

Pursuant to Government Code Section 54953(e), members of the Board of Directors and staff will participate in this meeting via a teleconference. Members of the public can submit written comments to the Board Secretary at boardcomment@cambridiasd.org



CAMBRIA COMMUNITY SERVICES DISTRICT

I, Donn Howell, President of the Cambria Community Services District Board of Directors, hereby call a Special Meeting of the Board of Directors pursuant to California Government Code Section 54956. The Special Meeting will be held: **Tuesday, December 28, 2021, 2:00 PM**. The purpose of the Special Meeting is to discuss or transact the following business:

AGENDA

SPECIAL MEETING OF THE CAMBRIA COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

Tuesday, December 28, 2021, 2:00 PM

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/83283337781?pwd=VjVwZ1NaWmw4RjVhZzZkZ29QUTV1UT09>

Passcode: 109855

Or One tap mobile:

US: +16699006833,,83283337781# or +13462487799,,83283337781#

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Webinar ID: 832 8333 7781

International numbers available: <https://us06web.zoom.us/j/83283337781>

1. OPENING

- A. Call to Order
- B. Pledge of Allegiance
- C. Establishment of Quorum

2. PUBLIC COMMENT ON AGENDA ITEMS

3. CONSENT AGENDA

- A. Consideration of Adoption of Resolution 56-2021 Finding that an Emergency Exists within the District and Authorizing the General Manager to Execute a Contract with Hartzell Construction and Take Other Necessary Actions for the Emergency San Simeon Transmission Water Main Repair Project Without a Competitive Solicitation of Bids, Pursuant to Public Contracts Code Section 20168

4. ADJOURN

TO: Board of Directors

AGENDA NO. **3.A.**

FROM: John F. Weigold IV, General Manager

Meeting Date: December 28, 2021 Subject: Consideration of Adoption of Resolution 56-2021 Finding That an Emergency Exists Within the District and Authorizing the General Manager to Execute a Contract with Hartzell Construction and Take Other Necessary Actions for the Emergency San Simeon Transmission Water Main Repair Project Without a Competitive Solicitation of Bids, Pursuant to Public Contracts Code Section 20168

RECOMMENDATIONS:

Staff recommends that the Board of Directors consider adoption of Resolution 56-2021 finding that an emergency exists within the District, waiving competitive bidding requirements and authorizing the General Manager to execute a contract with Hartzell Construction and take other necessary actions for the Emergency San Simeon Transmission Water Main Repair Project.

FISCAL IMPACT:

The estimated cost of the emergency repair is \$300-400K. This project will be funded by the Water Fund. These costs will be managed within the respective fund's budgeted capital project expenditure accounts. At the time actual project costs are known, staff will return to the Board with a budget reallocation within capital project accounts. No budget adjustment is required at this time.

DISCUSSION:

On the morning of Thursday December 23, 2021, District water operations staff responded to State Parks staff report of a water main break near the San Simeon Creek Campground. Staff identified this as the transmission water main that supplies water from the San Simeon Well Field to the town of Cambria. After turning off the well pumps and isolating the break, staff requested Hartzell Construction to inspect the break and help develop solutions for a repair. The break is located in the marsh/wetlands area. Due to the natural conditions and the recent rain events, water saturated conditions prevent any mechanized equipment from entering the site to repair the water main break. Staff is coordinating with State Parks for an emergency right of entry permit. Staff has also informed the regulating agencies to keep them in the loop on this emergency project. There may be permitting requirements that the District would need to fulfill after the project is complete.

Normally, the Public Contracts Code (PCC) requires a competitive solicitation of bids on all public works projects. However, PCC Section 20168 allows the Board to adopt a Resolution by four-fifths vote declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property. In addition, pursuant to this section and PCC Section 22050, in the case of an emergency, the Board by a four-fifths vote may procure the necessary services to repair a public facility without giving notice for bids. PCC Section 1102 defines an emergency as 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.

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In this case, with the loss of the District's primary source of water, there is an imminent danger to public health and safety.

It should be noted that PCC Section 22050 requires that after proceeding with an emergency project, the Board will also need to review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the action is terminated to determine, by a four-fifths vote, that there is a need to continue the action. Therefore, staff will be returning to the Board with updates as required by the statute.

Adopting the proposed Resolution will ratify the emergency, authorize staff to execute the appropriate contracts, and ensure that the contractors will be properly compensated for their emergency response and repair.

The proposed scope of work is construction of an overland bypass High Density Polyethylene (HDPE) pipe. The HDPE pipe will lay on the surface over the marshland areas but will be trenched as it makes the connections to the existing main. This HDPE would be a 12" DR11 approximately 3,000 ft. The construction method would be HDPE fusion welding, hence no joints for roots to intrude. This HDPE pipe is corrosion resistant, UV resistant, sturdy, and appropriate for the environmental conditions of the site. And even though the diameter is slightly smaller than the existing 14" transmission main, the HDPE is smoother and would provide similar hydraulic capacity. A connection pit for the fusion welding activities will be required at two points (shown on the map). All trench pits will be restored per existing conditions. All water appurtenances such as air release valves, isolation valves, reducers, restraints and thrust blocks will be installed appropriately for proper operations. The water main will be pressure tested and disinfected per the State Water Board standards prior to service. The project will begin immediately after Board approval. This critical project is estimated to be completed in approximately two weeks.

Staff recommends the Board adopt Resolution 56-2021 finding that an emergency exists within the District, waiving competitive bidding requirements and authorizing the General Manager to execute a contract with Hartzell Construction and take other necessary actions for the Emergency San Simeon Transmission Water Main Repair Project.

Attachments:
Map of Scope of Work
Resolution 56-2021

Map for Scope of Work for Emergency Water Main Repair



Figure 1- Site location of water main break and proposed repair

RESOLUTION NO. 56-2021
December 28, 2021

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE CAMBRIA COMMUNITY SERVICES DISTRICT
DECLARING AN EMERGENCY AND AUTHORIZING THE
IMMEDIATE EXPENDITURE OF FUNDS TO REPAIR THE
SAN SIMEON TRANSMISSION WATER MAIN**

WHEREAS, the District owns, operates and maintains a water distribution system from its San Simeon Well Field, its primary water source, including a Water Main pipe (the "Water Main") located immediately adjacent to Highway 1 in San Simeon State Park, Cambria, CA, which provides drinking water to residents of the District; and

WHEREAS, on or about December 23, 2021, the Water Main suffered a catastrophic failure resulting in the loss of hundreds of thousands of gallons of water; and

WHEREAS, the District is temporarily using its Santa Rosa Well No. 4 to satisfy the water needs of the community; and

WHEREAS, the failure of the Water Main has created a situation that constitutes an imminent threat to the public health, safety and welfare and requires immediate corrective action to repair the Water Main and restore service from the District's primary source of water; and

WHEREAS, pursuant to Public Contract Code Section 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 in order to proceed immediately with the needed repairs; and

WHEREAS, the Board of Directors further finds that the need for immediate repair of the Water Main is necessary in order to protect the public health, safety and welfare and will not permit a delay resulting from a competitive solicitation for bids and that prompt action, including authorization to expend all funds required for such repairs 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 funds to repair the Water Main to safeguard the public health, safety and welfare, without strict compliance with the provisions of the Public Contract Code.

BE IT FURTHER RESOLVED, that the General Manager is authorized to enter into a contract with Hartzell Construction and take any other action necessary in order to immediately repair the Water Main and to report back to the Board of Directors regarding said activity at its next regularly scheduled meeting, pursuant to Public Contracts Code Section 22050. All acts of the General Manager and District staff in addressing this emergency taken prior to the effective date hereof are hereby duly ratified by the Board of Directors.

**RESOLUTION NO.
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On motion by Directors _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:

NAYS:

ABSENT:

The foregoing Resolution was passed and adopted this 28th day of December, 2021.

Donn Howell, President

ATTEST:

APPROVED AS TO FORM:

Ossana Terterian, Board Secretary

Timothy Carmel, District Counsel