



## Legislation Text

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**File #:** 2020-0190, **Version:** 1

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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):** All

**Title:**

Resolution Making Findings of an Emergency Need to Perform Work to Stabilize Dangerous Conditions Resulting from Pipeline Corrosion on the Cotati Aqueduct in the Meter Vault at River Road Chlorine Building.

**Recommended Actions:**

Board of Directors Adopt a Resolution:

- A) Making findings that there is an emergency need to stabilize dangerous conditions resulting from the corrosion occurring on the Cotati Aqueduct; and
- B) Suspending the requirements for competitive bidding; and
- C) Authorizing the General Manager of Sonoma County Water Agency to execute contracts, not to exceed \$750,000 per contract, necessary to stabilize dangerous conditions resulting from corrosion occurring on the Cotati Aqueduct; and
- D) Making an exemption determination under the California Environmental Quality Act; and
- E) Ratifying any emergency contracts entered into by the General Manager of the Sonoma County Water Agency relating to these issues.

Adopt a Resolution authorizing adjustments to the Board Adopted Budget for FY 2019/2020 for the Sonoma County Water Agency Water Transmission Fund in the amount of \$400,000.

(4/5<sup>th</sup> Vote Required)

**Executive Summary:**

This item requests the Board of Directors for the Sonoma County Water Agency ("Sonoma Water") adopt a resolution making findings of an emergency need to repair/replace the section of pipeline in the meter vault that has extensive deterioration on the Cotati Aqueduct, which if left unrepaired, the pipeline could fail resulting in extensive flooding, potential reduction in water distribution capacity, and significantly higher repair costs; suspending the requirements for competitive bidding; authorizing the General Manager of Sonoma Water to execute contracts necessary to repair/replace the section of pipeline; making an exemption determination under the California Environmental Quality Act ("CEQA"); and ratifying emergency contracts entered into by the General Manager of the Sonoma County Water Agency related to these issues.

Pursuant to authority delegated in Resolution # 06-0649, Sonoma Water's General Manager has authority to enter into contracts not-to-exceed \$750,000 to make emergency repairs. The estimated cost of the project is \$400,000, but due to the uncertain conditions in the field, Sonoma Water is requesting Board confirm the existing delegated

authority to Sonoma Water's General Manager for up to \$750,000 per contract to stabilize dangerous conditions.

**Discussion:**

On February 19, 2020, the General Manager of Sonoma Water, pursuant to authority delegated in Resolution # 06-0649, declared the existence of an emergency for Sonoma Water due to pipeline corrosion occurring on the Cotati Aqueduct. In response, the Sonoma Water Emergency Operations Center (EOC) was activated to assist with managing the impacts. As a result of the corrosion occurring on the Cotati Aqueduct, dangerous conditions have arisen at the River Road Chlorine building owned or maintained by Sonoma Water that was sudden and unexpected, and 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.

Sonoma Water staff are in the process of doing damage assessments in Sonoma Water's so the exact nature of the emergency repair(s) needed is still being determined.

During a recent inspection, staff noticed chips of concrete at the bottom of the meter vault. Upon further inspection, staff noticed significant rust on the pipeline. Staff, had concerns and initiated the process to determine the extent of the corrosion. In an attempt to measure the thickness, staff was unable to obtain a measurement. Based upon staff's experience, Sonoma Water contacted a firm specializing in pipeline corrosion. During the follow-up inspection, of the Cotati Aqueduct, the following tests were performed: a) Ultrasonic metal thickness measurements around the pipeline inside the vault; b) Coating thickness measurements of the strap on the flowmeter spool inside the vault; and c) Pipe-to-soil potential measurements including the closest test stations. Metal thickness measurements were taken on the pipeline, and except for the bottom of the pipeline at both ends, showed close to 0.25", indicating minimal corrosion reduction. Thickness measurement at the bottom was not feasible due to extensive corrosion deterioration of the pipeline.

Based upon discussions with the consultant and staff's experience, it was determined that potential failure of the pipeline was highly possible. If the pipeline were to unexpectedly fail, it could cause major eroding and flooding along River Road, thereby posing a significant danger to motorists. In addition, the flooding would impact neighboring properties and businesses in the area.

Based upon the above, there is an urgent need to make the needed repairs to Sonoma Water's potable water facilities. 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.

Staff recommend making a finding in the resolution that the requirements of CEQA do not apply because the emergency work is exempt because the emergency described above came about in a “sudden and unexpected manner” and poses an “imminent danger, demanding immediate action to prevent or mitigate” loss of life and property as those phrases are used in the definition of the word “emergency” contained in section 15359 of the California Administrative Code and as the word “emergency” is used in sections 210801(b)(2) and (b)(4) of the Public Resources Code; however the General Manager of Sonoma Water shall, to the extent he deems feasible in his sole discretion, take steps to mitigate any apparent and significant environmental impacts of the work authorized herein.

Finally, the General Manager of the Sonoma County Water Agency has emergency contracting authority pursuant to Resolution # 06-0649. Staff recommends ratifying any contracts for the removal/stabilization of dangerous conditions, or related emergency issues described herein, entered into by General Manager of the Sonoma County Water Agency subsequent to the drafting this report to the date of this Board action. The General Manager will report to the Board of Directors on actions related to the emergency declaration every 14 days until the repair has been made and the conditions are safe.

**Prior Board Actions:**

**FISCAL SUMMARY**

<b>Expenditures</b>		<b>FY19-20 Projected</b>	<b>FY 20-21 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested		400,000	
<b>Total Expenditures</b>		<b>400,000</b>	
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance		400,000	
Contingencies			
<b>Total Sources</b>		<b>400,000</b>	

**Narrative Explanation of Fiscal Impacts:**

Additional appropriations of \$400,000 are required to process this expense. With Board approval of the attached budgetary resolution, FY 2019/2020 appropriations of \$400,000 from Fund Balance will be made in the Water Transmission Fund.

With Board approval of the requested additional appropriations, Sonoma Water's projected ending Water Transmission Fund balance at the end of Fiscal Year 2019/2020 is expected to be above target, consistent with prior years, and will not be negatively impacted by this Board item

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

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

N/A

**Attachments:**

Attachment A: Resolution Suspending Competitive Bidding Due to Local Emergency

Attachment B: Resolution Authorizing Budget Adjustments

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

None