

## **RESOLUTION NO. 2024-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, DECLARING AN EMERGENCY CONDITION FOR THE REPAIR AND REPLACEMENT OF STORM DRAIN ALONG YNEZ ROAD AND DECLARING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRES CERTAIN WORK TO BE PERFORMED WITHOUT COMPETITIVE BIDDING PURSUANT TO PUBLIC CONTRACT CODE SECTIONS 1102, 20168 AND 22050**

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City of Temecula identified that emergency work was needed to repair a damaged and collapsed storm drain line along Ynez Road, between Calle Halcon and Pauba Road. The repairs were immediately necessary to avoid additional damage to the surrounding drainage system and roadway, and to restore use of the road for the traveling public.

Section 2. The Department of Public Works - Maintenance Division responded immediately to install the necessary traffic control measures to ensure the safety of the public, and to assess the damages to determine the repairs needed and contacted our on-call service contractors to facilitate repairs as quickly as possible. The Public Works Maintenance Manager requested informal quotes from Miko Mountain Lion, Inc., and NPG, Inc., who currently provide on-call, and emergency call-out services to include excavation, backfill, and grading, and paving maintenance services citywide. Miko Mountain Lion, Inc., and NPG, Inc., were requested to provide emergency call-out services.

Section 3. Pursuant to Public Contract Code Sections 1102, 20168, and 22050, the City Council hereby declaring an emergency condition for the repair and replacement of storm drain along Ynez Road and declaring that the public interest and necessity demand the immediate expenditure of public money for such repair work to safeguard life, health, and property without complying giving notice for bids to let contracts.

Section 4. The City Council hereby acknowledges that it must approve this resolution by a four-fifths vote of the entire City Council and shall make a finding that the emergency will not permit a delay resulting from a competitive solicitation for bids. Furthermore, the City Council recognizes that it may delegate by resolution the authority to order the actions necessary to carry out the required improvements to any non-elected officer of the City. Furthermore, the City Council recognizes that all necessary excavation, shoring, repair, and replacement of storm drain line was completed on May 24, 2024.

Section 5. The City Council hereby waives competitive bidding under Public Contract Code Section 22050 and authorizes the City Manager to execute all necessary contracts and documents with a qualified contractors or vendors for the emergency storm drain repairs, and take any directly related and immediate action required to repair, replace or mitigate the damages, and

procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts, in a combined amount not to exceed an amount of One Hundred and Twenty Thousand Dollars (\$120,000). Nothing herein restricts the authority of the City Manager to enter into contracts pursuant to his existing authority under the applicable ordinances and municipal code of the City of Temecula.

Section 6. The City Council hereby delegates to the Director of Public Works/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 7. The City Council hereby ratifies and affirms the actions of the City Manager and City employees and contractors taken to repair and replace portions of the storm drain line along Ynez Road, between Calle Halcon and Pauba Road, and associated rights of way, 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 8. The City Manager shall agendize and report on the status of the emergency circumstances at a regularly scheduled meeting of this Council in regard to completion, and the Council finds and acknowledges the emergency condition has ceased.

Section 9. The City Clerk shall certify the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula this 11<sup>th</sup> day of June, 2024.

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James Stewart, 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. 2024-    was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 11<sup>th</sup> day of June, 2024, by the following vote:

AYES:                   COUNCIL MEMBERS:

NOES:                   COUNCIL MEMBERS:

ABSTAIN:               COUNCIL MEMBERS:

ABSENT:                COUNCIL MEMBERS:

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Randi Johl, City Clerk