

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

June 25, 2024

**FROM**

**DON DAY, Director, Project and Facilities Management Department**

**LYNN FYHRLUND, Director, Innovation and Technology**

**SUBJECT**

Procurement of Emergency Project for Bertha Peak Power Pole Replacement in Big Bear

**RECOMMENDATION(S)**

1. Find that the Emergency Remediation Project at Bertha Peak Communication Site in Big Bear is exempt under the California Environmental Quality Act Guidelines, Emergency Project, section 15269 (b) and (c) and Public Resources code Section 21080 (b) and (4).
2. Find that there is substantial evidence that immediate action is needed to prevent or mitigate the threat to life, health, property and essential public services posed by the damaged power line that provides power to the Bertha Peak Communication site, which constitutes an emergency pursuant to Public Contract Code section 22050 due to the risk of forest fire, and that this emergency will not permit the delay resulting from a formal competitive solicitation of bids to procure construction services (Four votes required).
3. Approve **Resolution No. 2024-98** authorizing the Chief Executive Officer to direct the Purchasing Agent to issue purchase orders and/or execute contracts, in a total amount not to exceed \$2,329,803 for any remediation, construction, and modifications of external structures related to the power lines, cross arms, cross arm hardware, power poles, tree trimming, and tree removal and find that the issuance of these purchase orders and/or contracts is necessary to respond to this emergency pursuant to public contract code sections 22035 and 22050 (Four votes required).
4. Direct the Project and Facilities Management Department to file the Notice of Exemption for the Emergency Remediation Project located at Bertha Peak Communications Site in Big Bear in accordance with the California Environmental Quality Act.
5. Authorize the Director of Project and Facilities Management Department to accept the work when 100% complete and execute and file the Notice of Completion.

(Presenter: Don Day, Director, 387-5000)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Innovation and Technology Department (ITD) Bertha Peak Power Pole Replacement project (WBSE 10.10.1271) (Project) is funded by the Telecommunication Service Fund (1200304020), as approved by the Board of Supervisors (Board) as part of the 2023-24 Capital Improvement Program (CIP) Budget on September 26, 2023 (Item No. 16). The Project and

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Facilities Management Department (PFMD) will closely monitor and evaluate construction costs associated with replacement of outdated power lines, cross arms, cross arm hardware, power poles, tree trimming, and tree removal. No budget adjustments are requested at this time but may be presented to the Board for consideration at a future date.

**BACKGROUND INFORMATION**

The Bertha Peak radio site is owned by the United States Forest Service and leased by San Bernardino County and provides public safety emergency communication services to the Big Bear and Baldwin Lake population centers and associated forest areas. Commercial power is provided via a county-owned and maintained pole-mounted power line from Highway 38 to the Bertha Peak radio site, approximately 1.5 miles and 30 poles. Two wooden poles were replaced in 2017 due to fallen trees and the existing wooden poles are nearing the end of their service life and are susceptible to future failures.

On February 9, 2024, the existing power line broke and was repaired promptly by ITD. The power line failure was due to a tree limb that was resting on the power line, which caused the line to break. Commercial power was lost; however, emergency backup power was used to keep the site running while repairs took place to avoid impacting emergency services for the area.

ITD and the Electrical Sub-Contractor are concerned the power lines are outdated and in dire need of replacement before it ignites a forest fire or results in another power failure impacting emergency services. The replacement of existing outdated power lines, utility poles, cross arms, cross arm hardware and tree trimming with new power lines, utility poles, cross arms, cross arm hardware that are compliant with current regulatory standards are required to ensure the safety of the power lines and mitigate the risk of fire or loss of power.

Further, PFMD recommends that the Board adopt the Resolution authorizing the Purchasing Agent, as directed by the Chief Executive Officer, to issue purchase orders and/or contracts, in a total amount not to exceed \$2,329,803 for any emergency remediation, construction, and modifications of external structures related to the Project.

It is recommended the Board determine the Project be categorically exempt under Public Resources Code section 21080(b)(2) and (4) for emergency repairs to public service facilities necessary to maintain service and specific actions necessary to prevent or mitigate an emergency; and section 15269(b) and (c) of the California Environmental Quality Act Guidelines (Title 14, California Code of Regulations) for projects involving emergency repairs to publicly owned service facilities necessary to maintain service essential to the public health, safety or welfare and actions necessary to mitigate an emergency, for existing facilities in response to an emergency. This Project is consistent with the exemptions referenced and will not have a significant environmental impact.

**PROCUREMENT**

When a project is necessary to address the effects of the emergency, PFMD shall prepare a scope of work, quote and/or contract for approval by the Chief Executive Officer, to be signed by the contractor. A purchase order will then be requested and finalized by the Purchasing Department to engage the architect, engineer and/or contractor to provide the required construction services.

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**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Daniel Pasek, Deputy County Counsel, 387-5455) on June 3, 2024; Innovation and Technology (Steve Miller, Deputy Division Chief, 388-0705) on June 4, 2024; Purchasing (Leo Gomez, Supervising Buyer, 387-2148) on June 4, 2024; Project and Facilities Management (Robert Gilliam, Chief of Project Management, 387-5000) on June 5, 2024; Finance (Yael Verduzco, Principal Administrative Analyst, 387-5285) on June 11, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on June 11, 2024.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Curt Hagman Seconded: Joe Baca, Jr.  
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: June 25, 2024



cc: File – Emergency/Bertha Peak Communication Site w/ resolution  
CCM 06/27/2024