threatens numerous residences and hundreds of acres of valuable wildland and watershed resulting in evacuation orders/evacuations and displacement of residents; road closures, to include Highway 1; areas of isolation; damage to property and utility systems; and damage to critical infrastructure and endangered species; and,

**WHEREAS**, the wildfire is still burning with only 35% containment reported as of this date; the wildfire has charred in excess of 700 acres, destroyed at least one domicile; damaged power, phone, and other critical infrastructure in the fire area; there is imminent threat to values at risk for additional damage and/or destruction; and the potential for wildfire debris flows resulting from rain events that are possible in the next several weeks and beyond; and,

**WHEREAS**, efforts to bring this wildfire under control, and to assist the affected population and restore the burned area and/or recover from the effects of the wildfire damage, 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,

**WHEREAS**, the foregoing conditions are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of the County of Monterey and require the combined forces of other political subdivision to combat; 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,

**WHEREAS**, the Monterey County Emergency Operations Center is Fully Activated for the Covid-19 Pandemic and is still partially activated for the fires of 2020 (Carmel, River, and Dolan) as part of emergency operations and recovery; and,

**WHEREAS**, such emergency work must be closely monitored, reinforced, and maintained to prevent or mitigate damage to critical infrastructure, erosion and/or mud and debris flows and renewal of conditions of extreme peril to the safety of person and property; and,

**WHEREAS**, the cost of response, mitigation, and recovery efforts has imposed extraordinary expenses on the County and local governments.

**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, now exists throughout the County of Monterey.
3. During the existence of said local emergency, the powers, functions, and duties of the County Administrative Officer or designee, 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 Public Works, Facilities and Parks Director and Housing and Community Development Director, or 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.
5. The repair work is statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15269(c) for emergency projects.
6. The Office of Emergency Services, on behalf of the County, requests any and all Public Assistance available from the State of California and Federal Government.
7. Gerry R. Malais, or his designee, is hereby designated as the authorized Agent 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.
8. The actions of the Board, 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
9. The governing body shall review the need for continuing the local emergency at least once every sixty days until the governing body terminates the local emergency.

**PASSED AND ADOPTED** on this 1<sup>st</sup> day of February 2022, by roll call vote:

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

NOES: None

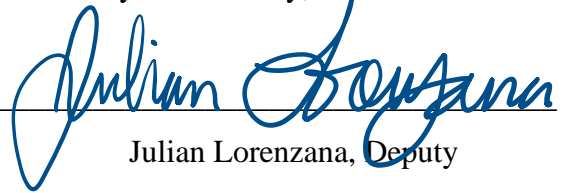
ABSENT: None

(Government Code 54953)

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 February 1, 2022.

Dated: February 2, 2022  
File ID: RES 22-028  
Agenda Item No.: 29

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

  
Julian Lorenzana, Deputy