



## Legislation Details (With Text)

**File #:** 2019-0754  
**Type:** Consent Calendar Item      **Status:** Agenda Ready  
**File created:** 5/15/2019      **In control:** Sonoma County Water Agency  
**On agenda:** 6/4/2019      **Final action:**  
**Title:** Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding.  
**Sponsors:** Sonoma County Water Agency, Russian River County Sanitation District, Occidental County Sanitation District, Sonoma Valley County Sanitation District (Director, South Park County Sanitation District  
**Indexes:**  
**Attachments:** 1. Summary

Date	Ver.	Action By	Action	Result
6/4/2019	1	Board of Supervisors	Approved as recommended	Pass

**To:** The Board of Directors of the Sonoma County Water Agency, the Russian River County Sanitation District, the Occidental County Sanitation District, the Sonoma Valley County Sanitation District, and the South Park County Sanitation District

**Department or Agency Name(s):** Sonoma County Water Agency

**Staff Name and Phone Number:** Grant Davis 547-1911

**Vote Requirement:** 4/5th

**Supervisorial District(s):** All

### Title:

Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding.

### Recommended Actions:

Board of Directors:

- A) Receive report on emergency work to stabilize dangerous conditions resulting from the 2019 Winter Storms and Flooding; and
  - B) Make findings that there is an ongoing emergency need to stabilize dangerous conditions resulting from the 2019 Winter Storms and Flooding; and
  - C) Continue to suspend competitive bidding requirements for emergency flooding repairs.
- (4/5<sup>th</sup> Vote Required)

### Executive Summary:

This joint item requests the Board of Directors for the Sonoma County Water Agency, Russian River County Sanitation District, Occidental County Sanitation District, Sonoma Valley County Sanitation District, and South Park County Sanitation District (collectively "Sonoma Water") make findings of the ongoing emergency need to stabilize dangerous conditions resulting from the 2019 Winter Storms and Flooding and continue to suspend competitive bidding requirements.

**Discussion:**

On February 26, 2019, the Board of Supervisors for the County of Sonoma declared the existence of a local emergency for the Sonoma County Operational Area due to the 2019 Winter Storms and Flooding that started on February 12, 2019, with the first of consecutive major winter storms which resulted in major flooding in Sonoma County. In response, the Sonoma County and Sonoma Water Emergency Operations Centers (EOCs) were activated on February 26, 2019 to assist with managing the impacts. On February 28, 2019, Governor Newsom issued a proclamation of emergency due to these storms. As a result of the 2019 Winter Storms and Flooding, dangerous conditions have arisen on numerous properties owned or maintained by Sonoma Water that were sudden and unexpected, and pose a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

On March 1, 2019, the General Manager of Sonoma Water determined emergency conditions exist as a result of the 2019 Winter Storms and Flooding necessitating immediate action pursuant to the authority delegated in Resolutions # 06-0649 and #06-0650. Due to the February 2019 Winter Storms and Flooding, Sonoma Water, and the Sanitation Districts and Zones owned or operated by Sonoma Water, have suffered damage and emergency conditions exist which necessitate immediate action to protect public health, public safety, essential public services, and property. Sonoma Water staff continue to assess damage within Sonoma Water's service areas so the exact number and nature of emergency repair(s) needed is still being determined. Based on current situational awareness, emergency repair needs include:

- 1) The Occidental County Sanitation District settling pond, at the treatment plant, began to leak during the storm event. As a result, increased trucking is needed to avoid, as much as possible, having a sewer spill;
- 2) Sonoma Valley County Sanitation District bank erosion, in Sonoma Creek, is starting to undermine a sewer manhole. Emergency repair/protective measures are needed to protect the manhole from further undermining;
- 3) Sonoma Valley County Sanitation District wastewater discharge pipeline began leaking due to sink holes forming adjacent to the pipeline. Emergency repair/protective measures were needed to protect the pipeline;
- 4) Sonoma Water's Collector 6 has ground/bank erosion exposing underground equipment and lines that will need an emergency repair to protect them from further inundation and damage;
- 5) Sonoma Water's Mirabel and Wohler facilities were inundated with flood waters which will require emergency debris removal and road repairs;
- 6) Russian River County Sanitation District has the Center Lift Station where an emergency generator was destroyed by flood inundation will need emergency procurement to replace; and
- 7) Russian River County Sanitation District emergency access road to the treatment plant was damaged due to debris slides and erosion.

