




# Memorandum

**Date:** 5/10/2024

**To:** County Board of Supervisors

**Cc:** Clerk of the Board of Supervisors

**From:** Chris Sneddon, Public Works Director 

**Subject:** Request to Modify Board Letter and Attachments - Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, All Supervisorial Districts

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The Public Works Department requests to modify the Board Letter and Attachment B and add Attachment C to the May 14, 2024 Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, All Supervisorial Districts.

Recommended Actions:

That the Board of Supervisors:

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code section 22050 related to emergency operations responding to flooding, storms, debris removal and transportation projects following the recent 2023 and 2024 storm events (23STM1, 23STM2, 24STM1, 24STM2) and **Refugio Road culvert repairs** and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director (4/5 vote required);
- c) Direct staff to return to the Board at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the actions are terminated; and
- d) Determine that the 2023 winter storms (23STM1 and 23STM2) emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15269(d) on February 7, 2023. A Notice of Exemption was filed on this basis on February 7, 2023, and the proposed action is within the scope of that Notice of Exemption. The Notice of Exemption can be found:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=6013958&GUID=37923A72-7A13-4F48-85DB-7CFC621E91D2>

- e) Determine that the 2024 winter storm (24STM1 and 24STM2) emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15269(d) on February 27, 2024. A Notice of Exemption was filed on this basis on February 27, 2024, and the proposed action is within the scope of that Notice of Exemption can be found: <https://santabarbara.legistar.com/LegislationDetail.aspx?ID=6550613&GUID=9CC739FA-A0EF-4F87-BDA8-6F6299F6FBF4&Options=&Search=>
- f) Determine that the Refugio Rd culvert repair emergency actions are statutorily exempt under the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15269, as they involve specific actions to prevent and mitigate an emergency associated with a failed culvert threatening public road infrastructure, and direct the staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis.

Revised Attachment

Attachment B – Emergency Work Actions

New Attachment

Attachment C – Refugio Rd Culvert Repair Notice of Exemption



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Public Works  
**Department No.:** 054  
**For Agenda Of:** May 14, 2024  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5 vote

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**TO:** Board of Supervisors

**FROM:** Department Director Chris Sneddon, Public Works Director, (805) 568-3010  
Contact Info: Mostafa Estaji, Deputy Director – Transportation, (805) 568-3064

**SUBJECT:** **Public Works Director’s Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, All Supervisorial Districts**

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code section 22050 related to emergency operations responding to flooding, storms, debris removal and transportation projects following the recent 2023 and 2024 storm events (23STM1, 23STM2, 24STM1, 24STM2) and Refugio Road culvert repairs and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director (4/5 vote required);
- c) Direct staff to return to the Board at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the actions are terminated; and
- d) Determine that the 2023 winter storms (23STM1 and 23STM2) emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15269(d) on February 7, 2023. A Notice of Exemption was filed on this basis on February 7, 2023, and the proposed action is within the scope of that Notice of Exemption. The Notice of Exemption can be found:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=6013958&GUID=37923A72-7A13-4F48-85DB-7CFC621E91D2>

- e) Determine that the 2024 winter storm (24STM1 and 24STM2) emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15269(d) on February 27, 2024. A Notice of Exemption was filed on this basis on February 27, 2024, and the proposed action is within the scope of that Notice of Exemption can be found:  
<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=6550613&GUID=9CC739FA-A0EF-4F87-BDA8-6F6299F6FBF4&Options=&Search=>
- f) Determine that the Refugio Rd culvert repair emergency actions are statutorily exempt under the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15269, as they involve specific actions to prevent and mitigate an emergency associated with a failed culvert threatening public road infrastructure, and direct the staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis.

**Summary Text:**

This Board item reports on and recommends continuing the emergency actions and work being done pursuant to the Public Works Director's authority under Resolution No. 19-327 for the 2023 winter storms (23STM1 and 23STM2), the 2024 winter storms (24STM1 and 24STM2) and the Refugio Rd culvert repairs.

On December 17, 2019, the Board approved Resolution No. 19-327 pursuant to Public Contract Code section 22050(b)(1) which authorizes the Board by a 4/5th vote to delegate authority to the Public Works Director to take certain actions in the event of an emergency (see Attachment A).

Public Contract Code section 22050(b)(3) and (c)(2), requires the Public Works Department to regularly report on current emergency response work actions ordered by the Public Works Director pursuant to the delegated authority (see Attachment B). This allows the Board to comply with the statutory requirement to review the emergency action and determine by a four-fifths vote whether there is a need to continue the action.

Following the Board's initial review of the emergency actions, Public Contract Code Section 22050(c)(2) requires the Public Works Department to request that the Board review the emergency action at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, and determine by a 4/5 vote that there is a need to continue the action until the action is terminated. Public Contract Code Section 22050 (c)(3) requires terminating the action at the earliest possible date that conditions warrant so that the remainder of the emergency response can be completed through normal competitive bid procedures.

