

COUNTY OF SAN DIEGO FLOOD CONTROL DISTRICT
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, APRIL 10, 2024, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

- A. Roll Call
- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Director, if applicable.
- C. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of March 13, 2024.

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Supporting documentation and attachments for items listed on the agenda can be viewed online at www.sandiegocob.com or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101. To access the meeting virtually and offer public comment via a call-in option, please go to: www.sandiegocounty.gov/telecomments for instructions.

ASSISTANCE FOR PERSONS WITH DISABILITIES:

Agendas and records are available in alternative formats upon request. Contact the Clerk of the Board of Supervisors office at 619-531-5434 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Countywide ADA Title II Coordinator at (619) 531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.

LANGUAGE TRANSLATION ASSISTANCE:

Language translation services for public speakers are available upon request to the Clerk of the Board of Supervisors at least 72 hours prior to the meeting (refer to Board Policy A-139 for additional information). Please contact the Clerk of the Board's office at (619) 531-5434 or via e-mail at publiccomment@sdcounty.ca.gov.

LEVINE ACT NOTICE: DISCLOSURES REQUIRED ON SPECIFIED ITEMS (GOVERNMENT CODE § 84308)

The Levine Act states that parties to any proceeding involving a license, permit or other entitlement for use pending before the Board must disclose on the record of the proceeding any campaign contributions of more than \$250 (aggregated) made by the parties or their agents to Board Members within the preceding 12 months. Participants with financial interests, and agents of either parties or participants, are requested to disclose such contributions also. The disclosure must include the name of the party or participant and any other person making the contribution; the name of the recipient; the amount of the contribution; and the date the contribution was made. This disclosure can be made orally during the proceeding or in writing on a request to speak.

Agenda Items

CONSENT CALENDAR

All agenda items listed under this section are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the Board of Directors or the Chief Administrative Officer so requests, in which event, the item will be considered separately in its normal sequence.

| Agenda # | Subject |
|-----------------|---|
| 1. | CONTINUATION OF STORM DRAIN EMERGENCY REPAIR IN THE UNINCORPORATED COMMUNITIES OF CASA DE ORO, LAKESIDE AND FALLBROOK [FUNDING SOURCE: AVAILABLE PRIOR YEAR FLOOD CONTROL DISTRICT FUND FUND BALANCE] (4 VOTES) |

1. SUBJECT: CONTINUATION OF STORM DRAIN EMERGENCY REPAIR IN THE UNINCORPORATED COMMUNITIES OF CASA DE ORO, LAKESIDE AND FALLBROOK (DISTRICTS: 2, 4 AND 5)

OVERVIEW

On January 22, 2024, the County experienced catastrophic flooding in the Spring Valley area from an extremely rare storm event. Based on a statistical analysis of historical rainfall records at this location, staff determined that the amount of rain that fell on the 22nd was considered an unprecedented storm event, an event that has a 0.1% chance of occurring in that location in any given year. Other areas of the County also experienced heavy rain and flooding.

Existing drainage infrastructure is not designed to convey stormwater flows from an event of this magnitude. Flood Control District-maintained facilities at the following eight locations were impacted and required immediate emergency response:

- 1243 & 1247 Purdy Street, Spring Valley, CA 91977
- 2117 Ildica Court, Spring Valley, CA 91977
- 9602 Casa de la Torre Court, Casa de Oro, CA 91977
- 3150 Rio Way, Spring Valley, CA 91977
- 4362 & 4368 Edgewood Court, Casa de Oro, CA 91941
- 9825 Dogwood Lane, Hidden Meadows, CA 92026
- 8575 Los Coches Road, Lakeside, CA 92021
- 2544 Buena Flores, Fallbrook, CA 92028

In accordance with County Administrative Code Section 402, “Emergency Preparedness,” notices to proceed were issued to repair or replace damaged storm drains and any other related drainage facilities and remove mud and debris.