Based upon the above, there is an urgent need to continue to make the needed repairs to Sonoma Water's potable water facilities, and to make the needed repairs to the Sanitation Districts' and Zones' facilities that are owned or operated by Sonoma Water. The normal contracting process takes two to three months from a minimum advertising period through assessing bids and awarding and executing contracts. This delay would mean that it would not be possible to perform necessary preventative measures to protect public health and safety in a timely manner.

Public Contract Code section 22050 authorizes the Sonoma Water to enter into contracts for public projects as may be necessary to mitigate emergency conditions without giving notice for bids. Additionally, pursuant to Public Contract Code Section 22035, this emergency work may proceed without adopting plans or specifications. If approved, this item will be brought back to the Boards every 14 days thereafter to determine [by 4/5 vote] if there is a need to continue the action without competitive bidding. The Boards are obligated to terminate the waiver of the bid process at the earliest possible date that conditions warrant so that the remainder of the work may be completed under the bid process.

Sonoma Water estimates that approximately 80 percent of the projects have been completed, including: assessments for sites identified above; and completion of protective measures to halt the erosion in Sonoma Creek adjacent to the Sonoma Valley County Sanitation District sewer pipeline; removal of silt and debris from percolation ponds; and initiation of repairs at Collector 6 and debris removal and road repairs at Mirabel.

Work that remains to be completed includes, but not limited to:

1. Sonoma Water's Collector 6 has ground/bank erosion exposing underground equipment and lines. Staff have completed the assessment and is in the processes of entering into a contract to repair the damage.
2. Sonoma Water's Mirabel and Wohler facilities were inundated with flood waters which will require emergency debris removal and road repairs. Assessment of the damages has been completed. Solution for a permanent repair is currently being developed. Sections of the roadway have been improved to allow staff to continue maintenance activities.

Most of the emergency repairs to facilities are expected to be completed by the end of June 2019. Based upon the length of time it will take to complete the work at Collector 6, staff is requesting the emergency declaration be extended to the end of July 2019. However, should the emergency work take longer than anticipated due to unforeseen circumstances, this matter will be brought back to the Board at its next regularly scheduled meeting, and then on a biweekly basis for further review in accordance with applicable Public Contract Code requirements.

**Prior Board Actions:**

- 5/21/19: Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding
- 5/14/19: Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding
- 4/30/19: Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding
- 4/16/19: Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding
- 4/9/19: Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding
- 3/26/19: Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding

3/12/19: Joint Resolution Making Findings of an Emergency Need to Perform Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 18-19 Adopted</b>	<b>FY19-20 Projected</b>	<b>FY 20-21 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested			
<b>Total Expenditures</b>			
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>			

**Narrative Explanation of Fiscal Impacts:**

Preliminary damage estimates are as follows: Mirabel Wohler sites: \$1,359,587; Russian River County Sanitation District sites: \$1,577,019; and Sonoma Valley County Sanitation District sites: \$986,275. Sonoma Water anticipates reimbursements through funds from the California Disaster Assistance Act if there is no Presidential disaster declaration to release federal funds. Sonoma Water is working diligently to adhere to the common funding reimbursement regulations of these programs in order to maximize the probability of successful reimbursement requests.

<b>Staffing Impacts:</b>			
<b>Position Title (Payroll)</b>	<b>Monthly Salary Range (A - I Step)</b>	<b>Additions (number)</b>	<b>Deletions (number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

None

**Attachments:**

None

**Related Items "On File" with the Clerk of the Board:**

None