Disaster response and recovery processes are actively in progress. The extended timeframe of these operations are a result of the extent and severity of damage, the multi-jurisdictional collaboration at some damage sites, and staff's attention to federal procedures and guidelines to maximize reimbursement. Public Works is planning to continue emergency operations with expedited procurement to ensure public safety and access to roadways and prevent from further exacerbation of vulnerable locations across the county.

**Background:**

On December 17, 2019, your Board explicitly authorized the Public Works Director, or designee, to take action whenever an Emergency occurs whether or not the Emergency results in a declared emergency. This Resolution defines Emergency as “a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services” (Pub. Contract Code § 1102.)

Public Contract Code section 22050(a)(1) provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without following otherwise-applicable competitive bid procedures. Section 22050(b)(1), authorizes that the Board of Supervisors, by a four-fifths vote, may delegate, by resolution, to the appropriate county administrative officer, chief engineer, or other nonelected agency officer, the authority to order any Action.

While the Public Works Department was working to complete the emergency actions in response to the 2023 winter storms (23STM1 and 23STM2), the recent 2024 winter storms (24STM1 and 24STM2) have required additional emergency actions under Public Contract Code section 22050(a)(1). Public Works will utilize existing contracts procured on an emergency basis to respond to the new emergencies to the extent feasible, and Public Works will continue to report to the Board on the need to continue responding on an emergency basis until all emergency response actions have concluded.

Additionally, on March 12, 2024, staff discovered roadway damage on Refugio Road near the entrance of Refugio State Park. Upon further inspection, it was determined the culvert that runs under the road failed and material have washed out from under the road. We anticipate numerous cavities under the roadway which can cause sinkholes and total road failure. Public Works staff is working in conjunction with State Parks to repair the culvert and is actively working with the Contractor to start work.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Narrative:

The Board of Supervisors, on November 7, 2023, approved a temporary loan in the amount of \$22,406,200 in order to continue work on the Transportation disaster projects associated with the 23STM1 and 23STM2 declared disasters. The department is working with OEM and the CEO to actively pursue disaster funding to reimburse costs associated with declared disasters. Continuing expedited procurement helps avoid delays to restored services and potential reimbursement.

The Department anticipates an additional \$8 million of work will be required following the early February 2024 storms, 24STM1 and 24STM2.

The Refugio Road culvert repair total construction costs, including contingencies, amounts to \$232,230. California State Parks is contracting and funding \$153,560 of the cost. The County portion is \$78,670 and will be funded using Measure A that is part of the storm damage appropriation already budgeted.

**Special Instructions:**

Direct the Clerk of the Board to email the minute order of these actions to Yanette Luna at [yluna@countyofsb.org](mailto:yluna@countyofsb.org).

**Attachments:**

Attachment A - Copy of Resolution No. 19-327

Attachment B - Emergency Work Actions

Attachment C – Refugio Rd Culvert Repair Notice of Exemption

**Authored by:**

Mostafa Estaji, Deputy Director – Transportation, (805) 568-3064

**THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

**BOARD OF DIRECTORS OF THE SANTA BARBARA COUNTY  
FLOOD CONTROL & WATER CONSERVATION DISTRICT**

**BOARD OF DIRECTORS OF THE  
LAGUNA COUNTY SANITATION DISTRICT**

**BOARD OF DIRECTORS OF THE  
SANTA BARBARA COUNTY WATER AGENCY**

IN THE MATTER OF AUTHORIZING THE  
PUBLIC WORKS DIRECTOR, OR HIS OR HER  
DESIGNEE, TO TAKE EMERGENCY ACTION  
TO PREVENT OR MITIGATE THE LOSS OR  
IMPAIRMENT OF LIFE, HEALTH, PROPERTY,  
OR ESSENTIAL SERVICES IN THE CASE OF  
AN EMERGENCY

RESOLUTION NO. 19-327

**WHEREAS**, the California Public Contract Code<sup>1</sup> section 1102, “Emergency” means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services;

**WHEREAS**, history has shown that in certain circumstances Emergencies can evolve into a local, state, or federally declared disaster or state of emergency;

**WHEREAS**, the Public Works Department, on behalf of the County of Santa Barbara, the Santa Barbara County Flood Control and Water Conservation District, the Santa Barbara County Water Agency, and the Laguna County Sanitation District, is prepared to undertake immediate emergency response actions, in coordination with the County Executive Office, and if an emergency is declared with the Office of Emergency Management, and seek reimbursement, if available from the state and federal agencies; and

**WHEREAS**, Section 22050(a)(1) provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that Emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts (“Action”);

**WHEREAS**, pursuant to Section 22050(b)(1), the Board of Supervisors/Directors, by a four-fifths vote, may delegate, by resolution, to the appropriate county administrative officer, chief engineer, or other nonelected agency officer, the authority to order any Action (“Delegated Authority”);

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<sup>1</sup> All references to the California Public Contract Code, unless otherwise indicated.

