

## **RESOLUTION NO. CSD 19-**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TEMECULA COMMUNITY SERVICES DISTRICT OF THE CITY OF TEMECULA DETERMINING THAT THE ACTIONS AUTHORIZED BY RESOLUTION NO. 2019-11 FOR THE EMERGENCY REPAIR OF DAMAGED ROADS INCLUDING LIEFER ROAD PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050 HAVE BEEN COMPLETED AND THERE IS NO LONGER A NEED FOR THE EMERGENCY AUTHORIZATION**

THE BOARD OF DIRECTORS OF THE TEMECULA COMMUNITY SERVICES DISTRICT OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

**Section 1. Recitals.** The Board of Directors does hereby find, determine and declare that:

(a) On February 26, 2019, the Board of Directors adopted Resolution No. 2019-11 finding that severe problems with portions of the Liefer Road underlying soils and surrounding land as a result of the storms on February 14 and 15, 2019 (“Damaged Road”).

(b) Resolution 2019-11 also authorized the General Manager to proceed at once to replace or repair the Damaged Road without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts and authorized the General Manager to enter into one or more contracts not exceeding a combined amount of \$500,000 to do such work pursuant to Public Contract Code Sections 22035 and 22050.

(c) The repair work for the Damaged Road proceeded under the authority of Resolution No. 2019-11. The General Manager has submitted a written report to the Board of Directors of this date detailing the status of the repair work.

**Section 2. Continued Finding of Emergency.** Based on the evidence submitted in the City Manager's Staff Report to the Board of Directors, the Board of Directors hereby finds, based on substantial evidence in the record, that the Damaged Road constituted a continuing emergency that would not permit a delay resulting from a competitive solicitation for bids, and that the actions described in Resolution No. 2019-11 were necessary and continued to be necessary to respond to the emergency, complete the repairs to the Damaged Road and protect the public using these roads. As of March 12, 2019, all work for the repair and replacement of Damaged Road has been completed. There is no longer a need to continue the emergency work authorization, provided, however, the Director of Finance is hereby authorized to pay any invoices properly incurred for such work.

**Section 3. Ratification of Staff Actions to Repair Damaged Roads.** The Board of Directors hereby ratifies and affirms the actions of the General Manager and staff and contractors taken so far to repair or replace portions of the Damaged Road and associated rights of way as a result of the Damaged Road, any directly related and immediate action required to mitigate the Damaged Road, and procurement of the necessary equipment, services, and supplies for those purposes.

**Section 4. Certification.** The Secretary shall certify to the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors of the Temecula Community Services District of the City of Temecula this 12<sup>th</sup> day of March, 2019.

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James Stewart, President

ATTEST:

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Randi Johl, Secretary

[SEAL]

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE   ) ss  
CITY OF TEMECULA        )

I, Randi Johl, Secretary of the Temecula Community Services District of the City of Temecula, do hereby certify that the foregoing Resolution No. CSD 19-     was duly and regularly adopted by the Board of Directors of the Temecula Community Services District of the City of Temecula at a meeting thereof held on the 12<sup>th</sup> day of March, 2019, by the following vote:

AYES:                   BOARD MEMBERS:

NOES:                   BOARD MEMBERS:

ABSTAIN:               BOARD MEMBERS:

ABSENT:                BOARD MEMBERS:

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Randi Johl, Secretary