

## RESOLUTION NO. R26-01

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA CONTINUING EMERGENCY STORM DRAIN REPAIR AND EROSION CONTROL WORK AT 4425 LUCERA CIRCLE AND CITY BOUNDARY TRAIL

**SECTION 1. Recitals.** The City Council finds and declares as follows:

1. Sections 22035 and 22050 of the California Public Contract Code authorize the City of Palos Verdes Estates ("City") to award a public works contract to perform emergency work upon adoption by the City Council by a four-fifths vote of a resolution declaring that the public interest and necessity demand the immediate expenditure of public funds to safeguard life, health, or property.
2. In September 2025, City Staff discovered a collapsed storm drain and the need for immediate storm drain repair and erosion control work to prevent soil subsidence events. ("Emergency Event").
3. On November 12, 1025, in accordance with Public Contract Code Section 22050, the City Council declared that the damage to the collapsed storm drain and significant soil erosion at the rear property at 4425 Lucera Circle/along the Boundary Trail and the existence of potential additional damage constitutes a dangerous condition and is an emergency as defined under Public Contract Code section 1102.
4. Following the declaration of the emergency, the contractor, SJD&B, Inc., began repairs began on December 1, 2025 and the work is anticipated to be completed within 15 working days.
5. The City Manager or his designee is directed to report to the City Council at the next regularly scheduled meeting, and at every meeting thereafter until the action is terminated, in order to determine if there is a need to continue the action. At the next regularly scheduled meeting and at every meeting thereafter until the action is terminated, the City Council shall determine, by a four-fifths vote, if there is a need to continue the emergency action.
6. Because the project contract documents are currently in process and the work is substantially completed, City staff recommends that the City Council continue the emergency action.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Palos Verdes Estates:

**SECTION 2.** That the foregoing Recitals are true and correct and are incorporated herein by this reference.

**SECTION 3. Council Findings.** After considering the record of proceedings, including the foregoing Recitals, reports, information and recommendations from Staff, the City Council hereby takes the following actions based on substantial evidence set forth in the Staff Findings and minutes of this meeting:

1. The City Council declares that the previously declared emergency storm drain repair and erosion control work at 4425 Lucera Circle and City Boundary Trail is incomplete.
2. Continued work by the contractor, SJD&B, Inc., is necessary to ameliorate the public health and safety risks caused by the damaged storm drain and unstable slope.
3. The potential for slope subsidence and immediate risks to the public from the collapsed storm drain will not permit a delay resulting from competitive solicitation for bids.
4. Accordingly, the City Council determines that there is a need to continue the emergency action to conduct emergency storm drain repair and erosion control work at 4425 Lucera Circle and City Boundary Trail.

**SECTION 4.** If any section, subsection, subdivision, sentence, clause, or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

**SECTION 5.** This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the passage and adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** on this 14th day of January 2026.

**APPROVED:**



Michael Kemps, Mayor

**ATTEST:**



Tameka Cook, City Clerk

**APPROVED AS TO FORM:**



Trevor Rusin, City Attorney

## CERTIFICATION

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )        SS:  
CITY OF PALOS VERDES ESTATES     )

I, Tameka Cook, City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R26-01** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 14<sup>TH</sup> day of January 2026, by the following vote:

AYES:            COUNCILMEMBERS:    Quinn, Lozzi, Lazzaro, and Kemp

NOES:           COUNCILMEMBERS:    None

ABSENT:        COUNCILMEMBERS:    McGowan

ABSTAIN:       COUNCILMEMBERS:    None

ATTEST:

  
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Tameka Cook, City Clerk