



## City of Grass Valley City Council Agenda Action Sheet

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**Title:** February 2023 Winter Storm - Authorize Emergency Contracts

**CEQA:** Not a project

**Recommendation:** That Council adopt Resolution 2023-08 authorizing the City Manager to enter into emergency contracts without advertising for bids and ratifying emergency contract execution relating to recovery from the February 2023 winter storms.

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**Prepared by:** Tim Kiser, City Manager

**Council Meeting Date:** 3/15/2023

**Date Prepared:** 3/09/2023

**Agenda:** Consent

**Background Information:** Beginning on February 24, 2023, the City of Grass Valley (the "City") experienced a significant winter storm that lasted for several days. The winter storm resulted in lost power, downed trees, blocked roads, collapsed structures, and other hazards to health and human safety which caused conditions of extreme peril to the safety of persons and property in the City. The Director of Emergency Services proclaimed a state of emergency due to the winter storm on March 2, 2023. The City Council ratified the state of emergency on March 8, 2023 through Resolution 2023-07.

There existed, and continues to exist, an immediate need to engage in a variety of repairs to ensure public safety in the wake of the storm. These services include, but are not limited to; snow and debris removal in public roadways, sidewalks, parks and trails; road damage repairs; felling and elimination of hazard trees and limbs in public spaces; collection and disposal of vegetative debris citywide; and other general recovery efforts. Time was of the essence to enact repairs given the risk to public health and safety. Following the normal bidding procedures applicable to City procurement substantially increased ongoing risks associated with storm damages.

Staff is requesting the City Council adopt the attached Resolution 2023-08 for the emergency procurement of the necessary materials and services to complete the recovery work as soon as possible. The resolution authorizes the City Manager, acting in his capacity as City Manager or as Director of Emergency Services, or his designee, to enter into contract for works, supplies, materials, and equipment necessary or convenient to address recovery from the February 2023 winter storm without advertising for bids and subject to review by the City Attorney.

Further, the resolution specifically ratifies the following emergency contracts

authorized by the City Manager pursuant to his authority under Grass Valley Municipal Code section 3.08.150, without advertising for bids and subject to review by the City Attorney:

- Hansen Bros Enterprises - Snow and debris removal, waterline repairs, and street repairs, contract not to exceed \$100,000
- C&D Contractors Inc. - Snow and debris removal, and vegetative debris collection, contract not to exceed \$100,000

Grass Valley Municipal Code section 3.08.150 authorizes the City Manager to “make, or authorize others to make, emergency procurement of supplies, equipment, services or construction items when there exists a threat to public health, welfare or safety; provided, that such emergency procurement shall be made with sufficient competition as is practicable under the circumstances.” Further, City Charter Article XIII, sections (2)(a) and (2)(b) authorize the City Council by a four-fifths vote to let contracts for public works and for supplies, materials, and equipment without advertising for bids if it deems the work of urgent necessity for the preservation of life, health, or property.

Adoption of the attached resolution authorizes the repair contracts necessary to address the public safety risks of damages from the February 2023 winter storms and expedites the associated recovery efforts.

**Council Goals/Objectives:** Goal #6 Public Safety - The City of Grass Valley is devoted to providing a safe place to Live, Work and Play.

**Fiscal Impact:** The City will be requesting reimbursement for repair costs from the California Office of Emergency Services. If approved, costs would be reimbursable around 75% and sufficient General Funds exist to cover any shortfall.

**Funds Available:** Yes

**Account #:** N/A

**Reviewed by:** City Manager

**Attachments:**

1. Resolution 2023-08 Authorizing the City Manager to Enter Into Emergency Contracts Without Advertising for Bids and Ratifying Emergency Contracts Relating to Recovery from the December 2021 Winter Storm
2. Resolution 2023-07 Confirming the Emergency Services Director’s Proclamation of a Local Emergency