



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Betsy Dirks
District No. 1

Kollin Kosmicki
District No. 2
Vice Chair

Peter Hernandez
District No. 3
Chair

Bob Tiffany
District No. 4

Bea Gonzales
District No. 5

Item Number: 2.13

MEETING DATE: 09/27/2022

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Steve Loupe

DEPT HEAD/DIRECTOR: Steve Loupe

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. LOUPE, ASSISTANT DIRECTOR - PUBLIC WORKS

Adopt Resolution finding an emergency condition caused by 44 trees damaged in the local fire adjacent to Anzar Road requires the County to enter into an emergency repair and remediation contract to remove the trees in order to remediate a local emergency, pursuant to Public Contracts Code Section 22050, without adoption of plans and specifications or competitive bidding; and finding that there is a need to continue emergency action; finding the emergency repair and remediation work is exempt from CEQA under CEQA Guidelines Section 15269(c), as an action necessary to prevent or mitigate an emergency; and ratify the contract with The Davey Tree Expert Company to remove 44 trees affected by the local fire adjacent to Anzar Road for a total amount of \$66,020.00. (4/5 vote required)

SBC FILE NUMBER: 105

RESOLUTION NO.: 2022-120

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

Within the past few weeks, there was a wildfire that spread throughout the hillsides adjacent to Anzar Road near Aromas and San Juan Bautista.

The location of this wildfire is adjacent to a current County sponsored roadway re-construction project, project No. PWB-2106. The Contractor for that project has expressed concerns that the burned trees could collapse into the roadwork area. During the evening of September 14th, a tree with burn scars did collapse into the roadway, however, there were no resulting injuries.

Following the collapse of the damaged tree onto the roadway, it was determined that removal of the 44

trees damaged by the fire, without adoption of plans and specifications or competitive bidding, is required as an emergency safety measure to avoid possible injuries to members of the public or damage to public property resulting from the further collapse of trees affected by that local fire, pursuant to Public Contracts Code Section 22050. The Interim RMA Director entered into a contract with The Davey Tree Expert Company to remove 44 trees affected by the local fire adjacent to Anzar Road for a total amount of \$66,020.00. A copy of the contract is attached to this Report. Staff is requesting the Board's ratification of the contract.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

Yes

CONTRACT NEEDED FOR THIS ITEM:

Yes

CONTRACT AND RFP HISTORY:

This is a new contract.

LAST CONTRACT AMOUNT OR N/A:

N/A

STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:

New Contract

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

BUDGETED:

Yes

BUDGET ADJUSTMENT NEEDED:

No

SOURCE OF FUNDING:

Non-general Fund

UNFUNDED MANDATE:

No

SBC BUDGET LINE ITEM NUMBER:

210.70.2010.1000.619.252

CURRENT FY COST:

\$66,020.00

STAFF RECOMMENDATION:

Staff respectfully recommends that the Board:

1. Adopt a Resolution finding an emergency condition caused by 44 trees damaged in the local fire adjacent to Anzar Road requires the County to enter into an emergency repair and remediation contract to remove the trees in order to remediate a local emergency, pursuant to Public Contracts Code Section 22050, without adoption of plans and specifications or competitive bidding; finding that there is a need to continue emergency action; and finding the emergency repair and remediation work is exempt from CEQA under CEQA Guidelines Section 15269(c), as an action necessary to prevent or mitigate an emergency; and
2. Ratify the contract with The Davey Tree Expert Company to remove 44 trees affected by the local fire adjacent to Anzar Road in the total amount of \$66,020.00.
(4/5 vote required)

BOARD ACTION RESULTS:

Adopted Resolution No.: 2022-120 and ratified contract per staff recommendation. (4/0 vote, Hernandez - Absent).

ATTACHMENTS:

[Board Resolution](#)

[Davey Tree Contract](#)