

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACERVILLE
DECLARING UNDERGROUND AND SUBSURFACE FAILURES LOCATED WITHIN
CITY RIGHT OF WAY ADJACENT TO PLACERVILLE DRIVE AN IMMINENT
THREAT TO THE ENVIRONMENT, PUBLIC HEALTH, SAFETY, AND WELFARE;
APPROVING A CONSTRUCTION CONTRACT WITH DOUG VEERKAMP
GENERAL ENGINEERING, INC. IN THE AMOUNT OF \$35,000.00 FOR THE
PLACERVILLE DRIVE STORM DRAIN REPAIR PROJECT (CIP #42343); AND
APPROVING BUDGET APPROPRIATIONS TOTALING \$49,280 FOR THE SAID
PROJECT**

WHEREAS, as a result of severe weather and record setting rainfall events that transpired from December 30, 2022 and into January of 2023 and ensuing declarations of emergency by the city, state, and federal government, a location of the City's storm drain system failed and caused a sink hole to develop within the City's right of way, located adjacent to Placerville Drive; and

WHEREAS, upon identification of these infrastructure failures, it was determined that the scope of work associated with replacing the failed infrastructure in a timely manner to restore public services was beyond available City resources; and

WHEREAS, in accordance with Public Contract Code sections 22035, 20168 and 22050, staff contacted the City's on-call emergency services contractor to assist in stabilizing the area and upon staff's review of the damage, a recommended scope was developed and discussed with the City's on-call contractor who then prepared an estimate for the repairs which includes repair and stabilization of the area; and

WHEREAS, as a result of the disaster, the City Manager issued a proclamation of local emergency on December 31, 2022, which the City Council ratified on January 6, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Placerville does hereby find and approve as follows:

1. The underground utility and subsurface failures located within City right of way adjacent to Placerville Drive pose an imminent threat to the environment, public health, safety, and welfare because without immediate repairs, drivers and passerby's can fall within the sinkhole and be seriously injured; and
2. The public interest and necessity demand the immediate commencement of the above-described work and the expenditure of public money, in order to safeguard life, health, and further property damage that will occur unless these conditions are repaired immediately; and
3. Substantial evidence, as set forth in this resolution, demonstrates that the emergency conditions would not permit delay resulting from competitive bidding because the work must be commenced and finished as soon as possible in order to prevent injury to the public or further property damage; and

4. Because of the above reasons, competitive bidding would not provide an advantage for the public; and
5. The actions authorized by this approval (the "Project") is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Guideline Section 15269, which applies to projects to maintain, repair, restore, demolish or repair property or facilities damages or destroyed as a result of a disaster. The City Manager declared a local state of emergency on December 31, 2022, which the City Council ratified on January 6, 2023. Staff is directed to file a Notice of Exemption.
6. Approve a construction contract with Doug Veerkamp General Engineering, Inc. for the Placerville Drive Storm Drain Repair Project (CIP #42343) in an amount not to exceed \$35,000.00 for necessary equipment, services, and supplies to make repairs to the existing damaged underground utilities and restoration located within the City right of way adjacent to Placerville Drive; and
7. Authorize the City Manager to execute the same; and
8. Approve a budget appropriation in the amount of \$34,546 from the Measure L Operating Reserve for the said project.
9. Approve a \$4,500 budget appropriation from the TDA Article 8 Fund unassigned fund balance for the said project; and
10. Approve a \$10,234 budget appropriation from the Storm Drain Fund unassigned fund balance for the said project.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Placerville held on January 24, 2023 by Councilmember _____ who moved its adoption. The motion was seconded by _____. The motion was passed by 4/5 vote as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Mayor Michael Saragosa

Regina O'Connell, City Clerk