

RESOLUTION NO. 2024-07-6821

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, DECLARING THE NEED TO CONTINUE THE EMERGENCY CONTRACTING AUTHORITY DELEGATED TO THE CITY MANAGER, OR HIS DESIGNEE(S), PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050

WHEREAS, the City of Signal Hill (“City”) is a municipal corporation and charter City; and

WHEREAS, City staff has previously reported to the City Council as follows:

Damage to Panorama Promenade Trail

The Panorama Promenade Trail experienced significant slope failures in two localized areas following the February 6 rainstorm activity, resulting in the closure of the walking trail as of February 6, 2024. The Panorama Promenade Trail is a high-volume pedestrian walkway used by thousands of individuals on a weekly basis. The City acted quickly in closing the trail to the public upon observing the damage, out of concern the trail could further erode and create dangerous conditions causing injury to pedestrians. It is imperative that repairs be completed as soon as possible to eliminate the existing dangerous conditions around and underneath the walkway surface, caused by the storm damage. Public Works staff met with the City’s geotechnical consultant on site to evaluate the damaged conditions and provide a recommendation for immediate repairs. Staff promptly reached out to three contractors (WA Rasic, Zimprich Engineering Inc., and Rex Endrizzi Incorporated) for due diligence and conducted site walks at the slope failure areas. Zimprich Engineering Incorporated was the most responsive contractor with the necessary labor and equipment to perform the work on an emergency basis and submitted a proposal within the requested three-working-day deadline necessitated by the emergency nature of the work. The contract amount for the immediate repair work is \$299,910. Immediate work necessitating slope repair was completed on April 30. Staff is currently exploring funding options to install vegetation at the slope.

Damage to Molino Avenue and 20th Street

The intersection of Molino Avenue and 20th Street experienced similar slope failure and erosion following the early February rainstorms, resulting in a damaged hillside which must be stabilized. The failure created unsafe eroding conditions that could worsen if left unattended, which could ultimately lead to damage to private property, such as vehicles parked on the street and the adjacent residential properties. The eroding conditions could also create roadway hazards should the debris runoff fall into the adjacent local streets impacting moving vehicle traffic. The road was initially partially closed for safety and is now reopened. Public Works staff and its consultants evaluated the damaged conditions and developed a plan for immediate and permanent repair which will require installation of a retaining wall 2-6' in height. Zimprich Engineering Incorporated provided a proposal for this work and will perform the installation of the retaining wall upon the execution of the contract. The contract amount for this work is \$132,000. The contractor has already begun the immediate temporary repair. Based on the continuing impacts of the February 2024 winter storm damage, staff requests the City Council authorize the City Manager to extend the proclamation of the existence of a local emergency in response to the February 2024 winter storms for 60 days.

WHEREAS, at its February 27, 2024, meeting, the Signal Hill City Council, pursuant to Public Contract Code section 20168, passed a resolution by a four-fifths vote, declaring that the public interest and necessity demanded the immediate expenditure of public money to safeguard life, health, or property; and

WHEREAS, at its February 27, 2024, meeting, the Signal Hill City Council, pursuant to Public Contract Code Section 22050, made required findings and passed a resolution by a four-fifths vote authorizing contracts with Zimprich Engineering for immediate repairs to the slope failures at Panorama Promenade Trail and Molino Avenue and 20th Street, without giving notice for bids to let contracts; and

WHEREAS, Section 22050 requires that upon authorizing emergency

contracting authority, the City Council shall review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action; and

WHEREAS, at its March 12, March 26, April 9, 2024, April 23 and May 14th 2024 City Council meetings, the Signal Hill City Council adopted a resolution by a four-fifths vote, that there is a need to continue emergency storm damage repairs at the Panorama Promenade Trail and Molino Avenue and 20th Street; and

WHEREAS, when the City Council reviews the emergency action, it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIGNAL HILL, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council, after consideration of the staff report and presentation, discussion, oral testimony, and evidence presented to the City Council, hereby finds that the above recitals are true and correct and incorporate them herein.

Section 2. The City Council hereby finds, based on substantial evidence set forth in this resolution and the accompanying staff report, and in accordance with Section 22050 of the Public Contract Code, that the needed emergency repairs to the Panorama Promenade Trail and Molino Avenue and 20th Street locations will not permit a delay resulting from a competitive solicitation for bids, that the action to award the emergency contract is necessary to respond to the emergency, that competitive proposals would be unavailing or would not produce an advantage, that the advertisement for competitive bid would thus be undesirable or impractical, and that there is therefore a need to continue the emergency action under Section 22050 of the Public Contract Code.

Section 3. City staff is directed to prepare a staff report to the City at its next and subsequent regular meetings documenting why the emergency repairs would not permit a delay resulting from a competitive solicitation and why the emergency repair contract action continues to be necessary to respond to the emergency, so that the City Council may review the emergency contract action at its next regular meeting and at subsequent regular meetings thereafter to determine, by a four-fifths vote, whether there

