



Legislation Details (With Text)

File #:	23-00120	Version:	1
Type:	Administrative Item	Status:	Agenda Ready
File created:	1/27/2023	In control:	BOARD OF SUPERVISORS
On agenda:	2/7/2023	Final action:	2/7/2023
Title:	<p>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)</p> <p>Acting as the Board of Supervisors and Board of Directors, Flood Control and Water Conservation District:</p> <p>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 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;</p> <p>b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director;</p> <p>c) Direct staff to return to the Board every 14 days 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; and</p> <p>Acting as the Board of Directors, Flood Control and Water Conservation District:</p> <p>d) Find that the proposed actions are associated with emergency response and are therefore statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Guideline Sections 15269(c) actions necessary to prevent or mitigate an emergency that does not have a low probability of occurrence, and that a CEQA Exemption for this project was approved by the Board and filed by the Clerk of the Board on January 24, 2023, therefore no new Categorical Exemption is required for the approval of the recommended actions; and</p> <p>Acting as the Board of Supervisors:</p> <p>e) Find that the proposed actions are statutorily exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15269(d), as an emergency project 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, initiated within one year of the damage occurring; and direct the staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis.</p>		
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 2.7.23, 4. Memorandum dated 2-3-2023, 5. Board Letter - Revised 2-3-2023, 6. Attachment B - Emergency Work Description Revised 2-2-23, 7. Attachment C - Notice of Exemption, 8. Posted NOE, 9. Minute Order		

Date	Ver.	Action By	Action	Result
2/7/2023	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 Supervisors and 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, 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;

c) Direct staff to return to the Board every 14 days 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; and

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

d) Find that the proposed actions are associated with emergency response and are therefore statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Guideline Sections 15269(c) actions necessary to prevent or mitigate an emergency that does not have a low probability of occurrence, and that a CEQA Exemption for this project was approved by the Board and filed by the Clerk of the Board on January 24, 2023, therefore no new Categorical Exemption is required for the approval of the recommended actions; and

Acting as the Board of Supervisors:

e) Find that the proposed actions are statutorily exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15269(d), as an emergency project 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, initiated within one year of the damage occurring; and direct the staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis.