

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

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

DATE: May 9, 2023

SUBJECT: Adopt Resolution Finding that Emergency Repairs Authorized by Resolution 2023-17 Pursuant to Public Contract Code Sections 20168 and 22050 Have Been Completed and There is No Longer a Need for the Emergency Authorization

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 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

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.

On April 25, 2023, City Council approved the adoption of Resolution No. 2023-34 finding that an Emergency Condition Continues to Exist within the meaning of Public Contract Code Sections 20168 and 22050.

The City of Temecula's Risk Management Department continues to review our eligibility to seek reimbursement from the State per the most recent adoption of an Emergency Declaration made by FEMA, the Federal Emergency Management Agency, and the California State Governor's office. The City's Risk Management Department will follow up with regards to our emergency claim submitted to the County in an effort to recover any portion of our costs incurred for these emergency repairs, as well as through the State of California Office of Emergency Services (CalOES), and FEMA.

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. Therefore, 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.

FISCAL IMPACT: No further fiscal impact is anticipated.

ATTACHMENTS: Resolution