

COUNTY OF SAN DIEGO FLOOD CONTROL DISTRICT
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, SEPTEMBER 27, 2023, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

- A. Roll Call
- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor/Member/Director, if applicable.
- C. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of September 13, 2023.

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Supporting documentation and attachments for items listed on the agenda can be viewed online at www.sandiegocob.com or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101. To access the meeting virtually and offer public comment via a call-in option, please go to: www.sandiegocounty.gov/telecomments for instructions.

ASSISTANCE FOR PERSONS WITH DISABILITIES:

Agendas and records are available in alternative formats upon request. Contact the Clerk of the Board of Supervisors office at 619-531-5434 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Countywide ADA Title II Coordinator at (619) 531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.

LANGUAGE TRANSLATION ASSISTANCE:

Language translation services for public speakers are available upon request to the Clerk of the Board of Supervisors at least 72 hours prior to the meeting (refer to Board Policy A-139 for additional information). Please contact the Clerk of the Board's office at (619) 531-5434 or via e-mail at publiccomment@sdcounty.ca.gov.

LEVINE ACT NOTICE: DISCLOSURES REQUIRED ON SPECIFIED ITEMS (GOVERNMENT CODE § 84308)

The Levine Act states that parties to any proceeding involving a license, permit or other entitlement for use pending before the Board must disclose on the record of the proceeding any campaign contributions of more than \$250 (aggregated) made by the parties or their agents to Board Members within the preceding 12 months. Participants with financial interests, and agents of either parties or participants, are requested to disclose such contributions also. The disclosure must include the name of the party or participant and any other person making the contribution; the name of the recipient; the amount of the contribution; and the date the contribution was made. This disclosure can be made orally during the proceeding or in writing on a request to speak.

Agenda Item

CONSENT CALENDAR

All agenda items listed under this section are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the Board of Supervisors or the Chief Administrative Officer so requests, in which event, the item will be considered separately in its normal sequence.

Agenda #	Subject
1.	CONTINUATION OF EMERGENCY STORM DRAIN REPAIRS IN THE UNINCORPORATED COMMUNITY OF BONITA, 2920 BRIARWOOD ROAD AND RELATED CEQA EXEMPTION [FUNDING SOURCE: AVAILABLE PRIOR YEAR DISTRICT FUND BALANCE] (4 VOTES)

**1. SUBJECT: CONTINUATION OF EMERGENCY STORM DRAIN REPAIRS IN
THE UNINCORPORATED COMMUNITY OF BONITA, 2920
BRIARWOOD ROAD AND RELATED CEQA EXEMPTION
(DISTRICT: 1)**

OVERVIEW

On June 12, 2023, a sinkhole was reported in the parking lot of a condominium complex at 2920 Briarwood Road within the unincorporated community of Bonita. It was caused by the collapse of an existing 24-inch corrugated metal storm drain pipe (24-inch CMP) that passes through Caltrans and San Diego County Flood Control District (District) rights-of-way. Due to the depth and condition of the 24-inch CMP, it was not feasible to accurately determine the cause and exact location of the collapse without additional field investigation by excavating around the pipe to locate the point of failure and make any necessary repairs. For a time, the hole remained stable as the District attempted to video inspect the extent of the damage and develop a plan for repair. However, on Monday, June 26, 2023, Department of Public Works (DPW) staff noticed that the sinkhole had begun to enlarge, bringing down a support post of an adjacent carport structure making it necessary to declare an emergency and forego competitive solicitation of the repair work. In accordance with County Administrative Code Section 402, "Emergency Preparedness," a notice to proceed with emergency repairs was issued to Flatiron West, Inc. on June 27, 2023 (Contract No. 569348), to repair or replace the damaged 24-inch CMP and any other related drainage facilities, including backfilling the sinkhole and repairing the parking lot. The total cost of repairing the storm drain and the areas damaged by the sinkhole is estimated to be \$1,900,000. The total cost has increased by an additional \$400,000 due to the effects of Tropical Storm Hilary. The cost increase includes storm preparations, having the contractor onsite during the storm event, and repairing damages caused by the storm. The repairs are still on track to be completed in November 2023.

On September 13, 2023 (1), the County Board of Supervisors, acting as the Board of Directors of the San Diego County Flood Control District (Board), found there was a need for the emergency repair of the 24-inch CMP and provided authorization to continue with the emergency action. Pursuant to Public Contract Code 22050, until the repairs are completed, the Board is required to determine at every regularly scheduled Board meeting that there is a need to continue the emergency action. This report updates the Board on the status of the sinkhole and 24-inch CMP repair work. Today's action requests the Board to find that there is a need to continue the emergency repair work.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed project is statutorily exempt from California Environmental Quality Act (CEQA) review pursuant to Sections 15269(b) and 15301 of the CEQA Guidelines because the proposed project includes emergency repairs to a publicly owned service facility necessary to maintain service essential to the public health, safety or welfare, and because it consists of the minor alteration of existing public facilities involving negligible or no expansion of existing use.

2. Pursuant to Public Contract Code Section 22050(c)(2), find that there is a need to continue the emergency sinkhole repair without giving notice for bids to let a contract. **(4 VOTES)**
3. Establish appropriations of \$400,000 in the Department of Public Works, Flood Control District, Services & Supplies, for emergency repairs at Briarwood Road, based on available prior year FCDT fund balance. **(4 VOTES)**

EQUITY IMPACT STATEMENT

The failed 24-inch corrugated metal storm drain pipe is a publicly maintained facility that conveys rainfall runoff and flood waters off the roadways and properties in the immediate vicinity. The District is responsible for the continued maintenance and proper function of the storm drain system in this area. Approval of the emergency repairs will provide an overall benefit to the members of the community who live in the condominium complex and to those who use the public roads in the area.

SUSTAINABILITY IMPACT STATEMENT

The emergency repairs have environmental, health and well-being benefits that support the sustainability of the environment and community. The repairs will reduce the risk to life and property caused by the sinkhole and restore the proper function of the storm drain to convey runoff and flood waters, which will ensure the safety of the public and surrounding environment.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2023-24 Operational Plan in the Flood Control District (District). If approved, this request will establish additional appropriations in the amount of \$400,000 for a total cost of \$1,900,000 in Fiscal Year 2023-24. The funding source is available prior year District fund balance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Failure to complete the required repairs in a timely manner will result in the continued expansion of the sinkhole which would result in additional property damages and potential damages from flood waters on public roadways and properties in the immediate vicinity.