

## **RESOLUTION NO. 21-123**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE AND EXECUTION OF AGREEMENTS BY THE DEPARTMENT OF TRANSPORTATION WATER AGENCY DIVISION FOR THE MENDOCINO COUNTY COMMUNITY WATER SUPPLY REPLACEMENT PROJECT AND TO ADVERTISE FOR BIDS AND NEGOTIATE AND AWARD CONTRACTS TO IMPLEMENT SAID PROJECT AT AN INITIAL ESTIMATED COST OF \$3,840,000 (COUNTYWIDE), AND GRANT MATCHING FUNDS TO BE ALLOCATED FROM PG&E SETTLEMENT FUNDS TO DISASTER RECOVERY BUDGET UNIT 2910**

WHEREAS, on April 20, 2021, the Board of Supervisors declared the existence of a Local Emergency related to the 2021 Drought; and

WHEREAS, the County of Mendocino proposes to implement the Mendocino County Community Water Supply Replacement Project, which will involve the water supply replacement of water to communities with drought caused water loss or contamination of water supplies; and

WHEREAS, the Mendocino County Project is being implemented in response to a drought scenario, as defined by Water Code section 13198(a) and is intended to: (1) address immediate impacts on human health and safety; (2) address immediate impacts on fish and wildlife resources; or (3) provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies; and

WHEREAS, the County of Mendocino has the legal authority and is authorized to enter into a funding agreement with the State of California; and

WHEREAS, the County of Mendocino intends to apply for grant funding from the California Department of Water Resources for the Mendocino County Community Water Supply Replacement Project; and

WHEREAS, water delivery costs are currently estimated to be some \$3,840,000 and are anticipated to be approximately 75% reimbursable through various state and federal grants; and

WHEREAS, the Director of Transportation recommends and requests authorization to identify, apply for and accept additional sources of grant funding for the Mendocino County Community Water Supply Replacement Project, which sources of grant funding are anticipated to provide 75% reimbursement, so that the County will have the resources to quickly respond to additional need for water supply replacement and timely further implement the Mendocino County Community Water Supply Replacement Project; and

WHEREAS, the Director of Transportation recommends and requests authorization to negotiate and enter into agreements for water storage and/or treatment that may be necessary to implement the Mendocino County Community Water Supply Replacement Project; and

WHEREAS, funding to accommodate water supply replacement costs prior to reimbursement in the amount of \$960,000 to be allocated from PG&E Settlement Funds to Disaster Recovery Budget Unit 2910; and

WHEREAS, the Director of Transportation recommends and requests authorization to proceed with grant applications, acceptance, execution and the advertisement and award of contracts to deliver water upon receiving the authorization to proceed from granting agencies.

NOW, THEREFORE, BE IT RESOLVED by the Mendocino County Board of Supervisors as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 69, § 112), the County of Mendocino Chief Executive Officer, or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources and take such other actions as necessary or appropriate to obtain grant funding.
2. The County of Mendocino Chief Executive Officer or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The County of Mendocino Chief Executive Officer or designee is hereby authorized and directed to prepare and file applications for grant funding from any other state or federal agency offering grant funding which could be used for further implementation of the Mendocino County Community Water Supply Replacement Project, take such other actions as necessary or appropriate to obtain grant funding, and is authorized and directed to execute necessary funding agreements and any amendments thereto.
4. The County of Mendocino Chief Executive Officer, or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.
5. Authorizes and directs the Director of Transportation to sign the Notice to Bidders, inviting bids for water supply replacement services for the Mendocino County Community Water Supply Replacement Project, upon receiving the funding authorization from approving agencies to proceed with such action.
6. Authorizes and directs the Director of Transportation to negotiate and enter into agreements for water storage and/or treatment that may be necessary to implement the Mendocino County Community Water Replacement Project, pursuant to acceptable contract documents by County Counsel and Risk Management, and report results to the Board through the applicable Director's Report.
7. Authorizes and directs the Director of Transportation to award contracts for water replacement services for the Mendocino County Community Water Supply Replacement Project, upon confirmation of appropriate low bidders and acceptable contract documents by County Counsel and Risk Management, and report results to the Board through the applicable Director's Report.
8. Authorize and directs Auditor Controller to appropriate funds in the amount of \$960,000 from PG&E Settlement Funds According to Attachment A.

The foregoing Resolution introduced by Supervisor Haschak, seconded by Supervisor Williams, and carried this 24<sup>th</sup> day of August, 2021, by the following vote:

AYES: Supervisors Mulheren, Haschak, Gjerde, and Williams  
NOES: None  
ABSTAIN: Supervisor McGourty  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

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DAN GJERDE, Chair  
Mendocino County Board of Supervisors

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Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

*APPROVED AS TO FORM:*

CHRISTIAN M. CURTIS  
County Counsel

BY: CARMEL J. ANGELO  
Clerk of the Board

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Deputy