

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: April 25, 2023

SUBJECT: Adopt Resolution Finding that an Emergency Condition Continues to Exist Within the Meaning of Public Contract Code Sections 20168 and 22050

PREPARED BY: Julie Tarrant, Principal Management Analyst

RECOMMENDATION: That the City Council adopt a resolution entitled:

RESOLUTION NO.

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, AND BY RESOLUTION NOS. 2023-17, 2023-20, 2023-26, and 2023-29 FINDING THAT AN EMERGENCY CONDITION CONTINUES TO EXIST

BACKGROUND: On February 28, 2023, City Council approved the adoption of Resolution No. 2023-17 Declaring an Emergency Condition and Declaring that Public Interest and Necessity Requires Certain Work to be Performed Without Competitive Bidding Pursuant to Public Contract Code Sections 20168 and 22050, due to the extraordinary rain events of February 25 and 26, 2023.

On March 14, 2023, City Council approved the adoption of Resolution No. 2023-20 finding that an Emergency Condition Continues to Exist within the meaning of Public Contract Code Sections 20168 and 22050, and to appropriate \$200,000 from the General Fund balance to provide funding for emergency repairs along Margarita Road, and Santiago Road because of the extraordinary rain events of February 25 and 26, 2023.

On March 28, 2023, City Council approved the adoption of Resolution No. 2023-26 finding that an Emergency Condition Continues to Exist within the meaning of Public Contract Code Sections 20168 and 22050.

On April 11, 2023, City Council approved the adoption of Resolution No. 2023-29 finding that an Emergency Condition Continues to Exist within the meaning of Public Contract Code Sections 20168 and 22050, and to appropriate an additional \$50,000 from the General Fund to complete emergency repairs.

At the onset of the emergency in February 2023, two locations were identified as needing emergency repairs where storm drains were damaged and/or collapsed and in need of immediate repair due to excessive rain over the weekend of February 25 and 26, 2023. The storm drains located at Margarita Road and Courtney Place, and Santiago Road and Via Valencia were assessed for damages. The Public Works Maintenance Division enlisted our on-call service provider for excavation, backfill and grading services to immediately initiate work necessary to avoid additional damage to the storm drains, and to maintain the roadway, and restore access to the roads for the travelling public.

Subsequently, the State of California, including the City of Temecula and the surrounding region has endured record rains over the past few weeks which has caused further flood damage to the City's infrastructure. Due to the most recent rain event the week of March 20-23, 2023, the city has sustained additional damages to include the rockslide along Rainbow Canyon Road, erosion to the downstream side of the low-flow crossing, and damage to a drainage inlet located along East Vallejo, west of La Paz Road, in the Los Ranchitos area. Upon further investigation of the City's infrastructure an additional site has been identified as needing emergency repairs due to the past rain events, to include Via Lobo Channel. Repairs to remediate include the removal of silt, sand, and storm debris. The Public Works Maintenance Division staff, along with on-call contracted service providers are continuing to assess all damages caused by the excessive rain and flooding, and are working to clear debris, silt, and sediment, remediate any flooding concerns, keep roadways open, and to clear drainage channels throughout the city.

The City's Risk Management Department submitted an emergency claim to the County in an effort to recover a portion of our costs incurred for these emergency repairs; however, we were recently informed that Riverside County did not meet the threshold in order to request a proclamation of local emergency under the State of California Office of Emergency Services (CalOES), as well as the threshold for inclusion into the Federal Disaster Declaration.

The need for the continuing emergency resolution will allow for all work to be performed and completed to safeguard life, health, and property.

FISCAL IMPACT: No further fiscal impact is anticipated. The appropriations request of \$250,000 authorized by City Council on March 14, 2023 and April 11, 2023 is anticipated to be sufficient to cover the cost of repairs.

ATTACHMENTS: Resolution