



Legislation Details (With Text)

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**File created:** 4/24/2023      **In control:** Board of Supervisors

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**Title:** Director of Public Works requests the following actions regarding the removal of hazardous woody debris in the Angwin area:

1. Determine that the emergency created by storms does not permit delay associated with competitive bidding procedures, and that the emergency actions are necessary to respond to the emergency pursuant to Public Contract Code section 22050(a) (4/5 Vote Required); and
2. Approval of and authorization for the Chair to sign Agreement No. 230411B with the Napa Communities Firewise Foundation for a maximum of \$700,000 for the term May 16, 2023, through June 30, 2024 for debris removal.

**Sponsors:** Board of Supervisors

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement, 2. Budget Summary

Date	Ver.	Action By	Action	Result
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**TO:** Board of Supervisors

**FROM:** Steven Lederer - Director of Public Works

**REPORT BY:** Frank Lucido, Engineering Manager

**SUBJECT:** Professional Services Agreement with Napa Communities Firewise Foundation

**RECOMMENDATION**

Director of Public Works requests the following actions regarding the removal of hazardous woody debris in the Angwin area:

1. Determine that the emergency created by storms does not permit delay associated with competitive bidding procedures, and that the emergency actions are necessary to respond to the emergency pursuant to Public Contract Code section 22050(a) (4/5 Vote Required); and

2. Approval of and authorization for the Chair to sign Agreement No. 230411B with the Napa Communities Firewise Foundation for a maximum of \$700,000 for the term May 16, 2023, through June 30, 2024 for debris removal.

**EXECUTIVE SUMMARY**

On April 4, 2023, the Board ratified a proclamation of a local emergency in Napa County in response to heavy rains and severe weather that began on March 21, 2023. A significant amount of tree debris fell on rights of way (ROW) in the Angwin area because of the high winds during the emergency period. The debris is a hazard to the traveling public and presents a fire hazard. Napa Communities Firewise Foundation (NCFF) will be performing debris removal around the County this summer on private property including the Angwin area and is available to assist with debris removal on County roads in Angwin. Immediate action is necessary to address the dangerous conditions resulting from the declared emergency and contracting with NCFF represents an efficient and expeditious solution.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Fund 2040, Org. 2040500 and Project 23044
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Board approved \$750,000 on April 4, 2023, to fund the work identified in this contract so that hazardous debris can be cleared as quickly as possible. Contracting with Napa Communities Firewise Foundation is the most efficient and cost-effective way to complete this work.
Is the general fund affected?	No
Future fiscal impact:	Most of the expenses related to debris clearance in Angwin will occur in fiscal year 2022-2023 however it is possible that there will be some in 2023-24. Any fiscal impact beyond that would have to be approved by the Board.
Consequences if not approved:	Leaving the debris in place could harm the public because it could be struck by a moving vehicle, provide fuel for fires and be a home for unwanted pests.
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit

**ENVIRONMENTAL IMPACT**

**ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Categorical Exemption Class 1:** It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 (“Existing Facilities”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

## **BACKGROUND AND DISCUSSION**

On April 4, 2023, the Board ratified a proclamation of a local emergency in Napa County in response to the damages caused by the continuing heavy rains and severe weather. Recognizing the ongoing hazard, the Board also approved a project and \$750,000 at the April 4th meeting to remove tree debris in the public ROW.

It is estimated that the process of defining the project and putting it out to bid would take months given current resources. NCFE is already planning to bid the removal of tree debris on private land outside of the ROW along these same roads and is qualified and available to facilitate removal of debris inside of the ROW if the Board elects. This will reduce duplication of effort, project costs to the County and traffic disruptions in the area. Partnering with Napa Communities Firewise Foundation to remove this debris as quickly as possible is also in the interest of public safety as the larger debris obstacles can be lethal to the travelling public especially on foggy days.

The budget for this project is based on an estimate at this point but it is expected to be sufficient to remove most of the debris. After NCFE receives bids, they will request approval from the Director of Public works before proceeding. Staff anticipates that Firewise will request bids in May, start work shortly after and that all work will be completed this summer.