



## Legislation Details (With Text)

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**File created:** 3/13/2024      **In control:** Board of Supervisors

**On agenda:** 3/19/2024      **Final action:** 3/19/2024

**Title:** Director of Transportation, serving as the Road Commissioner, recommending the Board consider the following:  
 1) Receive and file the update as required under Resolution 041-2024, providing a status update on the Patterson Drive Sinkhole emergency road repair; and  
 2) Determine an emergency continues to exist on Patterson Drive in Diamond Springs due to a sinkhole resulting from a failed culvert, and that such emergency will not permit a delay resulting from a competitive solicitation, as detailed in Resolution 041-2024. (4/5 vote required)

FUNDING: Road Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/19/2024	1	Board of Supervisors	Approved	Pass

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### DISCUSSION / BACKGROUND

On February 22, 2024, the Department of Transportation (Transportation) confirmed the presence of a sinkhole at 4291 Patterson Drive in Diamond Springs. Based on observations that could be safely made at the time, the sinkhole appeared to have been caused by a failed 32" diameter corrugated steel pipe culvert under Patterson Drive and is in need of immediate repair. Patterson Drive carries over 4,700 vehicles daily and is the only viable/two-lane route in and out of an area with several hundred homes. The only other route in and out of the area is Tulles Mine Road, a one-lane road, that was not designed for two-way traffic, therefore impeding any efficient evacuation or circulation for the community. There is a significant risk that the sinkhole will cause Patterson Drive to collapse during the time it would take for staff to follow the standard Board approval process for design, plans, specifications, permission to advertise and award of a public project, and would pose an imminent threat to public safety. It is critical that the County make these emergency repairs immediately in order to prevent or mitigate the loss or impairment of life, health, or property. Transportation consulted with the El Dorado County Sheriff's office and collaborated on the steps moving forward.

Public Contract Code section 22050, Emergency Contracting Procedures, authorizes the Board of Supervisors to delegate authority by resolution to non-elected county officers to order actions to repair or replace a public facility and procure services for those purposes in the event of an emergency. Section 2.18.020 of the County Code of Ordinances designates the Director of Transportation as a county officer serving as the Road Commissioner.

On March 12, 2024 (Legistar 24-0464, Item 14), the Board Adopted Resolution 041-2024, which declared an emergency existed. The resolution included a requirement for the Road Commissioner to report to the Board on the status of the emergency at every single regular meeting following the adoption of the resolution until the emergency terminates.

The Board found this emergency repair work is exempt from the California Environmental Quality Act under Public Resources Code Sections 21060.3(4) and 21080, and CEQA Guidelines Sections 15269, 15301.

Even though State law allows the County to completely waive the solicitation of public bids when the Board finds an emergency exists, Transportation plans to disseminate a short-form contract and scope to several contractors on March 15th, conduct an informal bidding process with a 5-day advertisement period, and open bids on March 22nd. Transportation will work with County Counsel to award the project to the lowest responsive, responsible bidder and very quickly execute a contract and complete the work.

#### **ALTERNATIVES**

This is a receive and file action only.

#### **PRIOR BOARD ACTION**

March 12, 2024 - Legistar 24-0464, Item 14 - Approval of Resolution 041-2024 granting the Road Commissioner authority to take all necessary actions to authorize road repairs required to fix the sinkhole and related damage on Patterson Drive.

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel & El Dorado County Sheriff's Office

#### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

#### **FINANCIAL IMPACT**

Transportation has estimated the existing emergency repairs will not exceed \$500,000. Funding for this project will come from the Road Fund.

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

#### **STRATEGIC PLAN COMPONENT**

Infrastructure, Public Safety

#### **CONTACT**

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