



MEMORANDUM

TO: CITY COUNCIL

FROM: BILL ROBESON, PUBLIC WORKS DIRECTOR

BY: JILL MCPEEK, CAPITAL IMPROVEMENT PROJECT MANAGER

SUBJECT: CONSIDERATION OF ADOPTION OF A RESOLUTION PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050 TERMINATING THE EMERGENCY DECLARATION FOR THE OAK PARK BOULEVARD AND EL CAMINO REAL EMERGENCY STORM DRAIN SYSTEM REPAIR PROJECT, PW 2020-04

DATE: FEBRUARY 25, 2020

SUMMARY OF ACTION:

Adoption of the Resolution will terminate the emergency action for emergency repairs to the storm drain system at Oak Park Boulevard and El Camino Real.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

The amended Capital Improvement Program budget includes \$177,580 for the Oak Park Boulevard at El Camino Real Emergency Storm Drain Systems Repair Project.

RECOMMENDATION:

It is recommended the City Council: 1) receive and file the final report of the emergency storm drain system repairs project on Oak Park Boulevard and El Camino Real; and 2) adopt a Resolution pursuant to Public Contract Code Section 22050 terminating the emergency declaration for the Oak Park Boulevard and El Camino Real Emergency Storm Drain System Repair Project.

BACKGROUND:

Public Contract Code (PCC) Section 22050 allows a public agency, in the case of an emergency, to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes without going through a formal bid process. At a special meeting on January 21, 2020, the Council adopted Resolution No. 4958 declaring an emergency and authorizing the immediate expenditure of funds to repair the storm drain system on Oak Park Boulevard and El Camino Real.

CITY COUNCIL

CONSIDERATION OF ADOPTION OF A RESOLUTION PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050 TERMINATING THE EMERGENCY DECLARATION FOR THE OAK PARK BOULEVARD AND EL CAMINO REAL EMERGENCY STORM DRAIN SYSTEM REPAIR PROJECT, PW 2020-04

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

On January 28, 2020, the Council adopted Resolution No. 4962, and on February 11, 2020, the Council adopted Resolution No. 4965, both determining a need to continue work under emergency contracts to repair the storm drain system on Oak Park Boulevard and El Camino Real. The emergency conditions and repairs have been concluded and recommends adopting the attached Resolution terminating the emergency declaration.

ANALYSIS OF ISSUES:

Since the February 11, 2020 Council meeting, the following occurred on the project:

- CalPortland installed a bubble up structure to temporarily convey storm water from the Chilton Street area to El Camino Real, and returned the area to preconstruction conditions in the area of the void.
- Statewide Traffic Safety & Sign removed the traffic control devices and all lanes on Oak Park Boulevard were opened to through traffic.
- Eikhof Design Group prepared a preliminary drainage analysis and a conceptual plan presenting a permanent solution for drainage in the area that would share facilities with Caltrans.
- Staff forwarded the preliminary drainage analysis and conceptual plan to Caltrans staff for consideration and requested a date/time to discuss.

At the time this staff report was prepared, all temporary measures have been accomplished. While staff continues to coordinate with Caltrans regarding shared facilities, during certain rain events, storm water will either be conveyed via a temporary pipe from El Camino Real to the Caltrans right of way (if allowed), or El Camino Real will be closed or traffic will be rerouted while City crews pump storm water off of the roadway.

ADVANTAGES:

Adoption of the Resolution will allow for the termination of the emergency declaration to make repairs to the storm drain system at Oak Park Boulevard and El Camino Real and will allow for permanent improvements to be completed by giving notice inviting bids.

DISADVANTAGES:

None identified at this time.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

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CONTRACT CODE SECTION 22050 TERMINATING THE EMERGENCY
DECLARATION FOR THE OAK PARK BOULEVARD AND EL CAMINO REAL
EMERGENCY STORM DRAIN SYSTEM REPAIR PROJECT, PW 2020-04
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1. Adopt a Resolution terminating of the emergency;
2. Do not adopt the proposed Resolution and direct staff to prepare a Resolution to continue work under emergency declaration; or
3. Provide staff direction.

ENVIRONMENTAL REVIEW:

No environmental review is needed to authorize the termination of the emergency declaration.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE TERMINATING THE EMERGENCY DECLARATION FOR THE STORM DRAIN SYSTEM REPAIRS ON OAK PARK BOULEVARD AND EL CAMINO REAL

WHEREAS, on January 21, 2020, 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 on Oak Park Boulevard and El Camino Real and removal of debris from the box culvert; and

WHEREAS, on January 21, 2020, 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 January 21, 2020, the City Council adopted Resolution No. 4958 declaring an emergency and authorizing the immediate expenditure of funds to repair the storm drain system on Oak Park Boulevard and El Camino Real; 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 January 28, 2020, the City Council adopted Resolution No. 4962 and on February 11, 2020, the City Council adopted Resolution No. 4965 determining a need to continue work under emergency contracts to repair the storm drain system on Oak Park Boulevard and El Camino Real; and

WHEREAS, the City Council finds that there is no further need to continue 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 January 21, 2020, is hereby terminated.

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 25th day of February, 2020.

**RESOLUTION NO.
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CAREN RAY RUSSOM, MAYOR

ATTEST:

KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

JAMES A. BERGMAN, CITY MANAGER

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

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