

**RESOLUTION NO. 2025-XXX**

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SHASTA  
FINDING THAT EMERGENCY CONDITIONS EXIST REQUIRING THE REPAIR OF  
BRESLAUER CAMPUS SEWER LINE**

**WHEREAS**, Public Contract Code 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”; and

**WHEREAS**, pursuant to Public Contract Code Section 20134(a), “In cases of emergency, when repair or replacements are necessary to permit the continued conduct of county operations or services, the board of supervisors, by majority consent, may proceed at once to replace or repair any and all structures without adopting the plans, specifications, strain sheets, or working details or, subject to Chapter 2.5 (commencing with Section 22050), giving notice for bids to let contracts. If notice for bids to let contracts will not be given, the board shall comply with Chapter 2.5 (commencing with Section 22050)”; and

**WHEREAS**, Public Contract Code Section 22050(a)(1) states, “In the case of an 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 Public Contract Code Section 22050(c)(3), the Board of Supervisors shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts; and

**WHEREAS**, the sewer line that serves facilities on the Breslauer Campus, including the 24-hour Crisis Residential and Recovery Center (CRRC) is failing on a recurring basis; and

**WHEREAS**, the CRRC must operate continually; and

**WHEREAS** the recurrence intervals and magnitude of the line failures have recently increased to a point that County staff are struggling to perform timely repairs; and

**WHEREAS**, it is imminent that the sewer line will fail to a point that cannot be repaired by County staff; and

**WHEREAS**, the CRRC cannot be served by temporary sanitation and personal hygiene facilities.

**NOW, THEREFORE BE IT RESOLVED AND PROCLAIMED** by the Board of Supervisors of the County of Shasta that the status and conditions of the sewer line which serves the Crisis Residential and Recovery Center constitutes an emergency under Public Contract Code Section 1102.

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**NOW, BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that the Board of Supervisors of the County of Shasta hereby finds, based on substantial evidence, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the actions hereby authorized are necessary to respond to the emergency.

**NOW, BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that during the existence of this emergency, the Board of Supervisors of the County of Shasta, State of California, waives the competitive bidding requirements pursuant to Public Contract Code Section 22050 and accordingly, the County shall repair, replace, restore, or relocate any parts, infrastructure, materials, or systems necessary to prevent or mitigate failure of the sewer line by the emergency and shall otherwise take any directly related and immediate action required by the emergency, and shall procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

**NOW, BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that the Shasta County Public Works Director is hereby granted authority to order any related action reasonably necessary to repair, replace, restore, or relocate any parts, infrastructure, materials, or systems necessary to prevent or mitigate failure of the sewer line by the emergency and shall otherwise take any directly related and immediate action required by the emergency, and shall procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts, and is further authorized to enter into and sign contracts required by the emergency, in accordance with this Resolution and Public Contract Code section 22050(b)(1).

**NOW, BE IT FURTHER RESOLVED AND PROCLAIMED** that the repair work and related actions referenced herein are statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA guidelines 14 CCR Section 15302 (c) for replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity and Section 15269(b) for emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare.

**NOW, BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that the Board of Supervisors will review the need for continuing emergency work at its next regularly scheduled meeting and thereafter, at least once every fourteen days until this Board determines review is no longer required in accordance with Public Contract Code Section 22050.

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**DULY PASSED AND ADOPTED** this 27th day of May, 2025, by the Board of Supervisors of the County of Shasta, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

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KEVIN W. CRYE, CHAIR

Board of Supervisors

County of Shasta

State of California

ATTEST:

DAVID J. RICKERT

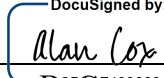
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

JOSEPH LARMOUR

County Counsel

By: \_\_\_\_\_  
Deputy

DocuSigned by:  
By:  05/15/2025 | 10:45 AM PDT  
Alan B. Cox  
Senior Deputy County Counsel