



**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:** General Services  
**Department No.:** 063  
**For Agenda Of:** August 22, 2023  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

**TO:** Board of Supervisors

**FROM:** Department Director: Kirk Lagerquist, Director (805) 560-1011  
Contact Info: Patrick Zuroske, Assistant Director (805) 568-3096

DocuSigned by:  
*Kirk Lagerquist*  
19AEDA90054E4CE...

**SUBJECT:** 23STM1-18 – Santa Barbara County Courthouse Bailiff Office Restoration;  
Ratification of Emergency Contracts Secured by Purchasing Agent as a Result of  
2023 Impacts of Flooding and Storms, Second Supervisorial District

**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence: Risk Management**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve and ratify the attached General Services emergency contracts with Restoration Management Company, entered into by the Purchasing Agent under County Code Section 2-43, upon a finding that these contracts were required for the health, safety, and welfare of the people or for the protection of property and that there was a present, immediate and existing emergency which could not reasonably have been foreseen; and
- b) Determine that the recommended actions are statutorily exempt under the California Environmental Quality Act, pursuant to CEQA Guidelines Section 15269, as a project necessary to prevent or mitigate an emergency that does not have a low probability of occurrence, and to maintain, repair, restore, or replace property or facilities damages or destroyed as a result of a disaster; and direct staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis.

**Summary Text:**

This action to approve and ratify the following General Services Capital Division emergency contracts entered into by the Purchasing Agent under County Code Section 2-43:

- DP3913/CO5721 Restoration Management Company in the amount of \$ 165,487.79
- DP3914/CO5724 Restoration Management Company in the amount of \$ 103,280.22

Ratification of Emergency Contracts Secured by Purchasing Agent as a Result of 2023 Impacts of Flooding and Storms, All Supervisorial District

Agenda Date: August 22, 2023

Page 2 of 3

In response to the January 4 and January 9, 2023 storm events, a Local Emergency was declared by the Director of Emergency Services on January 9, 2023 via Board Resolution 23-5. A Proclamation of a State of Emergency was issued by the Governor on January 4, 2023. A Federal Declaration of Emergency (EM3591-CA) and ultimately a Federally Declared Disaster (DR 4683) was made by the President on January 14, 2023. General Services, Facilities Maintenance, and Bailiff staff began assessing damage on January 9, 2023 and immediately began initiating emergency contracts to: perform water damage cleanup, mold mitigation, structural drying and demolition; implement emergency repairs of drywall, flooring, paint, and replace lockers at the Bailiff's Courthouse east wing basement area; repair damaged storm drain; restore access to essential services of Santa Barbara County Sheriff Bailiff offices; and to protect existing Sheriff's facilities and property. The Facilities Maintenance Division initiated the above referenced Federally compliant emergency contracts in coordination with the County's Procurement Services Division (Purchasing Agent). The County's Purchasing Agent secured these contracts under County Code Section 2-43, Emergency Purchases. As defined in the attached contracts, the emergency work performed by Restoration Management Company was split into two contracts for insurance purposes only.

**Background:**

The Purchasing Agent is authorized to "make emergency purchases of goods or services free of provision of this article upon a showing by any department or officer that such purchase is required." (County Code § 2-43, see below).

**County Code Section 2-43. – Same - Emergency purchases.**

- a) Notwithstanding the purchasing agent's delegated authority by the Board of Supervisors, the Purchasing Agent may make emergency purchases of goods or services free of the provisions of this article upon a showing by any department or officer that such purchase is required.
- b) All emergency purchases of goods or services secured under this section shall be approved or confirmed by the purchasing agent that the purchases were made for the health, safety, and welfare of the people or for the protection of property and that there is a present, immediate and existing emergency which could not reasonably be foreseen; and may make other purchases of goods and services free of this article when the board of supervisors has found by resolution that such would be in the public interest. (Ord. No. 951, § 6; Ord. No. 4997, § 1, 6-20-2017)

While the Purchasing Agent's authority to enter into emergency contracts is not subject to any express cost limitation, these emergency contracts do exceed the Purchasing Agent's non-emergency contracting authority. As such, in coordination with the Purchasing Agent, the Facilities Maintenance Division of the General Services Department is bringing these emergency contracts to the Board for ratification.

**Performance Measure:**

- Completion of initial flooding clean-up and repair to prevent further damage to facility.
- Remediation of all water damaged areas; and final repairs and renovation to allow the Sheriff's daily operations to continue.

Ratification of Emergency Contracts Secured by Purchasing Agent as a Result of 2023 Impacts of Flooding and Storms, All Supervisorial District  
Agenda Date: August 22, 2023  
Page 3 of 3

**Fiscal and Facilities Impacts:**

Budgeted: Yes The funding for these contracts was included in the FY 2022-23 Budget.

**Fiscal Analysis:**

Narrative:

The General Services costs associated with this and various other emergency response efforts during the January 4 and January 9, 2023 storm events have been submitted to our insurance carrier and will be funded primarily with insurance proceeds excluding the deductible.

There is one \$25,000 deductible charged for all of these storm related emergency response efforts that will be allocated among all of the emergency projects that were submitted. This deductible has been included in the County's FEMA claim for reimbursement, and will initially be funded with General Services General Fund budget until the FEMA reimbursement is received.

The total cost associated with the emergency response efforts for contracts DP3913/CO5721 and DP3914/CO5724 is \$268,768.01, and was incurred in the 2022/23 Fiscal Year and accounted for in the General Services Fund 0001, Program 1210, Line Item Account 7362 for emergency projects. The insurance proceeds were accrued in the previous fiscal year (FIN Document RAC-0003946).

**Special Instructions:**

Direct the Clerk of the Board to post the NOE and send a copy of the stamped NOE and minute order of these actions to the Capital Projects Division, 1105 Santa Barbara Street, Courthouse East Wing, 2<sup>nd</sup> floor, Santa Barbara, CA 93101 Attn: Heide Norman.

**Attachments:**

Attachment A: Copies of Executed Contracts for County Project No. 23STM1-18  
Attachment B: CEQA Notice of Exemption for County Project No. 23STM1-18

**Authored by:**

Heide Norman, Project Manager – General Services, Capital Projects Division 805-568-3091