



## RESOLUTION NO.

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO **RESOLUTION FINDING THAT AN EMERGENCY EXISTS ON PATTERSON DRIVE IN DIAMOND SPRINGS, AND AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION TO TAKE ALL NECESSARY ACTIONS TO APPROVE AND COMPLETE EMERGENCY REPAIRS**

**WHEREAS**, on February 22, 2024, a 12-foot deep sinkhole was confirmed on Patterson Drive in Diamond Springs that poses a clear and imminent danger to public safety if not repaired quickly; and

**WHEREAS**, Patterson Drive is the primary route to access hundreds of homes, and if the sinkhole is allowed to grow and cause Patterson Drive to collapse, that would substantially reduce access to essential public services, including emergency services; and

**WHEREAS**, Public Contract Code section 22050(a) authorizes the Board of Supervisors (by four-fifths vote) to take any directly related and immediate action to repair or replace a public facility in response to an emergency without giving notice for bids to let contracts if the Board finds, based on substantial evidence, that the emergency will not permit delay resulting from competitive solicitation of bids and that the action is necessary to respond to the emergency; and

**WHEREAS**, Public Contract Code section 22050(b)(1) authorizes to delegate this authority to a non-elected agency office.

**NOW, THEREFORE, BE IT RESOLVED** by the County of El Dorado Board of Supervisors that the sinkhole on Patterson Drive is an emergency, within the meaning of Public Contract Code section 1102, that requires immediate action to prevent or mitigate the loss or impairment of life, health, property, or the disruption in essential public services; and

**BE IT FURTHER RESOLVED** that in accordance with Public Contract Code section 22050, this Board finds that based on substantial evidence, the emergency will not permit delays resulting from the process requiring the Board to approve and award a contract to the lowest responsive bidder for the work required to repair the sink hole on Patterson Drive; and

**BE IT FURTHER RESOLVED** the Director of the Department of Transportation is granted authority to take all necessary actions to authorize road repairs that are necessary to repair the sinkhole on Patterson Drive; and

**BE IT FURTHER RESOLVED** that this emergency repair work is exempt from the California Environmental Quality Act as a project necessary to prevent or mitigate an emergency under Public Resources Code Sections 21060.3 and 21080(b)(4), as a project undertaken to maintain, repair, or restore an existing highway damaged by flood and landslide within the meaning of CEQA Guidelines Section 15269, and as a project undertaken for the repair of an existing facility within the meaning of CEQA Guidelines Section 15301; and

**BE IT FURTHER RESOLVED** that the Director of the Department of Transportation shall report to the Board on the status of the emergency at every single regular meeting following the adoption of this Resolution until the emergency terminates.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado, State of California this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote of said Board:

Attest:  
Kim Dawson  
Clerk of the Board of Supervisors

Ayes:  
Noes:  
Absent:

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_ Chair, Board of Supervisors