**WHEREAS**, if a person with Delegated Authority orders any Action that person shall report to the Board of Supervisors/Directors the reasons justifying why the Emergency will not permit a delay resulting from a competitive solicitation for bids and why the Action is necessary to respond to the emergency. (Pub. Contract Code § 22050(b)(3).);

**WHEREAS**, the Board of Supervisors/Directors shall initially review the Emergency Action not later than seven days after the Action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the Action, and at least every 14 days thereafter until the Action is terminated, to determine, by a four-fifths vote, that there is a need to continue the Action, unless the person with Delegated Authority has terminated that Action prior to the Board of Supervisors'/Directors' review and determination (Pub. Contract Code § 22050(c)(2).);

**WHEREAS**, the continued Delegated Authority to order any Action in the case of an Emergency is hereby made a part of the emergency procurement policy of the County, Districts, and Agency;

**WHEREAS**, the Board of Supervisors/Directors desires that in the case of an Emergency the Public Works Director, or his or her designee, has the Delegated Authority to take Action;

**WHEREAS**, the Board of Supervisors/Directors previously delegated emergency authority under Board Resolution No. 15-321 on December 15, 2015, but now desires to supersede and replace that delegation and provide direction for its use as set forth above for all future Emergencies.

**NOW, THEREFORE**, the Board of Supervisors of Santa Barbara County, the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, the Board of Directors of the Laguna County Sanitation District, and the Board of Directors of the Santa Barbara County Water Agency, State of California, does resolve as follows:

1. "Emergency" means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services;
2. Section 22050(a)(1) provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that Emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts ("Action");
3. Section 22050(b)(1), the Board of Supervisors/Directors, by a four-fifths vote, may delegate, by resolution, to the appropriate county administrative officer, chief engineer, or other nonelected agency officer, the authority to order any Action ("Delegated Authority");
4. In the case of an Emergency the Public Works Director, or his or her designee, has the Delegated Authority to take Action;



5. The Public Works Director, or his or her designee, shall coordinate Emergency Action with the County Executive Office and, if a local, state, or Federal Emergency has been declared, with the Office of Emergency Management;
6. The Public Works Director, or his or her designee, shall report to the Board of Supervisors/Directors the reasons justifying why the Emergency will not permit a delay resulting from a competitive solicitation for bids and why the Action is necessary to respond to the emergency. (Pub. Contract Code § 22050(b)(3).); and
7. The Public Works Director, or his or her designee, shall report to the Board of Supervisors/Directors not later than seven days after the Action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the Action, and at least every 14 days thereafter until the Action is terminated, to determine, by a four-fifths vote, that there is a need to continue the Action, unless the person with Delegated Authority has terminated that Action prior to the Board of Supervisors'/Directors' review and determination. (Pub. Contract Code § 22050(c)(2).)
8. That the continued Delegated Authority to order any Action in the case of an Emergency is hereby made a part of the emergency procurement policy of the County, Districts, and Agency.

**PASSED, APPROVED, AND ADOPTED** by the Board of Supervisors of the County Santa Barbara, the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, the Board of Directors of the Laguna County Sanitation District, and the Board of Directors of the Santa Barbara County Water Agency, State of California, on this 17th day of December, 2019 by the following vote:

**AYES:** Supervisors Williams, Hart, Hartmann and Lavagnino

**NAYS:** NONE

**ABSENT:** Supervisor Adam

**ABSTAIN:** NONE

ATTEST:

MONA MIYASATO  
COUNTY EXECUTIVE OFFICE  
CLERK OF THE BOARD


By: Shiels de Guena  
Deputy Clerk

ACCEPTED AND AGREED:

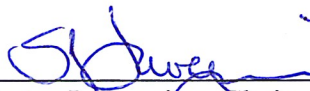
COUNTY OF SANTA BARBARA

By: Steven Lavagnino  
Steven Lavagnino, Chair  
Board of Supervisors

MONA MIYASATO  
COUNTY EXECUTIVE OFFICE  
Ex-Officio Clerk of the Board of Directors of the  
Santa Barbara County Flood Control & Water  
Conservation District

By:   
Deputy Clerk

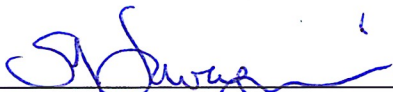
SANTA BARBARA COUNTY FLOOD  
CONTROL & WATER CONSERVATION  
DISTRICT

By:   
Steven Lavagnino, Chair  
Board of Directors

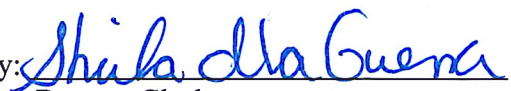
MONA MIYASATO  
COUNTY EXECUTIVE OFFICE  
Ex-Officio Clerk of the Board of Directors of the  
Laguna County Sanitation District

