

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

Resolution No.-_____

- Adopt a Resolution to:)
- a. Ratify and extend the County Administrative Officer's Proclamation of a Local Emergency, dated January 27, 2021, for atmospheric river events that occurred January 26, 2021 through February 5, 2021 which resulted in multiple significant rainfall and events causing damage to public infrastructure and private property 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 (4/5th vote required))

RECITALS:

WHEREAS, 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. Damage to infrastructure which has occurred from localized flooding, roadway slope erosion and embankment slip-outs, debris flows, landslides, and culvert failure affecting the safety of roadways; obstruction of public roadways from storm water, storm debris and roadway failure; damage to storm drain infrastructure; and damage to public and private utilities and damage to public facilities and parks. Until action is taken to address these safety concerns, such damage will result in road closures, areas of isolation, loss of power and other critical infrastructure that will continue to impact public safety and repose; and,

2. 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; and,

3. 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; and,

4. On January 27, 2021, pursuant to County Code, the County Administrative Officer signed an emergency proclamation to initiate the protective/responsive process; and,

5. Since January 26, 2021, 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; and,

6. 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,

7. 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 in Monterey County due to significant rainfall causing damage to local public infrastructure and private property.

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 Director of Public Works, Facilities and Parks 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 sixty days until the governing body terminates the local emergency.

7. Pursuant to Public Contract Code Sections 20134, 20395, and 22050, the Director of Public Works, Facilities and Parks 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 2nd day of February, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

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___ for the meeting on February 2, 2021.

Dated:

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

Deputy

By _____ ,