

## 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. 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 the emergency repairs.

Section 3. Two locations have been identified as needing emergency repairs where storm drains have been damaged and/or collapsed, located at 29600 Margarita Road (Margarita Road and Courtney Place) and Santiago Road (near Santiago Road and Via Valencia). The Public Works Maintenance Division has responded and are effectively implementing all 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.

Section 4. **Continued Finding of Emergency** – Pursuant to the background and recommendation of the Director of Public Works/City Engineer’s Staff Report to the City Council, the City Council hereby finds an emergency continues to exist, and the actions described in Resolution No. 2023-17 and Resolution No. 2023-20 are necessary and continue to be necessary to complete all work to make permanent repairs to safeguard life, health, and property.

Section 5. The City Council hereby acknowledges that it must approve this resolution by a four-fifths vote of the entire City Council.

Section 6. 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 7. 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 8. The City Clerk shall certify the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula this 28<sup>th</sup> day of March, 2023.

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Zak Schwank, Mayor

ATTEST:

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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 28<sup>th</sup> day of March, 2023, by the following vote:

AYES:                    COUNCIL MEMBERS:

NOES:                    COUNCIL MEMBERS:

ABSTAIN:                COUNCIL MEMBERS:

ABSENT:                 COUNCIL MEMBERS:

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Randi Johl, City Clerk