By:   
Deputy Clerk


LAGUNA COUNTY SANITATION  
DISTRICT

By:   
Steven Lavagnino, Chair  
Board of Directors

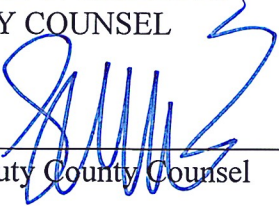
MONA MIYASATO  
COUNTY EXECUTIVE OFFICE  
Ex-Officio Clerk of the Board of Directors of the  
Santa Barbara County Water Agency

By:   
Deputy Clerk

SANTA BARBARA COUNTY WATER  
AGENCY

By:   
Steven Lavagnino, Chair  
Board of Directors

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By:   
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:  
BETSY SCHAFFER, CPA  
AUDITOR-CONTROLLER

By:   
Deputy

## **Emergency Work Actions**

### **Transportation Division**

Transportation has been responding to storm event 23STM1, 23STM2 under the Proclamation of Local Emergency declared by the Director of Emergency Services on January 9, 2023 and the Board Resolution 23-5, the Proclamation of a State of Emergency declared by the Governor on January 4, 2023, the Federal Emergency (EM3591-CA) and Federal Disaster (DR 4683) declared on January 14, 2023.

Transportation has been responding to storm event 24STM1, 24STM2 declared by the Director of Emergency Services on February 4, 2024 and Board Resolution 2415.

Transportation has been responding to a failed culvert on Refugio Rd which was discovered on March 12, 2024.

The following work to remove debris from various county roads; to clear culverts; to implement protective measures; and to perform emergency repairs must be completed on an emergency basis in order to establish emergency and public roadway access, to protect existing property and alleviate financial impacts. Use of competitive procurement proposals or formal bids or awarding would delay the urgent action required to address public safety, access and welfare.

### **General Reporting Summary**

Transportation engineering, maintenance, construction, and permits staff began assessing damage on January 9, 2023 and immediately began initiating emergency contracts to perform debris removal and implement emergency protective measures to establish emergency access; to regain access to isolated residents; and to protect existing transportation facilities and property.

Transportation engineering, maintenance, construction, and permits staff began assessing damage on February 4, 2024 and immediately began performing emergency protective measures by clearing debris to establish emergency access and protect the health and safety of others; regain access to remote residents while protecting existing transportation facilities and property; Assessments are on-going.

Additionally, on March 12, 2024, staff discovered roadway damage on Refugio Road near the entrance of Refugio State Park. Upon further inspection, it was determined the culvert that runs under the road failed and material have washed out from under the road. We anticipate numerous cavities under the roadway which can cause sinkholes and total road failure. Public Works staff is working in conjunction with State Parks to repair the culvert and is actively working with the Contractor to start work. As of May 10, 2024, a total of 238 damage sites have been identified and are currently being

assessed to determine scope and cost. Details regarding 132 damage sites are captured under 23STM1. Details regarding 18 damage sites are captured under 23STM2. Details regarding 57 damage sites are captured under 24STM1. Details regarding 32 damage sites are captured under 24STM2. In total, 137 damage sites are within the Federal Emergency Management Agency (FEMA) jurisdiction and 102 Federal Highway Administration (FHWA) jurisdiction. Sites continue to be discovered. Preliminary assessments reveal more than \$74M to facilitate the necessary maintenance and repairs of the discovered damage sites. The team is focusing on prioritizing work and performing detailed technical assessments, and the estimated costs will be fine-tuned accordingly.

Under the aforementioned contracts and jurisdictions, Category A Debris Removal, and Category B Emergency Protective Measures and Emergency Opening work is being performed. This work remains critical as some County maintained roads are impassable due to large slipouts or slides, reducing the travel way width of some road segments to less than one lane. The following list of roads or segments of roads remained closed as of May 10:

### **2023 Storm Closures**

#### **Lompoc**

- Drum Canyon Rd from Hwy 246 @ Santa Rosa Ranch Mile Post 4.2 and the other end is closed South of Centennial @ Mile Post 3.1

#### **Santa Ynez/Buellton Valley**

- North Refugio Rd 4.3 miles south of HWY 246 – **IMPASSABLE**

#### **South Coast Mountains**

- Gibraltar Road – Emergency access only
- E Camino Cielo from Painted Cave Rd to Gibraltar

### **2024 Storm Closures**

#### **Santa Maria/Orcutt**

- Dominion Road from Clark Ave to Palmer Rd

#### **Lompoc**

- Harris Grade Rd from 3602 Harris Grade Rd to HWY 135

#### **Santa Barbara**

- Barker Pass Rd from HWY 192 to Nicholas Lane

Under Category B or Emergency Opening work, certain emergency repairs are allowed. In some cases, permanent repairs are the only economical option. To perform this work either non-competitive or abbreviated solicitation and award periods are still required to address public safety, access, and welfare.

Some of these critical damage sites require engineered solutions. We are expeditiously preparing abbreviated plans and specification packages and plan to execute contracts

for this work. Specific information and more updates will be provided at the next reporting date.

