

RESOLUTION NO. 2018.45

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

WHEREAS, there is a residential housing development in the City of Imperial known as Sky Ranch; and

WHEREAS, Sky Ranch is east and adjacent to the Imperial Irrigation District ("IID") canal known as the Central Main; and

WHEREAS, the developer of Sky Ranch was required, as one of its conditions of approval, to construct a six foot tall concrete masonry unit wall ("CMUW") in excess of 1000 feet in length on the east side and adjacent to the IID access road for the Central Main; and

WHEREAS, the city became aware that a small portion of the CMUW had fallen; and

WHEREAS, city staff has investigated various options to address the fallen portion of the CMUW as well as issues associated with the CMUW structural integrity, stability and aesthetics; and

WHEREAS, during its meeting of October 3, 2018, the city council authorized proceeding with a bid process for the repair of approximately 161 linear feet of the CMUW; and

WHEREAS, as part of the bid preparation process, city staff conducted an inspection of the CMUW on October 22, 2018, and discovered what appeared to be an increase to the ongoing vandalism to the CMUW causing removal of additional brick and block; and

WHEREAS, persons are seen utilizing the breach to the CMUW to access the IID access road; and

WHEREAS, the breach to the CMUW brings into question the structural integrity and stability of the CMUW and potentially exposes persons and property to injury and damage in the event the CMUW or portions thereof were to collapse; and

WHEREAS, the increasing vandalism and impact to the CMUA structural integrity and stability constitutes an emergency under applicable law and such emergency would 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 repair the breach to the CMUW; and

WHEREAS, the city council wishes to delegate authority to the city manager to take such action as may be necessary to repair the CMUW and 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 CMUW in accordance with Public Contracts Code Sections 20168 and 22050 and without otherwise complying with bid requirements required by law.

3. The City Council authorizes action set forth herein 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 ____ day of _____, 2018.

Mayor

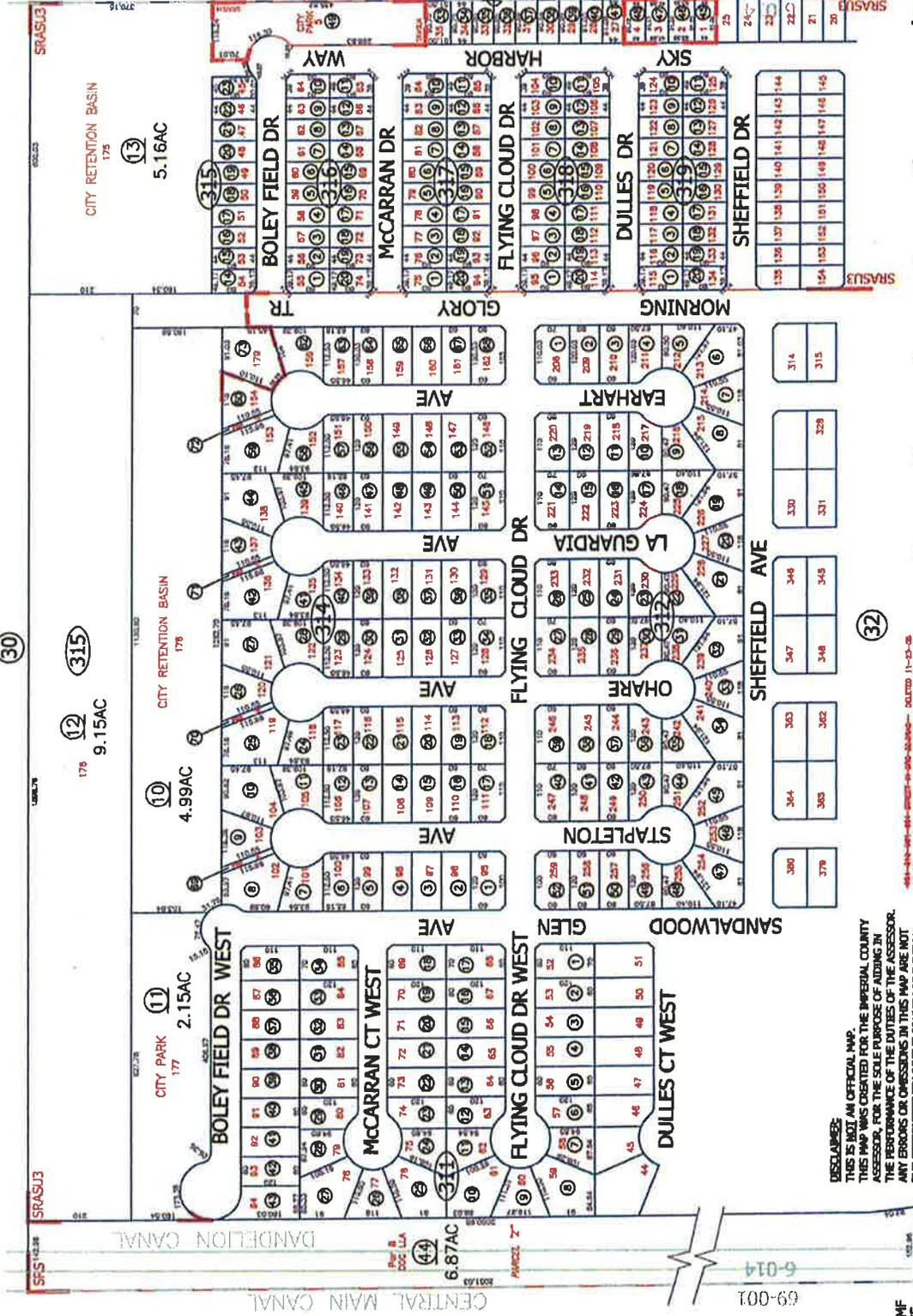
ATTEST:

City Clerk

POR. TR. 45 T155, R13 E, SKY RANCH SUBDIVISION AND
 PH Z2-86
 SKY SUBDIVISION UNIT NO. 2 AND SKY RANCH AVIONES SUBDIVISION UNIT NO.3 AND UNIT NO. 4
 PH Z5-14
 PH Z5-60

Tax Area Code
 6-014

64-31



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 ASSESSOR, FOR THE SOLE PURPOSE OF AIDING IN
 THE PERFORMANCE OF THE DUTIES OF THE ASSESSOR.
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 OR THE ASSESSOR. (REV. & TAX CODE SEC.327)

06-17-08 MF
 11-27-07 MF
 11-16-07 MF
 01-29-07 MF
 12-23-05 RM
 FROM 43-32
 02-28-05 AR
 10-6-14 MF
 4-7-11 MF
 1-13-11 MF

Bk. 62
 Pg. 05

32

30

12
 9.15AC

10
 4.99AC

11
 2.15AC

315

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33

69-001
 6-014

CITY OF IMPERIAL
 Assessors Map Bk. 64-Pg. 31
 County of Imperial, Calif.