



## Legislation Text

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**File #:** 2021-1075, **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):** 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:**

Emergency Work in Response to Drought

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.

Work on the Santa Rosa Plain Wells continues to be accelerated. Some materials, supplies, and services have been obtained. Staff continues to secure the additional material supplies and services needed to activate the Santa Rosa Plain Wells. Sonoma Water continues to stay in contact with the State Water Resources Control Board, Division of Drinking Water, as well as, with Sonoma Water's Water Contractors on the progress. Sonoma Water was striving to have one of three Santa Rosa Plain Wells, active by the end of September. Partial construction by an outside contractor for the first well has been completed. Sonoma Water staff has completed procurement and installation of disinfection and electrical equipment. Bacteriological testing has been successfully completed. Start-up activities and final permit approval is now anticipated to be completed in early October. Activation of this well could result in an additional 200,000 to 500,000 gallons a day (approximately) to be delivered to residents and ranchers who have lost domestic water supply and need water for health and safety in areas experiencing severe water shortages. One of the wells could also produce an additional 1 million gallons daily (approximately) for Sonoma Water's water contractors to help alleviate drought impacts to their customers.

Concurrent with the activation of the first well, and with the emergency drought conditions persisting, efforts are also underway to rehabilitate the two remaining Santa Rosa Plain Wells. Procurement of supplies and services are continuing for this purpose. Sonoma Water is currently striving to complete the necessary planning and design for these wells in time for the anticipated release of state and federal grant funding opportunities that could assist in the implementation of these critically needed projects during this time of extreme drought. As rehabilitation efforts on the remaining wells are pursued, staff anticipates a future request to the Board to increase the General Manager's authority to procure additional materials, services, and supplies beyond the original \$750,000 authorized for the current emergency work. The implementation schedule for constructing the improvements needed for the two additional wells remains subject to the continuation of emergency drought conditions.

**Prior Board Actions:**

09-28-2021: Receive Report and Make Findings to Continue Emergency Work in Response to Drought Conditions

09-14-2021: Receive Report and Make Findings to Continue Emergency Work in Response to Drought Conditions

08-31-2021: Receive Report and Make Findings to Continue Emergency Work in Response to Drought

**Conditions**

08-17-2021: Receive Report and Make Findings to Continue Emergency Work in Response to Drought Conditions and Take Actions Required by State Water Board Emergency Regulations for the Russian River Watershed

07-13-2021: Receive Report and Make Findings to Continue Emergency Work in Response to Drought Conditions

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<br/>Adopted</b> | <b>FY22-23<br/>Projected</b> | <b>FY 23-24<br/>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. As rehabilitation efforts on the remaining wells are pursued, staff anticipates a future request to the Board to increase the General Manager's authority to procure additional materials, services, and supplies beyond the original \$750,000 authorized for the current emergency work. 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<br/>(number)</b> | <b>Deletions<br/>(number)</b> |
|                                 |  |                               |                               |
|                                 |  |                               |                               |
|                                 |  |                               |                               |

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

N/A.

**Attachments:**

None.

**Related Items “On File” with the Clerk of the Board:**

None.