District	Project	Location	Description	Project Status
	<b>23STM1</b>			
3	<b>Happy Cyn Rd - Slipout, Site 3J26</b>	Happy Cyn Rd MP 6.1	The project is classified under FEMA CAT C (Permanent Restoration) repairs. While road remains closed, the work consists of excavating and rebuilding the embankment and shoulder, reconstructing a portion of the roadway, protect the embankment and slope by using imported borrow and placing Rock Slope Protection (RSP), hydroseed, reconstruct the fence, and repave roadway to pre-storm condition. These emergency repairs are vital to reopening the roadway which services residents, private properties and is accessible to emergency response personnel.	Emergency Bid contract is being solicited under Public Works Director Authority per Resolution 19-327. The project was advertised, with a Bid opening date of November 3, 2023, and an estimated repair cost to be \$684,000. Project has been awarded to MD Construction. Construction began on March 13, 2024. We anticipate construction to complete by May 17, 2024.
1	<b>Gibraltar Rd - Slipouts, Sites 1J06, 1J27, 1J32, 1J33, 1J49 &amp; 1J36, 24STM1-1L12; E Camino Cielo Rd-Slipout, Site 1J63</b>	Gibraltar Rd - MP 1.2, MP 2.9, MP 4.2, MP 4.6, MP 5.4, MP 5.9 and MP 2.6; E Camino Cielo Rd - MP 8.3	These projects are classified under FEMA CAT B (Emergency Opening) and CAT C (Permanent Restoration) repairs. While the road remains closed, the work consists of excavating and rebuilding embankments, restoring shoulders, regrading slopes, hydroseeding and placing proper erosion control for slope reinforcement, replace corrugated metal pipes, drainage inlet, sawcut, remove and replace damaged asphalt and HMA dikes.	Emergency Bid contract is being solicited under Public Works Director Authority per Resolution 19-327. The project was advertised, with a Bid opening date of November 16, 2023, and awarded to Beador Construction Company, Inc. Construction began February 7, 2024, and estimate repair costs to be \$2,120,000. We anticipate Construction to complete April 30, 2024. 24STM1-1L12 was completed under contract change order with a not to exceed amount of \$60,000. Construction completed April 29, 2024.
3	<b>Alisal Rd MP 5.6 - MP 5.7 - Slipout, 3J13</b>	Alisal Rd. MP 5.6 - MP 5.7	This project is classified under FHWA, under EO (Emergency Opening) construction repair services and consists of repaving damaged pavement to pre-storm condition for access. These emergency repairs are crucial to reopening the roadway which services residents, private properties and is accessible to emergency response personnel. Replace damaged roadway with Class 2 aggregate base and type A, 1/2" asphalt.	Emergency contract was issued under Public Works Director Authority per Resolution 19-327. Planned work will follow T&M Task order procedures, eliminating the Bid process and any delays to these emergency requirements. Papich Construction began repairs on October 27, 2023, and completed construction October 28, 2023. On May 6, 2024, a change order was issued to Papich Construction with a not to exceed amount of \$25,000 for unforeseen costs for paving. Construction is complete.
	<b>23STM2</b>			
3	<b>Drum Cyn Rd Slipout, 3K01</b>	Drum Cyn Rd MP 6.8	The project is classified under FEMA CAT C (Permanent Restoration) repairs. The work consists of excavating and constructing a 224' long soldier pile wall at the edge of the embankment and shoulder, reconstructing a portion of the roadway, protecting the edge of shoulder, removing asphalt concrete, re-establishing effective soil cover with hydroseed. These emergency repairs are crucial to reopening the roadway which services residents, private properties and is accessible to emergency response personnel.	Emergency Bid contract is being solicited under Public Works Director Authority per Resolution 19-327. The project was advertised, with a Bid opening date of March 1, 2024, and an estimated repair cost to be \$380,000. Project was awarded to Rehak General Engineering who began construction on May 1, 2024.
	<b>24STM1</b>			
4	<b>Dominion Rd - Culvert Failure/Sinkhole, 4L02</b>	Dominion Rd - 400' South of Clark Ave	The project is classified under FEMA CAT B (Emergency Opening) repairs. While the road is half closed and one way stop control of traffic circulation has been implemented, the road will require a hard closure to complete these emergency repairs. The work consists of removing and replacing 60" damaged corrugated metal pipe culvert that has caused a sinkhole extending into the pavement, replace with rock slope protection, backfill and rebuild the embankment, restoring shoulder, regrading slope, hydroseeding and placing proper erosion control for slope reinforcement, sawcut, remove and replace asphalt and HMA dike, repave roadway to pre-storm condition, and reset guardrail. These emergency repairs are crucial to alleviating the threat to life, public and safety and reopening the roadway which services residents, private properties and is accessible to emergency response personnel.	Emergency contract was issued under Public Works Director Authority per Resolution 19-327. Planned work will follow T&M Task order procedures, eliminating the Bid process and any delays to these emergency requirements. Calportland began construction on February 28, 2024, with estimated costs not to exceed \$1,000,000. We anticipate construction to complete by May 4, 2024.
1	<b>Chelham Way Culvert Damage - 1L14</b>	Chelham Wy North of SR 192	The project is classified under FEMA EO (Protective Measures). The work consists of installing a culvert and overside drainage system to protect existing facility and prevent further damage.	Emergency contract was issued under Public Works Director Authority per Resolution 19-327. Planned work will follow T&M Task order procedures, eliminating the Bid process and any delays to these emergency requirements. Papich Construction Company began repairs on March 25, 2024, with estimated costs not to exceed \$200,000. We anticipate construction to complete by May 14, 2024.



