

DATE SUBMITTED 07/07/2020
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 07/15/2020

COUNCIL ACTION
 PUBLIC HEARING REQUIRED
 RESOLUTION
 ORDINANCE 1ST READING
 ORDINANCE 2ND READING
 CITY CLERK'S INITIALS

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**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: Signal Lights Hwy 86 & Neckel Rd. **DISCUSSION/ACTION: Declare Emergency at Intersection of HWY 86 & Neckel Rd.**

1. Approval of Resolution NO. 2020-46 Declaring an emergency and authorizing the City Manager to take such action as may be necessary in response thereto.

DEPARTMENT INVOLVED: Public Services - Streets

BACKGROUND/SUMMARY:

On the morning of Wednesday, March 11, 2020 a signal light was taken out by a tow truck accident. On the early morning, Sunday, July 5, 2020, a hit and run accident took out a controller box in this same intersection. This triggered the entire signal & camera system at Hwy 86 & Neckel Rd. to not function and fail, thereby causing motorist & pedestrian safety & traffic hazards. Currently, this intersection is operating as a four way stop.

An emergency was declared by the City Manager that morning, Sunday, July 5th and clean up & repairs to the area was authorized. Repairs & replacement to the damage are currently underway. Staff is requesting City Council ratify the emergency action taken and approve Resolution No. 2020-

Staff is currently working with different Signal Light & Electrical Engineer companies to get replacement parts and schedule installation that are CalTrans and U.S. compliant. At this time, there is no estimate of time or costs. An update will be provided to Council as information becomes available.

FISCAL IMPACT: Unknown

FINANCE INITIALS

WJ

STAFF RECOMMENDATION: Council declares emergency and ratifies action already taken and approve resolution.

DEPT. INITIALS

MANAGER'S RECOMMENDATION: approve

CITY MANAGER'S INITIALS

DTM

MOTION:

SECONDED:
 AYES:
 NAYES:
 ABSENT:

APPROVED () REJECTED ()
 DISAPPROVED () DEFERRED ()

REFERRED TO:

RESOLUTION NO. 2020-46

**RESOLUTION DECLARING AN EMERGENCY,
AUTHORIZING THE CITY MANAGER TO TAKE SUCH
ACTION AS MAY BE NECESSARY IN RESPONSE TO
THERETO AND RATIFYING ACTION TAKEN TO
ADDRESS THE EMERGENCY**

WHEREAS, the City operates and maintains a signal light ("Signal") at the intersection of Highway 86 and Neckel Road ("Intersection"); and

WHEREAS, Highway 86 consists of two northbound and two southbound lanes and includes right and left turn pockets for traffic turning east or west onto Neckel Road; and

WHEREAS, the Signal controls north and south bound traffic on Highway 86 and east and west bound traffic on Neckel Road and also controls traffic turning east or west onto Neckel Road from Highway 86; and

WHEREAS, on or about July 4, 2020, an incident occurred at the Intersection in which a hit and run driver struck and damaged beyond repair the controller for the Signal; and

WHEREAS, the absence of the controller renders the Signal to be non-operational; and

WHEREAS, temporary signs have been placed to make traffic travelling in all directions stop before proceeding; and

WHEREAS, a fully operational Signal is preferred to signs and maximizes the safety for vehicles traversing the Intersection; and

WHEREAS, the sudden absence of a fully operational Signal renders the intersection less safe and potentially exposes persons and property to injury and damage; and

WHEREAS, repair and replacement of equipment to make the Signal fully operational constitutes an emergency under applicable law and such emergency does not reasonably permit delays associated with a competitive solicitation for bids and the actions authorized herein are necessary to respond to the emergency; and

WHEREAS, in order to safeguard the public health and safety and to protect property, it is necessary to take immediate action to order replacement parts and equipment and undertake repair of the signal; and

WHEREAS, the city council wishes to delegate authority to the city manager to take such action as may be necessary to repair the Signal and otherwise address the emergency as described herein.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above-referenced recitals are true and correct and are incorporated herein.

2. The City Council declares that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property, and hereby delegates to the city manager the authority to take such immediate further action as may be necessary to safeguard life, health or property in connection with repair to the Signal and provide temporary traffic controls in accordance with Public Contracts Code Sections 20168 and 22050 and without otherwise complying with bid requirements required by law.

3. The City Council ratifies action taken to date to address the absence of a working Signal and repair and replace the Signal and related equipment on the basis that the emergency described herein will not permit a delay resulting from a competitive solicitation of bids and the action is necessary to respond to the emergency.

APPROVED, PASSED AND ADOPTED, at the regular meeting of the City Council this 15th day of July, 2020.

Mayor

ATTEST:

City Clerk