On March 13, 2024 (FL01), the County Board of Supervisors, acting as the Board of Directors of the San Diego County Flood Control District (Board), found there was a need for the emergency repair for ongoing projects located in Spring Valley, Casa de Oro and Lakeside, ratified one new emergency contract for a project located in Fallbrook, and provided authorization to continue with ongoing emergency work. Projects located at Purdy Street in Lakeside, Ildica Court in Spring Valley and Dogwood Lane in Hidden Meadows were completed before the hearing date. Pursuant to Public Contract Code section 22050, until the repairs are completed, the Board is required to determine at every regular scheduled Board meeting that there is a need to continue the emergency work.

Following the Board hearing on March 13, 2024, an additional (ninth) impacted storm drain located at 402 Potter Street in Fallbrook was identified as requiring emergency repair. An emergency contract to repair failed and clogged drainage structures at 402 Potter Street in Fallbrook was authorized. The total cost of emergency repairs (for all projects) has increased by an additional \$500,000 with the addition of the 402 Potter Street project. Construction costs for all listed emergency repairs is currently estimated at \$5.85 million.

As of the March 18, 2024, the following five projects had been completed:

- 2117 Ildica Court, Spring Valley, CA 91977
- 9825 Dogwood Lane, Hidden Meadows, CA 92026
- 1243 & 1247 Purdy Street, Spring Valley, CA 91977
- 3150 Rio Way, Spring Valley, CA 91977
- 9602 Casa de la Torre Court, Casa de Oro, CA 91977

Today's request is for the Board to find that there is a need to continue the emergency repair work at the first three locations identified immediately below in accordance with Public Contract Code section 22050 and seeks ratification of the newly-awarded emergency contract for 402 Potter Street in accordance with County Administrative Code section 402. Ratification pursuant to County ordinances is sought because the District uses County ordinances.

- 4362 & 4368 Edgewood Court, Casa de Oro, CA 91941
- 8575 Los Coches Road, Lakeside, CA 92021
- 2544 Buena Flores, Fallbrook, CA 92028
- 402 Potter Street, Fallbrook, CA 92028

The first three emergency contracts listed above were previously ratified by the Board at the February 7, February 28, and March 13, 2024, hearings, and additional ratification for those is unnecessary.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed projects are statutorily exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15269(b) of the CEQA Guidelines because the proposed projects involve emergency repairs to publicly owned service facilities necessary to maintain service essential to the public health, safety or welfare.
2. Pursuant to Public Contract Code section 22050(c)(2), find that there is a need to continue the emergency sinkhole repair, clog removal and sediment/debris removal at the three locations in Casa de Oro (1 locations), Lakeside (1 location) and Fallbrook (1 location) identified in this Board letter without giving notice for bids to let a contract.
(4 VOTES)
3. Pursuant to Public Contract Code section 22050(b)(3), receive the report for the emergency work at Potter Street in Fallbrook as set forth in this Board letter detailing that the need for emergency sinkhole repair at this location did not permit the delay that would otherwise result from competitive solicitations for bids.
4. Pursuant to Section 402 of the County Administrative Code, ratify the contract with Hazard Construction Engr LLC for the emergency repair work at Potter Street in Fallbrook on the basis that the public interest and necessity demanded immediate expenditure of funds on an emergency basis without competitive bidding.

5. Establish appropriations of \$500,000 in the Department of Public Works, Flood Control District, Services & Supplies, for emergency repairs at the Potter Street location in Fallbrook based on available prior year Flood Control District Fund fund balance.
(4 VOTES)

EQUITY IMPACT STATEMENT

The failed storm drains are publicly maintained facilities that convey rainfall runoff and flood waters off the roadways and properties in the immediate vicinity. The San Diego County Flood Control District is responsible for the continued maintenance and proper function of the storm drain system in these areas. Approval of the emergency work will provide an overall benefit to the members of the residential communities and to those who use the public roads in the areas.

SUSTAINABILITY IMPACT STATEMENT

The emergency work will contribute to health and wellbeing sustainability benefits. The projects will reduce the risk to life and property by restoring the proper function of the storm drain system to convey runoff and flood waters, which will contribute to County of San Diego sustainability goals of protecting the health and wellbeing of everyone in the region.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year (FY) 2023-24 Operational Plan for the Flood Control District (District). If approved, this request will result in additional costs and revenue of \$500,000 tied to recommendation five, for a total cost of \$5,850,000 in FY 2023-24. The funding source is available prior year Flood Control District Fund fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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