District	Project	Location	Description	Project Status
3	<b>Alisal Rd N/O Nojoqui Pk Ent - Debris and washout - 3L10</b>	Alisal Rd N/O Nojoqui Pk Entrance	The project is classified under FHWA EO (Protective Measures). The work consists of culvert repair and debris removal to protect existing facilities and prevent further damage.	Emergency contract was issued under Public Works Director Authority per Resolution 19-327. Planned work will follow T&M Task order procedures, eliminating the Bid process and any delays to these emergency requirements. We anticipate construction to begin August 2024 due to environmentally sensitive restraints, with estimated costs not to exceed \$400,000.
	<b>24STM2</b>			
3	<b>Jalama Rd - Slipout 3M07</b>	Jalama Rd - MP 8.9	The project is classified under FHWA EO (Protective Measures). The work consists of demolishing existing HMA, remove unstable soil from the supporting embankment, reconstruct new embankment, culvert and roadway structures, install erosion control measures to stabilize the slope and protect existing facilities to prevent further damage. The road is the sole access for residents, private properties, and emergency response personnel.	Emergency contract was issued under Public Works Director Authority per Resolution 19-327. Planned work will follow T&M Task order procedures, eliminating the Bid process and any delays to these emergency requirements. Seamair Construction began repairs on April 29, 2024, with estimated costs not to exceed \$580,000.
3	<b>Harris Grade Rd - Slipout 3M02</b>	Harris Grade MP 5.3	This project is classified under FHWA EO (Emergency Opening) repairs, and generally consists of constructing soil nail wall and shotcrete road stabilization due to vertical scarp at the edge of the road; Excavate, backfill, place rock slope protection and rebuild the embankment, restore the shoulder, reconstruct AC overside drain, sawcut, remove and replace asphalt and HMA dike, reset and replace metal beam guardrail, install erosion control measures to stabilize the slope and protect existing facilities to prevent further damage. This road serves as an important connection between the Lompoc Valley and Santa Maria Valley as well as the Communities of Mission Hills and Los Alamos. These emergency repairs are vital to reopening the roadway which was immediately closed due to the severity of the damage.	Emergency contract was issued under Public Works Director Authority per Resolution 19-327. Planned work will follow T&M Task order procedures, eliminating the Bid process and any delays to these emergency requirements. Papich Construction began repairs on March 18, 2024, with estimated costs not to exceed \$500,000. We anticipate construction to complete May 3, 2024.
1	<b>Barker Pass Rd - Undermined Roadway 1M20</b>	Barker Pass Rd at 560	This project is classified under FHWA EO (Emergency Opening) While road remains closed, repairs generally consist of excavating and debris removal, reconstruct roadway pavement, aggregate base, subgrade, and import materials, to protect existing facilities and prevent further damage. These emergency repairs are vital to reopening the roadway which services residents, private properties and is accessible to emergency response personnel.	Emergency contract was issued under Public Works Director Authority per Resolution 19-327. Planned work will follow T&M Task order procedures, eliminating the Bid process and any delays to these emergency requirements. Lash Construction began repairs on April 15, 2024, with estimated costs not to exceed \$150,000. We anticipate construction to complete May 10, 2024.
	<b>Refugio Rd Culvert Repair</b>			
3	<b>Refugio Rd Culvert Repair</b>	Refugio Rd at the Refugio State Park Entrance	This project will remove and replace the failed culvert under Refugio Rd and backfill cavities under the roadway. The road will remain open with traffic control.	Emergency contract was issued under Purchasing. Planned work will follow T&M Task order procedures, eliminating the Bid process and any delays to these emergency requirements. Sam Hill & Sons, Inc. will complete the repairs. The estimated costs is \$78,670. Construction is anticipated to beginning in May in conjunction with the repairs at the State Park.



Project #	Contractor	Contract Total	End Date	Original Contract Amount	Original End Date	End Date - #1 Amendment	Contract Amount - #1 Amendment	End Date - #2 Amendment	Contract Amount - #2 Amendment	Comments
<b>Contracts in Process</b>										
8207920	Sam Hill & Sons, Inc.	\$78,670.00	Per Terms of Contract	\$78,670.00	Per Terms of Contract	-	-	-	-	Processing as of 5/10/24
24STM1-02	Seamair Construction, Inc. DBA Seamair General Engineering	\$500,000.00	12/31/2024	\$500,000.00	12/31/2024	12/31/2024	\$1,000,000.00	-	-	Processing as of 5/10/24
23STM1-1J06, 1J27, 1J32, 1J33, 1J49, 1J36, 1J63	Beador Construction	\$2,324,600.00	06/30/2024	\$2,324,600.00	06/30/2024	12/31/2024	\$2,646,600.00	-	-	Processing as of 5/10/24
<b>23STM1 Contracts</b>										
23STM1-01	R. Burke Corporation	\$4,000,000.00	12/31/2024	\$500,000.00	06/30/2023	12/31/2024	\$1,500,000.00	12/31/2024	\$4,000,000.00	
23STM1-02	Granite Construction Company	\$3,000,000.00	12/31/2024	\$500,000.00	06/30/2023	12/31/2024	\$3,000,000.00	-	-	
23STM1-03	CalPortland Construction	\$3,000,000.00	12/31/2024	\$500,000.00	06/30/2023	12/31/2024	\$3,000,000.00	-	-	
23STM1-08	Papich Construction Company, Inc.	\$3,000,000.00	12/31/2024	\$750,000.00	06/30/2023	12/31/2024	\$3,000,000.00	12/31/2024	\$4,750,000.00	
23STM1-09	Peterson's Tree Care, Inc.	\$250,000.00	12/31/2024	\$250,000.00	06/30/2023	12/31/2024	-	-	-	
23STM1-11	Statewide Traffic Safety & Signs, Inc dba Statewide Safety Systems	\$500,000.00	12/31/2024	\$500,000.00	06/30/2023	12/31/2024	-	-	-	
23STM1-14	Raminha Construction, Inc.	\$4,000,000.00	12/31/2024	\$3,000,000.00	12/31/2024	12/31/2024	\$1,000,000.00	-	-	
23STM1-15	Yeh and Associates	\$150,000.00	12/31/2024	\$150,000.00	12/31/2024	-	-	-	-	
23STM1-16	Hamner Jewell & Associates	\$405,000.00	12/31/2024	\$405,000.00	12/31/2024	-	-	-	-	
23STM1-17	The J.F. Will Company, Inc.	\$2,970,000.00	12/31/2024	\$2,970,000.00	12/31/2024	-	-	-	-	
23STM1-18	Wallace Group	\$500,000.00	06/30/2024	\$500,000.00	12/31/2024	-	-	-	-	
23STM1-19	Filippin Engineering	\$500,000.00	06/30/2024	\$500,000.00	12/31/2024	-	-	-	-	
23STM1-20	Cannon Corporation	\$500,000.00	06/30/2024	\$500,000.00	12/31/2024	-	-	-	-	
23STM1-21	GHD Inc.	\$500,000.00	06/30/2024	\$500,000.00	12/31/2024	-	-	-	-	
23STM1-22	Unico Engineering	\$500,000.00	12/31/2024	\$500,000.00	12/31/2024	-	-	-	-	
23STM1-23	Lash	\$1,000,000.00	12/31/2024	\$1,000,000.00	12/31/2024	-	-	-	-	
23STM1-24	Bob's Backhoe & Trucking - Hearn	\$250,000.00	12/31/2024	\$250,000.00	12/31/2024	-	-	-	-	
23STM1-25	Stantec	\$150,000.00	12/31/2024	\$150,000.00	12/31/2024	-	-	-	-	
23STM1-1J05	DrillTech Drilling	\$119,850.00	06/30/2024	\$119,850.00	06/30/2024	-	-	-	-	
23STM1-1J05	Lash Construction, Inc.	\$117,920.00	06/30/2024	\$117,920.00	06/30/2024	-	-	-	-	
23STM1-1J11	Raminha Construction, Inc.	\$296,955.00	06/30/2024	\$296,955.00	06/30/2024	-	-	-	-	
23STM1-3J26	MD Construction Co., Inc.	\$783,001.00	06/30/2024	\$783,001.00	06/30/2024	-	-	-	-	
23STM1-3K01	Rehak General Engineering	\$445,478.00	12/31/2024	\$445,478.00	12/31/2024	-	-	-	-	
<b>23STM2 Contracts</b>										
23STM2-1	Badger Daylighting Corp	\$500,000.00	06/30/2024	\$500,000.00	06/30/2024	-	-	-	-	
23STM2-2	CalPortland Construction	\$300,000.00	06/30/2024	\$300,000.00	06/30/2024	-	-	-	-	
23STM2-3	CalPortland Construction	\$300,000.00	06/30/2024	\$300,000.00	06/30/2024	-	-	-	-	
23STM2-5K03 & 5K05	Seamair Construction, Inc.	\$773,159.00	12/31/2024	\$773,159.00	12/31/2024	-	-	-	-	
<b>24STM1 Contracts</b>										
24STM1-01	Beador	\$300,000.00	12/31/2024	\$300,000.00	12/31/2024	-	-	-	-	

## NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Santa Barbara County Public Works Department, Transportation Division

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s): Various Case No: Not Applicable

Location: Countywide

**Project Title:** Emergency Response Actions from Impacts of Storms and Continuation of Emergency Actions

**Project Description:** This Board item reports on and recommends continuing the emergency actions and work being done pursuant to the Public Works Director's authority under Resolution No. 19-327 for the 2023 winter storms (23STM1 and 23STM2) and the 2024 winter storms (24STM1 and 24STM2). This report adds Refugio Road culvert storm damage to list of emergency repair work listed in Attachment B.

