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## Legislation Details (With Text)

**File #:** 24-00181      **Version:** 1

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

**File created:** 2/16/2024      **In control:** BOARD OF SUPERVISORS

**On agenda:** 2/27/2024      **Final action:** 2/27/2024

**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 of the 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 (4/5 Vote Required);
- 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. 0009538 to increase appropriations to Services and Supplies in the amount of \$225,000.00 in the Public Works Orcutt Flood Zone Fund funded by the release of Restricted Purpose of Fund Balance (4/5 vote required);
- e) Determine that the recommended actions in response to the January 31 - February 2024 storms are statutorily exempt under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15269(c), Actions necessary to prevent or mitigate and emergency that does not have a low probability of occurrence and direct the staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis; and
- 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 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. Also 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.pdf, 3. Attachment B - Emergency Work Description 2.27.24.pdf, 4. Attachment C - BRR (BJE No. 0009538).pdf, 5. Attachment D - Notice of Exemption - February 7, 2024.pdf, 6. Posted NOE, 7. Minute Order

Date	Ver.	Action By	Action	Result
2/27/2024	1	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 of the 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 (4/5 Vote Required);

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. 0009538 to increase appropriations to Services and Supplies in the amount of \$225,000.00 in the Public Works Orcutt Flood Zone Fund funded by the release of Restricted Purpose of Fund Balance (4/5 vote required);

e) Determine that the recommended actions in response to the January 31 - February 2024 storms are statutorily exempt under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15269 (c), Actions necessary to prevent or mitigate and emergency that does not have a low probability of occurrence and direct the staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis; and

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 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. Also 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.