



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION FINDING THAT AN EMERGENCY EXISTS DUE TO THE MOSQUITO FIRE DEBRIS REMOVAL EFFORTS RESULTING IN DAMAGE TO PRIVATE PROPERTY AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO TAKE ALL NECESSARY ACTIONS TO APPROVE THE DESIGN AND SPECIFICATIONS AND TO ADVERTISE BIDS FOR EMERGENCY WORK

WHEREAS, in Resolution No. 142-2022 adopted on September 13, 2022, the Board of Supervisors found that conditions of extreme peril exist due to an imminent and proximate threat to the safety of persons and property within the territorial limits of the County of El Dorado as a result of the Mosquito Fire for reasons set forth in the proclamation of local emergency by the County's Sheriff, acting as the Director of the Office of Emergency Services, dated September 9, 2022, and ratified the local emergency proclamation, which continues in effect until terminated by the Board of Supervisors and has not been terminated as of the date that this Resolution is adopted; and

WHEREAS, on September 8, 2022, the Governor of the State of California proclaimed a State of Emergency for El Dorado County due to the Mosquito Fire and stated in that declaration that applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of the Mosquito Fire, and this proclamation has not been rescinded; and

WHEREAS, on September 9, 2022, the County's Public Health Officer declared the existence of a local health emergency (Public Health Declaration No. 2022-01) based on an imminent and proximate threat to the health and safety of the community from the ongoing Mosquito Fire due to the hazardous nature of the wildfire debris, smoke, and ash from the burning of vehicles, infrastructure, and structures, and the Board ratified this declaration with the adoption of Resolution No. 143-2022; and

WHEREAS, on November 15, 2022, the Board adopted the Mosquito Fire Consolidated Debris Removal Program Ordinance to establish a debris removal program related to the Mosquito Fire; and

WHEREAS, the Mosquito Fire debris removal and related activities take place under a County-led debris removal program, potentially threatening public safety if not mitigated; and

WHEREAS, delay resulting from the normal bidding process requiring the Board to approve the design, plans, and specifications and to authorize the advertisement of bids for public projects could lead to delay in removal of hazardous fire debris; and

WHEREAS, Public Contract Code section 22050(b)(1) authorizes the Board of Supervisors to delegate the authority to the Chief Administrative Officer to take certain actions in the event of an emergency by a resolution adopted by a four-fifths vote (4/5) of the Board; and

NOW, THEREFORE, BE IT RESOLVED by the County of El Dorado Board of Supervisors finds that the Mosquito Fire debris removal and other activity related to Mosquito Fire in the Volcanoville area may pose a threat to human health, animals, and the environment if mitigation efforts aren't acted upon quickly; and

BE IT FURTHER RESOLVED that in accordance with Public Contract Code Section 22050, and the Governor's proclamation of a state of emergency, this Board further finds that, based on substantial evidence, the emergency will not permit the delay resulting from the process requiring the Board to approve the design, plans, and specifications and to authorize the advertisements of bids for projects, and that it is necessary to remove hazardous fire debris; and

BE IT FURTHER RESOLVED the Chief Administrative Office is granted authority to take all necessary actions to approve the design, specifications, and plans of documents related to debris removal and to authorize the advertisement of bids, if necessary, to address the emergency; and

BE IT FURTHER RESOLVED that this emergency debris removal is exempt from the California Environmental Quality Act under Public Resources Code Sections 21008(b)(3) and 21080(b)(4) and CEQA Guidelines Sections 15269(a); and

BE IT FURTHER RESOLVED that the Chief Administrative Office 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