Public Contract Code section 22050(b)(3) and (c)(2), requires the Public Works Department to regularly report on current emergency response work actions ordered by the Public Works Director pursuant to the delegated authority (see Attachment B). This allows the Board to comply with the statutory requirement to review the emergency action and determine by a four-fifths vote whether there is a need to continue the action.

Following the Board's initial review of the emergency actions, Public Contract Code Section 22050(c)(2) requires the Public Works Department to request that the Board review the emergency action at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, and determine by a 4/5 vote that there is a need to continue the action until the action is terminated. Public Contract Code Section 22050 (c)(3) requires terminating the action at the earliest possible date that conditions warrant so that the remainder of the emergency response can be completed through normal competitive bid procedures.

Disaster response and recovery processes are actively in progress. The extended timeframe of these operations are a result of the extent and severity of damage, the multi-jurisdictional collaboration at some damage sites, and staff's attention to federal procedures and guidelines to maximize reimbursement. Public Works is planning to continue emergency operations with expedited procurement to ensure public safety and access to roadways and prevent from further exacerbation of vulnerable locations across the county.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: Santa Barbara County Public Works Department, Transportation Division

**Exempt Status:**

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:**

Section 15269(c): Specific actions necessary to prevent or mitigate an emergency that does not have a low probability of occurrence. The State of California proclaimed a state of emergency for eight counties, including Santa Barbara County, on February 4, 2024. On February 4, 2024, Santa Barbara County proclaimed a local emergency due to powerful storms beginning January 31, 2024.

Lead Agency Contact Person: Kalani Durham Phone #: (805) 568-3110

Department/Division Representative: Kalani Durham Date: May 10, 2024

Signature: *Kalani Durham*

Acceptance Date: \_\_\_\_\_

Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenge

\_\_\_\_\_  
Date Filed by County Clerk

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

**PROCLAMATION OF A STATE OF EMERGENCY**

**WHEREAS** on February 4, 2024, I proclaimed a State of Emergency to exist in Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura counties due to the early February 2024 winter storms; and

**WHEREAS** these severe winter storms also struck Alameda, Butte, Glenn, Lake, Mendocino, Monterey, Sacramento, San Francisco, Santa Cruz, Sonoma, and Sutter counties causing widespread river and coastal flooding, flash flooding, high surf conditions, mudslides, and debris flows threatening life and safety, structures, and other critical infrastructure; and

**WHEREAS** the impacts from these winter storms caused significant damage to highways and roadways and widespread damage to public property; and

**WHEREAS** these winter storms have predominantly impacted public infrastructure and resulted in significant costs to state and local governments; and

**WHEREAS** state and federal tax postponement is intended to provide targeted tax relief to individuals and businesses impacted by State-declared emergencies or disasters; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to these winter storms; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by these winter storms, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the magnitude of the damage caused by these winter storms; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of these winter storms.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Alameda, Butte, Glenn, Lake, Mendocino, Monterey, Sacramento, San Francisco, Santa Cruz, Sonoma, and Sutter counties due to the impacts of these winter storms.

**IT IS HEREBY ORDERED THAT:**

1. All operative provisions contained in my February 4, 2024, State of Emergency Proclamation are hereby incorporated and applicable to Alameda, Butte, Glenn, Lake, Mendocino, Monterey, Sacramento, San Francisco, Santa Cruz, Sonoma, and Sutter counties as a result of the storms identified in this and the previous Proclamation.
2. The California Department of Transportation shall formally request immediate assistance, as appropriate, through the Federal Highway Administration's Emergency Relief Program, United States Code, Title 23, section 125, in order to obtain federal assistance for highway repairs, reconstruction, or restoring access to roadways impacted by these winter storms.
3. The restrictions set forth in Penal Code section 396, which are automatically triggered upon proclamation of a State of Emergency, are suspended, and no such restrictions are imposed, for Alameda, Mendocino, San Francisco, and Sonoma counties in connection with these winter storms.
4. Revenue and Taxation Code section 18572, relating to the postponement of certain tax-related deadlines pursuant to Internal Revenue Code section 7508A, is suspended and shall not apply in connection with an Emergency Declaration or Presidential Major Disaster Declaration providing only Public Assistance in response to these winter storms and/or the State of Emergency proclaimed on February 4, 2024, and herein in connection with these winter storms.

**I FURTHER DIRECT** that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 22nd day of March 2024.



GAVIN NEWSOM  
Governor of California

**ATTEST:**

\_\_\_\_\_  
SHIRLEY N. WEBER, PH.D.  
Secretary of State