



Legislation Text

File #: 22-2174, **Version:** 1

Chief Administrative Office, Sheriff's Office of Emergency Services and Environmental Management Department recommending the Board:

- 1) Approve the development of a County-led debris removal program;
- 2) Authorize the Chief Administrative Officer to execute a contract with Tetra Tech Inc. for site assessment and monitoring services related to Mosquito Fire disaster debris removal through the California Department of General Services' Master Service Agreement 5-22-99-33-04, subject to Risk Management and County Counsel concurrence, for an amount estimated not to exceed \$2,000,000;
- 3) Adopt and authorize the Chair to sign Resolution **181-2022**, finding an emergency exists due to the Mosquito Fire resulting in damage to private properties in the Volcanoville area and authorize the Chief Administrative Officer, to take all necessary actions to approve the design and specifications, authorize to advertise bids for the hazard debris removal, and execute a contract not to exceed \$3,000,000 upon approval from County Counsel and Risk Management;
- 4) Direct the Chief Administrative Officer to provide written notification to the Board of Supervisors upon execution of the debris removal agreement;
- 5) Approve a budget transfer appropriating \$5,000,000 from excess General Fund Contingency to the General Revenues and Other Operations Budget to cover the costs for debris removal (4/5 vote required), and
- 6) Authorize the Environmental Management Department Director to execute a contract with California Association of Environmental Health Administrators to manage the Mosquito Fire debris removal program subject to Risk Management, County Counsel and the Purchasing Agent's concurrence for an amount not to exceed \$60,000 and a term of six months.

FUNDING: General Fund totaling up to \$5,000,000, and available Solid Waste funding for \$60,000.

DISCUSSION / BACKGROUND

The Mosquito Fire started on September 6, 2022, near Oxbow reservoir, southeast of Foresthill, California. The Mosquito Fire threatened multiple communities in El Dorado County, resulting in the evacuation of thousands of residents, economic losses by several local businesses, disruption to local school operations, and significant impacts on regional air quality. Additionally, CalFIRE inspection teams documented the loss of 39 structures in the County.

El Dorado County proclaimed a Local Emergency on September 9, 2022, which was then ratified by the Board of Supervisors on September 13, 2022, with the adoption of Resolution 142-2022 ratifying the proclamation of a local emergency resulting from the impacts of the Mosquito Fire.

The Public Health Office declared a Local Health Emergency on September 9, 2022. The Local Health Emergency declaration was subsequently ratified by your Board on September 20, 2022, with the adoption of resolution 143-2022. Following the declaration of a Local Health Emergency by the Public Health Officer, staff formally requested state assistance from the California Governor's Office of Emergency Services (CalOES) in recovering from the impacts of the Mosquito Fire. This request resulted in the State initiating a household hazardous waste removal mission by experts from the California State of Toxic Substances Control (DTSC). Often referred to as Phase 1, this work

included inspections of properties with burned structures and removal of household hazardous waste that may pose a threat to human health, animals, and the environment such as batteries, asbestos siding, and paints, as well as the construction of emergency mitigation measures to minimize the migration of debris and ash during a recent rainstorm. Phase 1 work was completed for El Dorado County parcels on October 10, 2022.

As of October 22, 2022, the United States Forest Service reported that the Mosquito Fire was fully (100%) contained at 76,788 acres, making it the largest wildfire in California for 2022. Even before containment, responders had already begun the arduous work of fire suppression repair, road stabilization, and hazard tree removal. Repair work will continue for several months in the more remote areas of the Tahoe and El Dorado National Forests.

On November 15, 2022 the Board adopted Urgency Ordinance #5169 with Legistar Item 22-1902, establishing standards for removing debris generated as a result of the Mosquito Fire. As stated in the staff report, time is of the essence due to the start of our rainy season and the need to clear debris, debris ash, compromised concrete foundations, and contaminated soils, and to complete soil erosion mitigation.

COUNTY-LED DEBRIS REMOVAL PROGRAM (ACTION 1)

The County-led debris removal program (Phase 2) includes the removal of debris, debris ash, compromised concrete foundations, and contaminated soils, using best practices to mitigate the migration of ash and other contaminants from the site. Phase 2 also includes soil testing to ensure the site has been fully remediated from the fire impacts and is returned to the property owner ready for construction. This work would be conducted by a team of consultants and contractors led by County staff with technical assistance provided by CalOES. Property owners would be responsible for remitting any insurance proceeds to the County that are designated for fire debris removal and post-fire site cleanup.

For those who choose not to opt into the County-led program, their option is the Alternative program, requiring property owners to undertake the debris removal using a contractor at their own expense. Both options have the same cleanup standards and timeline for completion.

PROCUREMENT OF MONITORING AND ASSESSMENT SERVICES (ACTION 2)

Following the Master Service Agreement user process as set forth by CalOES, El Dorado County has solicited a Request for Services from Tetra Tech, the top-ranked firm for Region 1 with a project of fewer than 150 parcels. Tetra Tech's response has been reviewed and found to adequately meet the needs of the County-led debris program. The Debris Recovery Operation Team has focused this initial scope of work on debris removal to minimize the time that fire ash is exposed to wet weather and plans to return to your Board with a future action for addressing hazard trees along county roadways, should that be necessary. Procurement of these services through a California Department of General Services Master Service Agreement complies with El Dorado County Procurement Policy C-17, Section 3.4, as an exception to competitive solicitation and meets the requirements of FEMA and CalOES to be considered for reimbursement.

Staff request the Board authorize the Chief Administrative Officer to execute a contract with Tetra Tech Inc. for assessment and monitoring services related to disaster debris removal through the California Department of General Services' Master Service Agreement #5-22-99-33-04, subject to

Risk Management and County Counsel concurrence, for an amount not to exceed \$2,000,000.

