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Legislation Details (With Text)

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Type: Administrative Item **Status:** Agenda Ready

File created: 4/25/2024 **In control:** BOARD OF SUPERVISORS

On agenda: 5/7/2024 **Final action:** 5/7/2024

Title: Consider recommendations regarding a Public Works Director’s Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, as follows: (4/5 Vote Required)

Acting as the Board of Directors, Flood Control and Water Conservation District:

- 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, and debris removal projects following the 2023 and 2024 winter storm events 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;
- c) Direct staff to return to the Board every 14 days to allow the Board to review the emergency actions and determine, by a 4/5 vote, whether there is a need to continue the emergency actions until the actions are terminated;
- d) Approve Budget Revision Request No.0009547 to transfer appropriations of \$3,795,000.00 in Public Works South Coast Flood Zone fund from Capital Assets to Services and Supplies (3/5 vote required);
- e) Determine that the recommended actions related to and continuations of the January 31 - February 2024 storms are statutorily exempt under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15269(c), and 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;
- f) Determine that these emergency actions related to and continuations of 2023 storm response were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c) and a Notice of Exemption was filed on this basis on January 24, 2023, and the proposed action is within the scope of that Notice of Exemption; and
- g) Determine that emergency actions for the Santa Maria River Restoration of Alignment Project were found by the Board to be exempt from the provisions of the State CEQA pursuant to Executive Order N-10-23, as well as State CEQA Guidelines Section 15269(c) on September 12, 2023, and the proposed action is within the scope of the Notice of Exemption filed on September 19, 2023.

Sponsors: PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSER

Indexes:

Code sections:

Attachments: 1. Board Letter, 2. Attachment A - Resolution No. 19-327, 3. Attachment B - Emergency Work Description, 4. Attachment C - BRR (BJE No. 0009547), 5. Minute Order

Date	Ver.	Action By	Action	Result
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5/7/2024

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BOARD OF SUPERVISORS

Acted on as follows:

Pass

Consider recommendations regarding a Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, as follows: (4/5 Vote Required)

Acting as the Board of Directors, Flood Control and Water Conservation District:

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, and debris removal projects following the 2023 and 2024 winter storm events 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;

c) Direct staff to return to the Board every 14 days to allow the Board to review the emergency actions and determine, by a 4/5 vote, whether there is a need to continue the emergency actions until the actions are terminated;

d) Approve Budget Revision Request No.0009547 to transfer appropriations of \$3,795,000.00 in Public Works South Coast Flood Zone fund from Capital Assets to Services and Supplies (3/5 vote required);

e) Determine that the recommended actions related to and continuations of the January 31 - February 2024 storms are statutorily exempt under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15269(c), and 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;

f) Determine that these emergency actions related to and continuations of 2023 storm response were found by the Board to be exempt from the provisions of the CEQA pursuant to State CEQA Guidelines Section 15269(c) and a Notice of Exemption was filed on this basis on January 24, 2023, and the proposed action is within the scope of that Notice of Exemption; and

g) Determine that emergency actions for the Santa Maria River Restoration of Alignment Project were found by the Board to be exempt from the provisions of the State CEQA pursuant to Executive Order N-10-23, as well as State CEQA Guidelines Section 15269(c) on September 12, 2023, and the proposed action is within the scope of the Notice of Exemption filed on September 19, 2023.