

RESOLUTION NO. 05-2014
January 30, 2014

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CAMBRIA COMMUNITY SERVICES DISTRICT AUTHORIZING
THE USE OF THE EMERGENCY CONTRACT PROCEDURES TO
DEVELOP AND COMPLETE AN EMERGENCY WATER SUPPLY
PROJECT, AUTHORIZING THE GENERAL MANAGER TO
ENTER INTO AGREEMENTS RELATED THERETO, AND
AUTHORIZING THE TRANSFER OF FUNDS FROM GENERAL
FUND RESERVES TO THE WATER FUND**

WHEREAS, the Cambria Community Services District (the "CCSD") is a special district charged with the duty and responsibility to provide potable water to the residents of the Cambria community for domestic use and life safety; and

WHEREAS, the CCSD has historically suffered from a lack of water supply and in 2000, imposed a moratorium on new water service connections; and

WHEREAS, the CCSD, and the State of California in general, have been plagued by lack of precipitation and anticipate continued record drought conditions; and

WHEREAS, on January 17, 2014, the Governor of the State of California declared a State of Emergency (the "Proclamation") due to record dry conditions and concerns over the State's dwindling water supplies. The Proclamation states "the State of California is experiencing record dry conditions, with 2014 projected to become the driest year on record...dry conditions and lack of precipitation present urgent problems...conditions of extreme peril to safety of persons and property exist in California due to water shortage and drought conditions..."; and

WHEREAS, on January 17, 2014, after the Governor made his Proclamation, the State Water Resources Control Board issued a "Notice of Surface Water Shortage and Potential for Curtailment of Water Right Diversions" which states, "If you are in a water short area, you should be looking into alternative water supplies for your water needs."; and

WHEREAS, a reliable water supply is critically necessary for the District to provide potable water to its residents and to provide water for emergency personnel for firefighting purposes; and

WHEREAS, due to the lack of precipitation and anticipated drought conditions for the Cambria community for 2014, the CCSD is facing emergency conditions in that, without some alternative supply of water, the CCSD will effectively run out of water in approximately four (4) to six (6) months (the "Emergency"); and

WHEREAS, based upon the severe water conditions and limited water supply, beginning in September 2013 the CCSD has instituted enhanced water conservation measures pursuant to the authority in Water Code Section 353 and Water Code Section 375, et seq. and on January 30, 2014 the Board of Directors will also consider a recommendation to declare a Stage 3 Water Shortage Condition and implement a Stage 3 Water Shortage Conservation Program and additional and more restrictive enhanced water conservation measures and restrictions on the use of potable water; and

WHEREAS, in response to the Emergency, CCSD staff has identified an emergency water supply project capable of providing the CCSD with critically needed water. However, CCSD staff anticipates that it will take approximately four (4) months for such project to be properly engineered, designed and fully implemented, subject to acquisition of all necessary permits; and

WHEREAS, pursuant to Public Contract Code Sections 20682.5(g) and 22050, the Board of Directors deems it is in the public interest, to immediately authorize the expenditure of District funds needed to safeguard the health, safety and welfare of the residents of the Cambria community and immediately develop and implement an emergency water supply project capable of sustaining the community during continued drought conditions; and

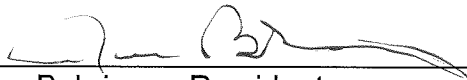
WHEREAS, the Board of Directors further finds that the need for immediate implementation of an emergency water supply project will not permit a delay resulting from a competitive solicitation for bids and that prompt action, including authorization to expend funds without competitive bidding, is necessary to respond to the Emergency described herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cambria Community Services District that the public interest and necessity demand the immediate expenditure of approximately \$500,000 of funds of the CCSD to safeguard the public health, safety and welfare, without strict compliance with the provisions of Public Contract Code Section 20682.5(b); the sum of up to \$500,000 shall be used to develop and implement an emergency water supply project.

BE IT FURTHER RESOLVED, that the CCSD General Manager is authorized to enter into any contract or agreement in order to develop and implement the emergency water supply project and shall report back to the Board of Directors regarding said activity at its next regularly scheduled meeting and each regular meeting thereafter, pursuant to Public Contracts Code Section 22050.


BE IT FURTHER RESOLVED, that this project is exempt from the California Environmental Quality Act ("CEQA"), pursuant to Public Resources Code Section 21080 and CEQA Guidelines Section 15269(c).

PASSED AND ADOPTED THIS 30th day of January, 2014.

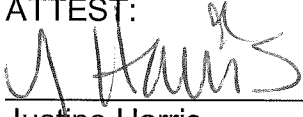


Jim Bahringer, President
Board of Directors

APPROVED AS TO FORM:



Timothy J. Carmel
District Counsel

ATTEST:


Justine Harris
Interim District Clerk