BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings for the Meeting of April 23, 2024

RESOLUTION NO. 24-48

RESOLUTION PROCLAIMING THE EXISTENCE OF A FACILITIES EMERGENCY

WHEREAS, pursuant to California Public Contract Code Section 22035, in cases of emergency, the governing body of a public agency 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, and such work may be done by day labor under the direction of the governing body, by contractor or by a combination thereof; and

WHEREAS, pursuant to California Public Contract Code Section 22050(a)(1), in cases of 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; and

WHEREAS, pursuant to California Public Contract Code Section 22050(a)(2), the governing body of a public agency 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, before it can take any action under California Public Contract Code Section 22050(a)(1); and

WHEREAS, on March 2, 2024, a fire occurred in the Department of Health and Human Services's leased facility at 600 West Clark Street, Eureka, occupied by DHHS Benefit Issuance Unit; Information Services Storage; General Services (Travel Department, Fleet, Mail and Print Shop); Procurement; Facilities and Support; and Helping Humboldt and owned by Robert R. Jones as a result of failure of a lithium-ion battery charger, damaging a portion of the structure in the immediate area of the fire and incurring smoke and water damage to adjacent rooms; and

WHEREAS, through an outside consultant, the County of Humboldt ("County") found no hazardous materials to be present in the drywall, paint and other construction materials in fire damaged rooms at 600 West Clark Street; and

WHEREAS, the current condition of the fire damaged room and surrounding areas at 600 West Clark Street, Eureka is hazardous for County staff, consultants and construction personnel working toward repairing the building; and

WHEREAS, immediate abatement, remediation and cleanup of 600 West Clark Street, Eureka is needed for onsite staff to return to regular operations; and

WHEREAS, a facilities emergency does exist due to the recent fire, requiring immediate action to prevent harm to staff, consultants and contractors working in the building.

NOW, THEREFORE, THE HUMBOLDT COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS:

1. The current condition of 600 West Clark Street, Eureka constitutes a facilities emergency, which will not permit the significant delay that will result from the competitive solicitation of bids, due to the physical injury, continued deterioration and delay in reconstruction work, that may occur.
2. The Humboldt County Department of Public Works is hereby authorized to take any and all action necessary to immediately abate, remediate and clean 600 West Clark Street, Eureka pursuant to California Public Contract Code Section 22050, including, without limitation, awarding and executing construction agreements which will subsequently be brought to the Board of Supervisors for ratification.

Dated: April 23, 2024

Rex Bohn, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Bushnell, seconded by Supervisor Madrone and the following vote:

AYES:	Supervisors: Bushnell, Madrone, Arroyo, Bohn
NOES:	Supervisors:
ABSENT:	Supervisors: Wilson
ABSTAIN:	Supervisors:

STATE OF CALIFORNIA)
) SS.
County of Humboldt)

I, TRACY DAMICO, Clerk of the Board of Supervisors, County of Humboldt, State of California do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

By: _____
NIKKI TURNER
Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California