



## Legislation Details (With Text)

<b>File #:</b>	2021-0701	<b>Status:</b>	Agenda Ready
<b>Type:</b>	Consent Calendar Item	<b>In control:</b>	Sonoma County Water Agency
<b>File created:</b>	6/22/2021	<b>Final action:</b>	
<b>On agenda:</b>	7/13/2021		
<b>Title:</b>	Receive Report and Make Findings to Continue Emergency Work in Response to Drought Conditions		
<b>Sponsors:</b>	Sonoma County Water Agency		
<b>Indexes:</b>			
<b>Attachments:</b>	1. Summary Report		

Date	Ver.	Action By	Action	Result
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**To:** The Board of Directors of the Sonoma County Water Agency  
**Department or Agency Name(s):** Sonoma County Water Agency  
**Staff Name and Phone Number:** Grant Davis, 547-1911  
**Vote Requirement:** 4/5th  
**Supervisory District(s):** Countywide

### Title:

Receive Report and Make Findings to Continue Emergency Work in Response to Drought Conditions

### Recommended Actions:

Receive Report and Make Findings that there is an ongoing need to Continue Emergency Work Without Competitive Bidding to Protect Health, Property and Essential Public Services in response to drought conditions. (4/5<sup>th</sup> Vote Required)

### Executive Summary:

This item requests the Board of Directors for the Sonoma County Water Agency ("Sonoma Water") receive a report and make findings that there is an ongoing need to develop Santa Rosa Plain Wells in response to drought conditions.

### Discussion:

On March 5, 2021, the Secretary of the United States Department of Agriculture designated 50 California counties, including Sonoma County, as primary natural disaster areas due to drought. This Secretarial disaster designation makes farm operators eligible to be considered for certain assistance from the Farm Service Agency. On April 21, 2021, Governor Newsom visited Lake Mendocino and proclaimed a state of emergency in Sonoma and Mendocino counties due to drought conditions in the Russian River Watershed. On April 27, 2021, the Board of Supervisors for the County of Sonoma proclaimed a local emergency for the Sonoma County Operational Area due to drought conditions.

On June 16, 2021, the General Manager of Sonoma Water determined that due to drought conditions, an emergency exists that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services, necessitating immediate action

pursuant to the authority delegated in Resolution #06-0649. In response to the drought conditions, the following immediate and urgent actions are necessary to mitigate the emergency conditions, and may include expending up to \$750,000 in taking such actions. Such actions may include but are not limited to:

- Development of wells in the Santa Rosa Plain that are owned or operated by Sonoma Water.
- Repair or replace existing chlorinator including, but not limited to, electrical work and equipment shed.
- Purchase or procurement of necessary equipment, services, and supplies.
- Execution of public works and professional services contracts, or other documents, in a form approved by County Counsel.

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 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 Board every 14 calendar days thereafter, to determine (by 4/5 vote), if there is a need to continue the action without competitive bidding. The Board is 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.

Staff has begun to devise a solution to develop the Santa Rosa Plain Wells in response to drought conditions, and has been discussing with vendors on the purchase or procurement of necessary equipment, services, and supplies. Sonoma Water has brought on an engineer to assist with the design and, has discussed possible solution with construction firms, who have experience in this type of work. In addition, staff have been in contact with the State Water Resources Control Board, Division of Drinking Water, as well as, with Sonoma Water's Water Contractors on the solution(s) and the project's progress. Staff is striving to have one of the Santa Rosa Plain Wells active by late summer.

**Prior Board Actions:**

06-18-2021 Approved Emergency Drought Response Activities

06-18-2021 Resolution Declaring a Need to Perform Emergency Work in Response to Drought Conditions.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 21-22 Adopted</b>	<b>FY22-23 Projected</b>	<b>FY 23-24 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:**

Estimated costs to prepare preliminary design and conduct environmental review for a proposed Santa Rosa Plain Production Well Activation Project are \$750,000. Sonoma Water continues to seek alternative funding sources to offset the costs.

<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):**

N/A.

**Attachments:**

None.

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

None.