

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA, CALIFORNIA, DETERMINING THAT 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, 2023-29, AND 2023-34 HAVE BEEN COMPLETED AND THERE IS NO LONGER A NEED FOR THE EMERGENCY AUTHORIZATION

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. 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.

Section 4. 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.

Section 5. In February 2023, two locations were identified as needing emergency repairs where storm drains had been damaged and/or collapsed and in need of immediate repair, located at Margarita Road and Courtney Place, and Santiago Road and Via Valencia. The Public Works Maintenance Division immediately initiated 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 6. Subsequently, due to record rains over the past few weeks 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.

Section 7. 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.

Section 8. 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, and the City Council and actions described in Resolution No. 2023-17, 2023-20, 2023-26, 2023-29, and 2023-34 were necessary and continued to be necessary to complete all work to make permanent repairs to safeguard life, health, and property. Effective on or before May 8, 2023, all work for the repairs and replacement of damaged and/or collapsed storm drains, channels, roadways, drainage inlets, erosion to slopes, removal of silt, sand and debris, and downstream erosion to low-flow crossing are complete.

Section 9. There is no longer a need to continue the emergency authorization, provided; however, the Director of Finance is hereby authorized to issue payment, as necessary, of any invoices relevant to any emergency work and repairs incurred or performed under the emergency condition resolution.

Section 10. The City Council hereby acknowledges that it must approve this resolution by a four-fifths vote of the entire City Council.

Section 11. Ratification of Staff Actions to Make Repairs to Storm Drains, Rainbow Canyon Road, Low Flow Crossing, and Drainage Inlet in Los Ranchitos, as appropriate - The City Council hereby ratifies and affirms the actions of the City Manager and City employees and contractors taken so far, to make repairs or replace portions of storm drains, to clear debris, silt, and sediment, remediate any flooding concerns, and reopen roadways 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 12. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula
this 9th day of May, 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 9th day of May, 2023, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk