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Legislation Details

File #: 24-00179 **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 the 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)

- 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 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 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;
- d) Determine that these 2023 winter storms emergency actions 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(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; and
- e) Determine that the 2024 winter storm (24STM1) emergency actions are statutorily exempt under CEQA. The exemption from CEQA is granted by the Legislature by Statute as the following emergency projects are exempt from the requirements of CEQA. Projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, provided that the project is initiated within one year of the damage occurring. Therefore, the project is contemplated by the CEQA exemption under Section 15269 Emergency Projects, and direct the staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis.

Sponsors: PUBLIC WORKS DEPARTMENT

Indexes:

Code sections:

Attachments: 1. Board Letter, 2. Attachment A - Resolution No. 19-327.pdf, 3. Attachment B - Emergency Work Actions.pdf, 4. Attachment C - 24SMT1 Notice of Exemption.pdf, 5. Posted NOE, 6. Minute Order

Date	Ver.	Action By	Action	Result
2/27/2024	1	BOARD OF SUPERVISORS	Acted on as follows:	Pass