



SUPPLEMENTAL AGENDA ITEM
AGENDA STAFF REPORT

S22A

ASR Control

CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

2008 JUL 32 AM 7:14

RECEIVED

MEETING DATE: 08/05/08
 LEGAL ENTITY TAKING ACTION: Board of Supervisors
 BOARD OF SUPERVISORS DISTRICT(S): 3
 SUBMITTING AGENCY/DEPARTMENT: OC Public Works
 DEPARTMENT CONTACT PERSON(S): Ignacio Ochoa (714) 834-2308
 Ted Rigoni (714) 834-5872

SUBJECT: Black Star Canyon Road Emergency Repair

CEO CONCUR

COUNTY COUNSEL REVIEW

CLERK OF THE BOARD

Discussion
4/5 Vote

Budgeted: Yes

Current Year Cost: \$200,000

Annual Cost: \$0

Staffing Impact: No

of Positions:

Sole Source: N/A

Current Fiscal Year Revenue: \$200,000

Funding Source: Road 115 : 100%

Prior Board Action: May 27, 1987

RECOMMENDED ACTION(S)

1. Find that the proposed project is categorically exempt (Class 1, Section 15301) from the provisions of CEQA.
2. Find, by 4/5th vote, that pursuant to Public Contract Code Section 22050, the current condition of Black Star Canyon Road, approximately four miles east of its junction with Silverado Canyon Road, constitutes an emergency because a slope failure substantially hinders fire access and fire suppression activities, and that the repairs are necessary to provide minimum fire access for the health and safety of County residents.
3. Find that this emergency will not permit a delay resulting from a competitive solicitation for bids, and that this action is necessary to respond to the emergency.
4. Find that in accordance with Resolution Nos. 87-732 and 87-733 dated May 27, 1987, Black Star Canyon Road continues to be unnecessary for the public convenience, and that the County shall continue to not be responsible for the maintenance of Black Star Canyon Road so repaired, and shall continue to not be liable for the condition of Black Star Canyon Road after the emergency repairs are made.

5. Authorize the director of OCPW, or designee, to utilize internal forces to repair Black Star Canyon Road slope failure.
6. Set a review every 14 days to determine the continuing need for emergency action.

SUMMARY:

Declaration that the current condition of Black Star Canyon Road, approximately four miles east of its junction with Silverado Canyon Road, constitutes an emergency pursuant to Public Contract Code Section 22050, acknowledges that access for fire fighting and fire suppression activities to Cleveland National Forest (CNF) will be substantially hindered if repair work is not commenced immediately; authorization for OCPW to take any directly related and immediate action necessary to procure equipment, services and supplies for emergency repair of the failed portion of Black Star Canyon Road for the purpose of fire access.

BACKGROUND INFORMATION:

Black Star Canyon Road was built in the 1920's by the County of Orange, utilizing U.S. Department of Agriculture funds for public access to the Cleveland National Forest (CNF). In 1928, the County agreed to maintain this route for public access.

On May 27, 1987, your Board adopted Resolution Nos. 87-732 and 87-733 terminating maintenance of Black Star Canyon Road and restricting vehicular access to owners and occupiers of property adjacent to the road.

Black Star Canyon Road has suffered fire access roadway slope failures at three locations in the vicinity of mile marker four, and no longer provides access past these locations for fire suppressions activities. This emergency work is consistent with Resolution Nos. 87-732 and 87-733 as no repair work will be done restoring vehicular access to the public, but is only authorized to restore fire access for fire fighting and fire suppression activities. Black Star Canyon Road continues to be unnecessary for the public convenience.

The emergency work is estimated at \$200,000. In a declared emergency, Public Contract Code Section 22050 allows for procurement of services without formal advertising and bid-time requirements. OC Public Works will repair the damaged road by restoring it to its pre-existing condition.

