



COUNTY OF HUMBOLDT

For the meeting of: 5/7/2024

File #: 24-728

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

Vote Requirement: 4/5th

SUBJECT:

Resolution Proclaiming the Existence of a Facilities and Program Emergency at the County Leased Facility at 600 West Clark Street, Eureka (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the attached resolution which proclaims that the current condition of 600 West Clark Street, Eureka constitutes a facilities and program emergency and authorizes the Humboldt County Department of Public Works and the Department of Health and Human Services (DHHS) to take any and all actions necessary to abate hazardous materials and clean-up for the fire damage pursuant to California Public Contract Code Section 22050 (4/5 Votes Required).

SOURCE OF FUNDING:

Professional Services Liability Fund (3524354)

DISCUSSION:

Section 22035 of the California Public Contract Code provides that "in cases of emergency when repair or replacements are necessary, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the governing body, by contractor, or by a combination of the two." If notice for bids will not be given, the public agency must comply with California Public Contract Code Sections 22050, *et seq.*

Section 22050(a)(1) of the California Public Contract Code provides that, "In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts." Before a governing body may take any action pursuant to California Public Contract Section 22050(a)(1), it must make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

On Mar. 2, 2024, a fire occurred at the DHHS's leased facility at 600 West Clark Street, Eureka. The fire directly damaged a wall and network cabling. The resulting firefighting efforts, water and smoke damaged flooring, equipment, walls, doors, and electrical cabling. Luckily, due to the quick fire response most of the damage was contained to one room, however several adjacent rooms require smoke, soot and/or water damage mitigation. The cost of repair to the building is estimated to be over seventy-thousand dollars (\$70,000).

Staff recommends the Board adopt the attached resolution which proclaims that the current conditions in 600 W Clark Street

constitute a facilities and program emergency and authorizes the Humboldt County Department of Public Works and DHHS to take any and all actions necessary to abate, remediate, stabilize and clean the fire damage pursuant to California Public Contract Code Section 22050.

FINANCIAL IMPACT:

<i>Expenditures (3524-354)</i>	FY23-24	FY24-25 Projected*	FY25-26 Projected*
<i>Budgeted Expenses</i>		\$25,000.00	
<i>Additional Appropriation Requested</i>			
<i>Total Expenditures</i>		\$25,000.00	

**Projected amounts are estimates and are subject to change.*

<i>Funding Sources (3524-254)</i>	FY23-24	FY24-25 Projected*	FY25-26 Projected*
<i>General Fund</i>			
<i>State/Federal Funds</i>			
<i>Fees/Other</i>			
<i>Use of Fund Balance</i>		\$25,000.00	
<i>Contingencies</i>			
<i>Total Funding Sources</i>		\$25,000.00	

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact:

Funding for the needed abatement, remediation and cleanup work is available through preliminary insurance proceeds which have been provided by the County of Humboldt’s insurance carrier. The deductible shall be twenty-five thousand dollars (\$25,000). These funds will come from the Professional Services Liability Fund (3524354-2118). As a result, adoption of the attached resolution will not impact the Humboldt County General Fund.

STAFFING IMPACT:

Narrative Explanation of Staffing Impact:
There is no impact to staffing levels.

STRATEGIC FRAMEWORK:

This action supports the following areas of your Board’s Strategic Framework.

- Core Roles: Provide for and maintain infrastructure
- New Initiatives: Provide community-appropriate levels of service
- Strategic Plan: N/A

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors may choose not to adopt the attached resolution allowing for immediate abatement, remediation and clean-up of DHHS’s leased facility at 600 West Clark Street, Eureka. However, this alternative is not recommended because this would significantly increase the time and cost of remediation, effectively increasing the time before staff may fully utilize the facility.

ATTACHMENTS:

Attachment 1 - Resolution Proclaiming a Facilities and Program Emergency at 600 W Clark Street, Eureka

PREVIOUS ACTION/REFERRAL:

File #: 24-728

Board Order No.: N/A

Meeting of: N/A

File No.: NA