

RESOLUTION 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, DETERMINING THAT THERE IS A NEED TO CONTINUE THE ACTIONS AUTHORIZED BY RESOLUTION NO. 2023-17 DECLARING AN EMERGENCY CONDITION AND DECLARING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRES CERTAIN WORK TO BE PERFORMED WITHOUT COMPETITIVE BIDDING PURSUANT TO PUBLIC CONTRACT CODE SECTIONS 20168 AND 22050

THE CITY COUNCIL OF THE CITY OF TEMECULA HEREBY FINDS, DETERMINES, AND ORDERS AS FOLLOWS:

Section 1. On February 28, 2023, City Council approved the adoption of Resolution No. 2023-17 Declaring an Emergency Condition and Declaring that Public Interest and Necessary Requires Certain Work to be Performed Without Competitive Bidding Pursuant to Public Contract Code Sections 20168 and 22050.

Section 2. Two locations were identified where storm drains were damaged and/or collapsed and need immediate repair as a result of the excessive rain event over the weekend of February 25 and 26, 2023. The storm drains are located at 29600 Margarita Road (Margarita Road and Courtney Place) and Santiago Road (near Santiago Road and Via Valencia).

Section 3. Due to the urgency of the matter, the repairs are necessary immediately to avoid additional damage to the storm drains and road and restore use of the road for the travelling public. The Public Works Department Director requested an informal quote from Miko Mountain Lion Inc., to complete the necessary repairs. An "On-Call" Agreement is currently in effect for excavation, backfill and grading maintenance services with Miko Mountain Lion, Inc. who has successfully worked on other storm drain projects in the City.

Section 4. That the City Council approve the appropriation of \$200,000 from General Fund Balance to provide funding for emergency repairs estimated to cost approximately \$200,000 (Margarita Road approximately \$50,000 and Santiago Road approximately \$150,000).

Section 5. Continued Finding of Emergency – Based on the background and recommendation of the Director of Public Works/City Engineer's Staff Report to the City Council, the City Council hereby finds a continuing emergency and will not permit a delay resulting from a competitive solicitation for bids, and the actions described in Resolution No. 2023-17 are necessary and continue to be necessary to perform and complete the repairs as needed to ensure the safety and welfare of life and property.

Section 6. The City Council hereby acknowledges that it must approve this resolution by a four-fifths vote of the entire City Council.

Section 7. Resolution 2023-17 authorized to delegate to the City Engineer the authority to approve plans, specifications and designs for the repair or replacement of the storm drains and associated rights of way.

Section 8. Ratification of Staff Actions to Repair Damaged Storm Drains - The City Council hereby ratifies and affirms the actions of the City Manager and City employees and contractors taken so far to repair or replace portions of the storm drains and associated rights of way, and any directly related and immediate action required to mitigate the damaged roads, and procurement of the necessary equipment, services, and supplies for those purposes.

Section 9. Resolution No. 2023-17 declared that the City Manager agendize and report on the status of the emergency circumstances at each and every regularly scheduled meeting of this Council until either the project is completed, or the Council finds the emergency conditions have ceased.

Section 10. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this 14th day of March, 2023.

Zak Schwank, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2023- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 14th day of March, 2023, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk