



**SAN BENITO COUNTY  
AGENDA ITEM  
TRANSMITTAL FORM**

Dom Zanger  
District No. 1

Kollin Kosmicki  
District No. 2

Mindy Sotelo  
District No. 3  
Chair

Angela Curro  
District No. 4  
Vice-Chair

Bea Gonzales  
District No. 5

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**Item Number: 1.11**

**MEETING DATE:** 10/24/2023

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**AGENDA ITEM PREPARER:** Linda Young

**DEPT HEAD/DIRECTOR:** Steve Loupe

**SUBJECT:**

**RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS ADMINISTRATOR**

Adopt continuing Resolution confirming the Public Works Administrator's authority to enter into emergency repair and replacement contracts to remediate a local emergency caused by February 21, 2023 flooding and continuous flooding and storm events, 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 emergency repair and replacement work exempt from CEQA under CEQA Guidelines Section 15269(d), as emergency projects within the rights of way of existing County and State highways damaged by flooding and storm events. (4/5 vote required)

SBC FILE NUMBER: 75.5

RESOLUTION NO: 2023-135

**AGENDA SECTION:**

CONSENT AGENDA

**BACKGROUND/SUMMARY:**

On March 10, 2023, while the Board of Supervisors was not in session, the Director of Emergency Services, in response to major road and storm damage in the County of San Benito, proclaimed a local emergency effective immediately. That Proclamation was signed on March 10, 2023. Per Ordinance 833, the Board of Supervisors must ratify the Proclamation issued by the Director of Emergency Services within seven (7) days. This Proclamation applies to the entire County of San Benito. On March 14, 2023, by Resolution No. 2023-33, the Board of Supervisors ratified the Proclamation signed on March 10, 2023.

Due to the winter storms of February 21, 2023 and continuing, County Roads sustained substantial damages and are in need of immediate repairs, including such work as: pavement repairs; bridge repairs; shoulder and culverts clearing/replacement; slides and debris removal; new bridges/culverts; roadway section stabilization; etc., resulting in severe financial impacts on County residents and the County itself. As a result of heavy rainfall throughout the State of California, President Biden declared a major disaster on April 3, 2023 in several Counties, which was amended on April 14, 2023 to include additional counties, including San Benito County.

This proposed resolution relates to the letting of emergency contracts under Public Contracts Code 22050 and must be reviewed by the Board of Supervisors at every regular meeting until the need for emergency action terminates.

The Board of Supervisors adopted Resolution Nos. 2023-57, 2023-65, 2023-75, 2023-86, 2023-94, 2023-102, 2023-120, 2023-124, and 2023-129 at its May 23, 2023, June 13, 2023, June 27, 2023, July 25, 2023, August 8, 2023, August 22, 2023, September 12, 2023, September 26, 2023, and October 10, 2023 meetings, delegating authority to the Public Works Administrator to enter into emergency repair and replacement contracts 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 emergency repair and replacement work exempt from CEQA under CEQA Guidelines Section 15269(d), as emergency projects within the rights of way of existing County and State highways damaged by flooding and storm events.

The Public Works Administrator hereby reports that there is a need to continue the emergency actions.

### **Preliminary Summary of Road Damages**

Public Works crews and contractors responded to numerous issues related to the 451-mile County Maintained Road System over the course of the storm, beginning on February 21, 2023, including:

- Downed Trees
- Debris and sediment on travel ways
- Flooding
- Slip outs/landslides/rockslides
- Surface damages/failures (pavement deterioration, potholes, cracking)
- Washouts
- Culvert failures

It is estimated that approximately \$4 million in repair costs are needed because of damages sustained during the event. Many County roads were affected; however, nine major (Arterial and Collector) roads were severely impacted. Most of those were in 'South County' (south of Hollister) and the Aromas area - where the largest rainfall amounts were experienced. Damage Assessments are continuing. The following roads (in alphabetical order) were the most severely affected and a brief status of some projects (*in italics*) is provided:

- Aromitas Rd.- (*the roadway embankment failure has been stabilized, permanent repairs have not begun*)
- Cienega Rd.- (*the roadway embankment slides have been cleared- project complete*)
- Cole Rd.- (*the roadway embankment failure has been stabilized and the sinkhole has been repaired*)

- Cottonwood Rd.- *(the creek embankment failure has been stabilized, however, additional embankment reinforcement has not begun)*
- Limekiln Rd.- *(this project has been completed)*
- Merrill Rd.- *(this project has been completed)*
- Panoche Rd.- *(the roadway embankment failure has been stabilized, permanent repairs have not begun)*
- San Juan Canyon Road- *(two of three projects have been completed)*
- The Alameda- *(the debris cleanup and creek bank stabilization has been completed)*

### **Characterization of Repairs Needed**

The needed repairs range from embankment stabilization to complete roadway reconstruction. Preliminary estimated costs by roads are as follows:

- Aromitas Rd. = \$350,000
- Cienega Rd. = \$750,000
- Cole Rd. = \$300,000
- Cottonwood Rd. = \$400,000
- Limekiln Rd. = \$900,000
- Merrill Rd. = \$200,000
- Panoche Rd. = \$140,000
- San Juan Canyon Road = \$750,000
- The Alameda = \$200,000

Additional debris cleanup and tree removal costs are approximately \$400,000.

In addition to County staff, the four contractors engaged in the work above are Granite Construction, Don Chapin Company, Llano Inc., and Graniterock.

### **RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:**

Yes

### **CONTRACT NEEDED FOR THIS ITEM:**

No

### **CONTRACT AND RFP HISTORY:**

n/a

### **LAST CONTRACT AMOUNT OR N/A:**

N/A

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

N/A

### **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:**

No

**BUDGET ADJUSTMENT NEEDED:**

No

**SOURCE OF FUNDING:**

N/A

**UNFUNDED MANDATE:**

N/A

**SBC BUDGET LINE ITEM NUMBER:**

State and/or Federal Assistance has been requested

**CURRENT FY COST:**

Estimated at \$4 million (for informational purposes only)

**STAFF RECOMMENDATION:**

**Staff respectfully recommends that the Board:**

Adopt continuing Resolution confirming the Public Works Administrator's authority to enter into emergency repair and replacement contracts to remediate a local emergency caused by February 21, 2023 flooding and continuous flooding and storm events, 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 emergency repair and replacement work exempt from CEQA

under CEQA Guidelines Section 15269(d), as emergency projects within the rights of way of existing County and State highways damaged by flooding and storm events. (4/5 vote required)

**ATTACHMENTS:**

Board Resolution Confirming Public Works Administrator's Authority to Let Contracts for Emergency Road Repairs

Local Emergency Proclamation March 2023

Board Resolution 2023-33 Ratifying Emergency Proclamation

FEMA-4699-DR-CA - Major Disaster Re 2023 Winter Storms