

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

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

DATE: March 28, 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

RECOMMENDATION: That the City Council adopt a resolution finding that an emergency condition continues to exist within the meaning of Public Contract Code Sections 20168 and 220503.

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 Necessary 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 funding for the emergency repairs.

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.

Damages were extensive and all contracted service work necessary to make permanent repairs are on-going and will be accomplished as readily as possible. The City's Risk Management Department has submitted claims to the County in the event these emergency repairs are eligible for reimbursement under the incident. 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: At this time, no further fiscal impact is anticipated. The appropriation request of \$200,000 authorized by City Council on March 14, 2023, is still determined to be adequate to cover the cost of repairs.

ATTACHMENTS: Resolution