

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DETERMINING A NEED TO CONTINUE WORK UNDER EMERGENCY CONTRACTS TO REPAIR THE STORM DRAIN SYSTEM AT 251 EAST GRAND AVENUE

WHEREAS, on November 9, 2021, pursuant to Public Contract Code (PCC) Sections 20168 and 22050, the City Council deemed it was in the public interest to immediately authorize the expenditure of City funds needed to safeguard the public health, safety and welfare and to proceed immediately with emergency repairs of the storm drain system at 251 East Grand Avenue; and

WHEREAS, on November 9, 2021, the City Council deemed that the emergency repairs would not permit a delay resulting from a competitive solicitation for bids and that prompt action, including authorization to expend all funds required for such repairs without competitive bidding, was necessary to respond to the emergency; and

WHEREAS, on November 9, 2021, the City Council adopted Resolution No. 5124 declaring an emergency and authorizing the immediate expenditure of funds to repair the storm drain system at 251 East Grand Avenue; and

WHEREAS, PCC Section 22050 requires that after proceeding with an emergency project, the City Council shall review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the emergency action is terminated; and

WHEREAS, on November 23, 2021, the City Council adopted Resolution No. 5130; on December 14, 2021, the City Council adopted Resolution No. 5137; on January 11, 2022, the City Council adopted Resolution No. 5140; on January 25, 2022, the City Council adopted Resolution No. 5147; and on February 8, 2022, the City Council adopted Resolution. No. 5154 determining a need to continue work under emergency contracts to repair the storm drain system at 251 East Grand Avenue; and

WHEREAS, if it is determined that there is a need to continue the action, PCC Section 22050 requires a four-fifths vote to authorize the continuation of the emergency action.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Arroyo Grande that the storm drain system emergency declared by the City Council on November 9, 2021, shall be deemed to continue.

BE IT FURTHER RESOLVED, that the storm drain system emergency shall be deemed to continue to exist until its termination is declared by the City Council.

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On motion by Council Member _____, seconded by Council Member _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

The foregoing Resolution was passed and adopted this 22nd day of February, 2022.

CAREN RAY RUSSOM, MAYOR

ATTEST:

JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:

WHITNEY McDONALD, CITY MANAGER

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY