

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 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; and on January 11, 2022, the City Council adopted Resolution No. 5124 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 proclaimed by the City Council.

**RESOLUTION NO.**  
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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 25<sup>th</sup> day of January, 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**