

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 3/15/01
Department Name: County Administrator
Department No.: 0130
Agenda Date: 3/20/01
Placement: Departmental
Estimate Time: Staff: 10 Min Total: 15 Min
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown
County Administrator

STAFF CONTACT: Bruce Carter, OES Manager 681-5559
Phil Demery, Public Works Director 568-3010

SUBJECT:

1. Ratify Proclamation of Local Emergency
2. Ratify Request to the Governor to Proclaim the County of Santa Barbara to be in a State of Emergency
3. Adopt Resolution Authorizing the Repair or Replacement of Public Facilities Without Competitive Bidding

Recommendation(s):

That the Board of Supervisors:

- A. Ratify Proclamation of Local Emergency;
- B. Ratify Resolution Requesting the Governor to Proclaim the County of Santa Barbara to be in a State of Emergency;
- C. Adopt Resolution Authorizing the Repair or Replacement of Public Facilities Without Competitive Bidding.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 2; Ensure the Public Health and Safety and Provide Essential Infrastructure.

Executive Summary and Discussion:

Beginning March 5, 2001 this County and the State of California have been hit by a series of powerful winter storms that have produced heavy rains, high winds and heavy surf. As a result the County has suffered extensive damage to private structures public structures/facilities, trees, vegetation and agricultural crops.

Due to washed out roads and other storm damage, the full extent of the damage was not fully known until the week of March 12th.

On March 14, 2001, when the Board of Supervisors was not in session, Michael F. Brown, as Director of Emergency Services: 1.) Proclaimed the existence of a local emergency throughout Santa Barbara County due to the storm related damage and the potential for further damage associated with the aftermath of the significant amount of rainfall received in the County; and, on March 15, 2001, when the Board of Supervisors was not in session, Michael F. Brown, as Director of Emergency Services: 2.) Requested the Governor of California to proclaim that the County of Santa Barbara is in a State of Emergency. Pursuant to Government Code Section 8625 and Santa Barbara County Code Section 12-6 the Director of Emergency Services now requests that the Board of Supervisors to ratify the proclamation of a Local Emergency and ratify the request to the Governor to proclaim the County to be in a State of Emergency by adoption of a resolution.

The resulting damage to numerous public facilities requires immediate repair or replacement in order to protect the public health and safety and/or to protect against complete failure or destruction. This event constitutes a continuing emergency and it is impractical to solicit competitive bids for the repair or replacement of the public facilities. Public Contracts Code Section 22050(a) authorizes the Board of Supervisors, by a four-fifths vote, to “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”. If the bidding process is waived, the Board will be required to review its decision every 14 days, to determine by a four-fifths vote whether the waiver should continue. The Board would be obligated to terminate the waiver of the bid process at the earliest possible date that conditions warrant, so that the remainder of work may be completed under the bid process.

It is requested that the Board: 1.) Authorize waiver of the competitive bid process pursuant to Public Contract Code Section 22050 for all storm related damage to public facilities for contracts up to \$100,000, and the Director of Public Works may request the Board of Supervisors to waive the competitive bid process for storm related contracts over \$100,000; 2.) Ratify the contracts for the repair or replacement of the public facilities damaged by the emergency conditions, which were entered into since March 5, 2001; and, 3.) Deem those contracts to have been entered into under the authority of Public Contract Code Section 22050.

Mandates and Service Levels:

No change in programs or service level.

Fiscal and Facilities Impacts:

There are no direct fiscal or facilities impacts as a result of these recommendations. However, adoption might make the County eligible for disaster relief funds otherwise not available.

Special Instructions:

Return one signed copy of each Resolution to both the Public Works Department and the Office of Emergency Services.

Concurrence:

Public Works
County Counsel
Auditor Controller