Compliance with CEQA: The Project is categorically exempt under Section 15301, Class 1, pursuant to CEQA Guidelines.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

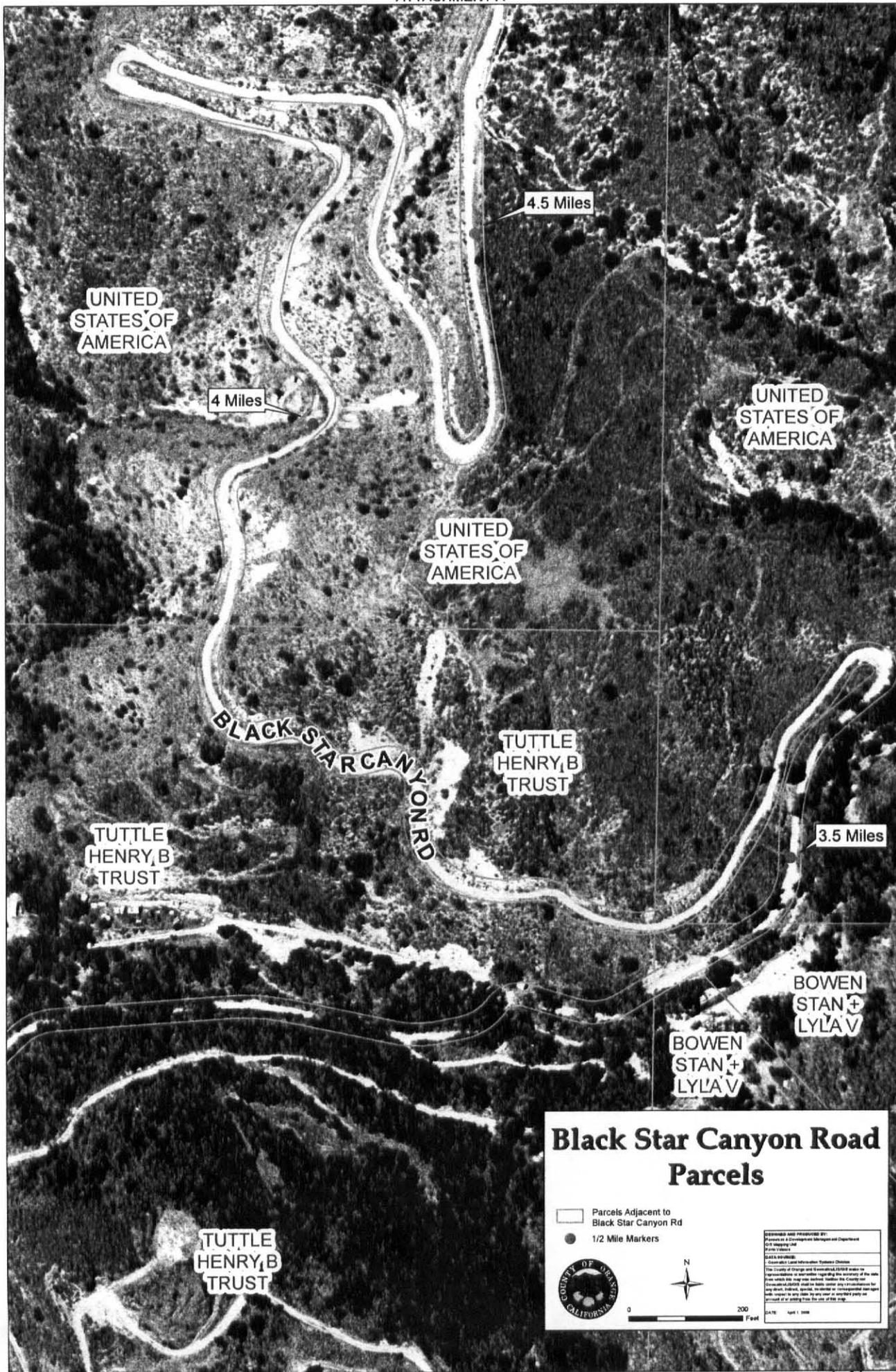
N/A

REVIEWING AGENCIES:

N/A

ATTACHMENT(S):

Attachment A – Location Map



Black Star Canyon Road Parcels

- Parcels Adjacent to Black Star Canyon Rd
- 1/2 Mile Markers



0 200 Feet

Approved and Prepared By:
 Director of Environmental Management and Operations
 Planning and
 Policy Services

DATE: April 1, 2008