

RESOLUTION NO.26-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA ACCEPTING THE EMERGENCY STORM DRAIN REPAIR AND EROSION CONTROL WORK AT 4425 LUCERA CIRCLE AND CITY BOUNDARY TRAIL AS COMPLETE, TERMINATING THE EMERGENCY ACTION, AND AUTHORIZING THE CITY CLERK TO RECORD THE NOTICE OF COMPLETION

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.
3. On November 12, 2025, in accordance with Public Contract Code Section 22050, by Resolution No. 25-41, 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 constitute a dangerous condition and is an emergency as defined under Public Contract Code section 1102.
4. Following City Council approval of the emergency action, the contractor, SJD&B, Inc., began repairs on December 1, 2025 with the work anticipated to be completed within 15 working days.
5. Since its initial finding of an existence of an emergency, the City Council has adopted Resolution Nos. 25-42, 26-01, 26-02, and 26-05, reaffirming that there was a need to continue the emergency action for storm drain repair and erosion control work.
6. The contractor, SJD&B, Inc., completed the project in accordance with the scope of work. Thus, the risk has been properly mitigated and conditions of extreme peril no longer pose an immediate danger to persons or property within the City.
7. At the February 24, 2026 regular meeting, the City Manager reported that an emergency no longer exists because the slope has been stabilized and the damaged storm drain repaired, and based on these changed conditions, the City Council desires to terminate the emergency action at the earliest possible date.

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 finds that the previously declared emergency storm drain repair and erosion control work at 4425 Lucera Circle and City Boundary Trail (“Project”) is complete.
2. This emergency action at 4425 Lucera Circle and City Boundary Trail is hereby terminated at the earliest opportunity, as the loss or impairment of life, health and property has been properly mitigated.
3. The City Clerk is authorized to record a “Notice of Completion” for the Project in a form approved by the Public Works Director or designee.

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. CEQA. This Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.) because terminating the emergency action could not result in a potentially significant physical impact on the environment and because it implements an administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a “project” that requires environmental review. (See specifically 14 CCR § 15378(b)(2, 5)).

SECTION 6. 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 24th day of February 2026.

APPROVED:


Michael Kemps, Mayor

ATTEST:



Tameka Cook, City Clerk

APPROVED AS TO FORM:



Trevor Rusin, City Attorney

