

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of October 27, 2020

RESOLUTION NO. 20-104

**RESOLUTION PROCLAIMING THE EXISTENCE OF A FACILITIES EMERGENCY**

**WHEREAS**, pursuant to California Public Contract Code Section 22035, in cases of emergency, the governing body of a public agency may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets or working details, or giving notice for bids to let contracts, and such work may be done by day labor under the direction of the governing body, by contractor or by a combination thereof; and

**WHEREAS**, pursuant to California Public Contract Code Section 22050(a)(1), in cases of emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

**WHEREAS**, pursuant to California Public Contract Code Section 22050(a)(2), the governing body of a public agency must make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency, before it can take any action under California Public Contract Code Section 22050(a)(1); and

**WHEREAS**, In 2017, the County paid a consultant, CDX wireless, to identify the failures with the countywide radio infrastructure. Based on the findings of that study a Request for Proposal was issued and the county chose Motorola to complete the work for radio infrastructure. In the past 3 years, the system has only become more unstable and is rapidly breaking down. Motorola has started work on this project and identified these areas which were not identified as failure points in the previous study: Installation of new electrical grounding/bonding systems; installation of new electrical services - including new panels, breakers, conductors, receptacles and lighting; and miscellaneous site trenching and structural improvements; and

**WHEREAS**, Over the past year, the county has experienced dramatic failures causing Sheriff Deputies and first responders to be without radio communications. Communications with Sheriff Deputies in the most remote areas of the county is impossible due to these failures. During a time of a life safety emergency such as a violent crime, fire, or flood, relaying vital information to Deputy Sheriffs in the field is paramount in maintaining safety and security for the communities they serve. This need is not specific to the Sheriff's office, the Public Works, County Fire, and EMS also utilize these towers; and

**WHEREAS**, The failure of additional parts of the system that fall outside of that scope of work is sudden, unexpected, and poses a clear and imminent danger requiring immediate action to prevent the loss or impairment of life, health, property, or essential public services; and

**WHEREAS**, Based on these identified issues, Orleans and Shelter Cove are now currently areas without reliable radio communications which puts Sheriff Deputies and the community at risk. Sheriff Deputies are in jeopardy without having reliable communications when they are dealing with potentially dangerous persons or life safety situations. Citizens may not receive life-saving services and

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emergency response services when desperately needed. Further, other essential public services are impaired when the communications systems fail—arms of emergency response could not communicate during emergencies due to fire, flood, or other public disaster; and

**WHEREAS**, A local emergency does exist due to these recently discovered failures. I am requesting the county use every resource necessary to quickly assess and fix the failures; and

**NOW, THEREFORE, THE HUMBOLDT COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS:**

1. The current condition of Humboldt County Radio Communications system constitutes a facilities emergency, which will not permit the significant delay that will result from the competitive solicitation of bids, due to the physical injury, property damage and delay in emergency response time, that may occur due to the emergency radio conditions.
2. The failure of additional parts of the system that fall outside of that scope of work is sudden, unexpected, and poses a clear and imminent danger requiring immediate action to prevent the loss or impairment of life, health, property, or essential public services.
3. The Humboldt County Department of Public Works, the County Sheriff's Office, and the County Information Technology Department are hereby authorized to take any and all action necessary to repair the County 911 Radio Communications System pursuant to California Public Contract Code Section 22050.

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Dated: October 27, 2020



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Estelle Fennell, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Bohn, seconded by Supervisor Wilson, and the following vote:

AYES:	Supervisors	Bohn, Bass, Wilson, Fennell, Madrone
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA )  
County of Humboldt )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



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Ryan Sharp  
Deputy Clerk of the Board of Supervisors of  
the County of Humboldt, State of California