RESOLUTION NO. 2023-171

A RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT, STATE OF CALIFORNIA, AUTHORIZING THE CHAIR, CHIEF EXECUTIVE OFFICER, PURCHASING AGENT, DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS, AND CHIEF FLOOD CONTROL ENGINEER TO ISSUE PURCHASE ORDERS AND/OR CONTRACTS RELATED EMERGENCY CONSTRUCTION AND MODIFICATIONS NEEDED TO RESPOND TO THE DAMAGE TO VARIOUS COUNTY AND DISTRICT ROADS AND BRIDGES CAUSED BY TROPICAL STORM HILARY

On Tuesday, September 26, 2023, on motion of Supervisor Baca, Jr., duly seconded by Supervisor Armendarez and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, on August 19, 2023, through Monday, August 21, 2023, Tropical Storm Hilary impacted portions of San Bernardino County (County) causing damage to various County and San Bernardino Flood Control District roads and bridges in the communities of Adelanto, Angelus Oaks, Barstow, Forest Falls, Helendale, Joshua Tree, Oak Glen, Phelan, Pinion Hills, San Bernardino, Grand Terrace, Hesperia, Redlands, Mountain Home Village, Wrightwood, and Yucaipa; and

WHEREAS, on August 20, 2023, the Director of Emergency Services proclaimed the existence of a local emergency as a result of Tropical Storm Hilary. On August 22, 2023 (Item No. 98), the Board of Supervisors ratified the action of the Director of Emergency Services in proclaiming the existence of a local emergency as a result of Tropical Storm Hilary and continued the local emergency for an additional period in accordance with Government Code section 8630(c); and

WHEREAS, the San Bernardino County Board of Supervisors has found that there is substantial evidence that Tropical Storm Hilary, which began on August 19, 2023, created an emergency pursuant to Public Contract Code section 22050, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and essential public services and will not permit the delay resulting from a formal competitive solicitation of bids to procure emergency construction and modifications services for projects necessary to prevent or address the effects of Tropical Storm Hilary.

NOW THEREFORE, BE IT RESOLVED that the Chair of the Board of Supervisors, Chief Executive Officer, Purchasing Agent, Director of the Department of Public Works, and Chief Flood Control Engineer has the authority to issue the required Purchase Orders and/or execute contracts, in a total amount not to exceed \$7,015,000 for any emergency repair, construction, and maintenance services necessary to address the damage caused by Tropical Storm Hilary and find that the issuance of these Purchase Orders and/or contracts is necessary to respond to this emergency to Public Contract Code sections 22035 and 22050.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County and San Bernardino Flood Control District, State of California, by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe

Curt Hagman, Joe Baca, Jr.

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

STATE OF CALIFORNIA

SS.

SAN BERNARDINO COUNTY

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of September 26, 2023. Item #81 JLL

LYNNA MONELL
Clerk of the Board of Supervisors

COUNTY FLOOD

COUNTY FLO