



Monterey County

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Board Report

Legistar File Number: RES 18-010

February 06, 2018

Introduced: 1/29/2018

Version: 1

Current Status: Agenda Ready

Matter Type: BoS Resolution

Adopt a resolution:

- a. Finding that, due to the cumulative effects of the 2017 winter storms, an emergency exists with regard to necessary repairs to the raceway at the Laguna Seca Recreation Area, located at 1025 Monterey-Salinas Highway 68, Salinas, requiring immediate action without adopting plans and specification and giving notice for bids to let contracts; and
- b. Authorizing and ratifying the execution of emergency contracts and emergency actions necessary or taken by the County Administrative Officer, or his designee, to respond to the emergency (4/5th vote required).

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt a resolution:

- a. Finding that, due to the cumulative effects of the 2017 winter storms, an emergency exists with regard to necessary repairs to the raceway at the Laguna Seca Recreation Area, located at 1025 Monterey-Salinas Highway 68, Salinas, requiring immediate action without adopting plans and specification and giving notice for bids to let contracts; and
- b. Authorizing and ratifying the execution of emergency contracts and emergency actions necessary or taken by the County Administrative Officer, or his designee, to respond to the emergency (4/5th vote required).

SUMMARY/DISCUSSION:

Public Contract Code Sections 20134(a) and 22050 provide that when an "Emergency," as defined by Public Contract Code Section 1102 exists, the Board or an agency officer so authorized by the Board, may proceed, through the use of day labor or contracts, or a combination thereof, to replace and repair any and all structures as necessary to permit the continued conduct of County operations or services without adopting plans and specifications or giving notice for bids to let contracts, provided that such action be approved by a 4/5th vote of the Board and provided that the Board makes findings that the emergency does not permit a delay resulting from a competitive solicitations for bids and that the action is necessary to respond to the emergency.

An "Emergency," as defined under Section 1102 of the California Public Contract Code, means "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

In February 2017, there were significant rainfall events causing damage to public infrastructure and private property within Monterey County. Consequently, damage to the raceway and track infrastructure at the Laguna Seca Recreation Area due to localized flooding included roadway slope

erosion and embankment slip-outs, debris flows, landslides, and culvert failure affecting the safety of the track; obstruction of the track from storm water, storm debris and track failure; damage to storm drain infrastructure. Immediate repairs were warranted and commenced, to mitigate the impairment or loss of facilities at the Laguna Seca Recreational Area. During an inspection of Laguna Seca Recreation Area it was noted that several areas were damaged related to the 2017 winter storms, and without repair additional severe damage would occur causing unsafe conditions for public use and damage to the facility.

The Board of Supervisors has periodically adopted resolutions declaring and extending a local emergency related to the 2017 winter storms. Most recently, on January 9, 2018, a resolution to extend the Proclamation of a Local Emergency was adopted in accordance with California Government Code 8630 for the 2017 winter storms, which continued the ability of the County to address emergency conditions through the contracting powers identified in the Public Contract Code. Pursuant to the authority granted by that Code, the CAO is requesting that the Board adopt a resolution specific to the emergency repairs at the Laguna Seca Recreation Area.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this report and the associated resolution. The Sports Car Racing Association of the Monterey Peninsula participated in discussions and concur with the immediate need for repairs.

FINANCING:

The County and the Sports Car Racing Association of the Monterey Peninsula have a joint escrow account which will be utilized to fund these repairs. The repairs are not expected to exceed the available funding in the escrow; however, if required, net income from operations will cover any amounts in excess of the financing available in the escrow. No impact to other County Operations will result related to this action.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

These actions will help insure protection of public facilities and safe access to the public. Additionally, Laguna Seca provides economic benefit to the regional economy and these actions will allow for continued operation of the facility.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Human Services
- Infrastructure
- Public Safety

Approved by: Dewayne Woods, Assistant CAO

Attachments: Board Resolution and Location Map