PROCUREMENT OF DEBRIS REMOVAL SERVICES (ACTION 3)

El Dorado County would develop bid documents, solicit requests for bids, and award contract using the County's Procurement Policy C-17 competitive bidding process Section 3 as allowed by Federal, State, and local procurement requirements, using the CalOES model documents. Specifically, this work would include the removal of debris, ash, compromised concrete foundations, destroyed vehicles, and contaminated soils, along with installing soil erosion controls on all enrolled parcels.

Staff request the Board authorize the Chief Administrative Officer, to take all necessary actions to approve the design and specifications, authorize the CAO to advertise bids for the hazard debris removal, and authorize the CAO to execute a contract with the winning bidder in an amount not to exceed \$3,000,000. As a reminder, the County has 6 months from the date the Governor declared the emergency to complete all clean up efforts. Due to the expedited time frame and deadline, staff is asking the Board to delegate authority to the CAO to execute the agreement in order to avoid a 2 - 3 week delay in bringing the contract to the Board for approval.

FUNDING (ACTION 5)

The funding model for this project was developed with the understanding from CalOES that CalOES may provide financial assistance for a County-led debris removal program through the California Disaster Assistance Act (CDAA). CDAA authorizes the State to provide financial assistance for costs resulting from a declared disaster that exceeds available local government resources. El Dorado County is awaiting approval of CDAA and understands that decision is contingent upon a response to the Governor's request for a Major Disaster Declaration by the President.

Reimbursement under CDAA is typically set at 75% of eligible costs. When a jurisdiction has an approved Local Hazard Mitigation Plan (LHMP), the Director of CalOES has the authority to reduce the cost share further. Due to having an approved LHMP, Staff will request CalOES to waive the County's cost share. Initial funding is included to cover the entire project if CDAA is not awarded.

Staff recommend moving forward with the full amount of the estimated cleanup cost since the decisions on the Presidential Major Disaster Declaration and CDAA reimbursements are pending.

OVERSIGHT OF DEBRIS REMOVAL CONTRACTS (ACTION 6)

Environmental Management Department is recommending the Board approve a contract with California Association of Environmental Health Administrators (CAEHA) to oversee the contract with Tetra Tech, Inc., and the debris removal contractor. The CAEHA contractor shall provide environmental health services due to the Mosquito Fire to the County as determined by the Director of Environmental Management.

The service shall include, but not be limited to, the following:

- Disaster Coordinator for impacts resulting from the Mosquito Fire. Experienced in disaster emergency operations, hazmat remediation and debris removal operations
- Liaison between property owners and the County
- Liaison to TetraTech and awarded debris removal contractor as directed by the County
- Right of Entry (ROE) and alternative program tracking metrics
- Cleanup process tracking for all properties, including vehicle adjudication

- Coordinate insurance collection information
- Coordinate inclusion requests and appeals with CalOES and property owners

Staff estimates the contractor would work approximately 20 hours a week over the next 4-6 months. The total contract would not exceed \$60,000 and a term not to exceed six months, paid for with existing solid waste funding that is available within the Environmental Management department's budget.

ALTERNATIVES

Due to the Local Health Emergency, the affected parcels must be cleaned of hazardous fire debris. The Board could not approve the contract with Tetra Tech, Inc., and the solicitations of bids for debris removal and have the Mosquito Fire survivors bear the full responsibility of cleanup, which, in turn, could result in the need for the County to abate properties that are not cleaned as outlined in the Urgency Ordinance #5169.

The Board could choose to use existing General Fund appropriations that are also available in the Environmental Management Department instead of solid waste funding for the services provided by the California Association of Environmental Health Administrators to oversee the contract with Tetra Tech.

PRIOR BOARD ACTION

11/15/2022 Legistar Item 22-1902 - Urgency Ordinance

09/13/2022 Legistar Item 22-1675 - Local Emergency Mosquito Fire

09/13/2022 Legistar Item 22-1683 - Local Health Emergency Mosquito Fire

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

Procurement and Contracts

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

It is estimated that the County-led program will not exceed \$5,060,000, using financial data from previous CalOES contracts factored to account for the scope and scale as currently understood. Additional data that will allow for refinement of the program costs, including the number of property owners that will opt in for a County-led debris removal program, the full scope of the destroyed vehicles that will need to be abated, and the number of qualifying hazard trees, will be presented at a future Board meeting. This project could be eligible for 75% reimbursement under the California Disaster Assistance Act. . Due to having an approved LHMP, Staff will request CalOES to waive the County's cost share. Initial funding is included to cover the entire project if CDAA is not awarded.

In the Fiscal Year 2022-23 Adopted Budget the Board approved \$16.75 million in General Fund Contingency. Of the \$16.75 million, \$6.75 million is to meet the Board Budget Policy B-16 which directs that General Fund contingency "shall be set, at the time of budget adoption, at an amount not less than 3% of total adjusted General Fund appropriations." The remaining \$10 million in Contingency was put aside to address possible economic impacts that could affect the County over

the coming years. The recommended budget transfer will lower the amount of excess contingency by \$5 million and increase Contribution to Non-County Government appropriations in the General Revenues and Other Operations budget. The appropriations will reside in the organizational code established for Caldor Fire Relief Designation, and accounting for the agreement can be isolated from expenses related to Caldor Fire.

The contract with California Association of Environmental Health Administrators (CAEHA) will be covered by departmental savings.

Should El Dorado County be awarded CDAA reimbursement (75%), the Counties' share could result in a total net cost of \$1.25 million.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Obtain the Chair's signature on the Budget Transfer Form and forward it to the Chief Administrative Office for processing.

STRATEGIC PLAN COMPONENT

Good Governance, Healthy Communities and Public Safety

CONTACT

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