

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

**Resolution No.16-\_\_\_\_\_**

Resolution of the Monterey County Board of )  
Supervisors to: )  
    a. Ratify and extend the County )  
        Administrative Officer's Proclamation, )  
        dated November 28, 2016, of a Local )  
        Emergency to repair a storm damaged )  
        drainage channel located north of the )  
        intersection of State Highway 68 and )  
        Laureles Grade within Monterey County; )  
        and, )  
    b. Find the repair work statutorily exempt )  
        from the California Environmental Quality )  
        Act (CEQA) under CEQA Guideline )  
        Section 15269(c) for emergency projects )  
        ( 4/5<sup>th</sup> 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. A succession winter storms in 2016 resulted in significant rainfall causing localized flooding, erosion, sedimentation, and damage to a critical drainage channel located north of the intersection of State Highway 68 and Laureles Grade;
2. Immediate action is necessary to mitigate imminent flooding and sedimentation impacts to State Highway 68;
3. 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;
4. 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;
5. On November 28, 2016, pursuant to County Code, the County Administrative Officer signed an emergency proclamation to initiate the protective/responsive process;

6. Since November 28, 2016, the conditions warranting and necessitating a proclamation of the existence of a local emergency have not been resolved and immediate action continue to be necessary to mitigate the effects of the local emergency;
7. 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,
8. Emergency conditions continue to exist, necessitating extension of this Proclamation of a Local Emergency.

**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 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 day 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.
8. The repair work is statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15269(c) for emergency projects.

**PASSED AND ADOPTED by the Board of Supervisors of the County of Monterey, this 6<sup>th</sup>**  
day of December, 2016, by the following vote, to wit:

AYES: Supervisors

NOES:

ABSENT:

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\_\_\_\_ for the meeting on December 6, 2016.

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

Deputy By \_\_\_\_\_ ,