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MOTION

I MOVE that item 41 on the Council agenda of March 21, 2023 relative to the Mayor's Declaration of Emergency of March 14, 2023 concerning rainstorms causing flooding and the partial collapse of a portion of a Los Angeles Aqueduct wall, be amended to adopt the attached resolution.

PRESENTED BY:

Paul Krekorian

PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY:

[Signature]

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RESOLUTION

WHEREAS, on March 14, 2023, the Mayor declared a state of local emergency covering the City-owned lands adjacent to the City's Los Angeles Aqueduct, its water-gathering facilities, and its air-quality control facilities located in Mono, Inyo, Kern, and Los Angeles Counties, and in the City of Los Angeles; and

WHEREAS, precipitation in Inyo and Mono counties during January through March 2023 exceeded any amount since the Los Angeles Department of Water and Power (LADWP) began keeping records, and the resulting snowpack is 255 percent of the April 1st average and continues to grow with continuing precipitation expected through April 2023; and

WHEREAS, the Los Angeles aqueduct system is transporting an exceptionally large volume of water, and a portion of the wall of the aqueduct collapsed on March 11, 2023; and

WHEREAS, LADWP must take immediate steps, including constructing protective measures at and near Owens Lake, as well as along the aqueduct, to manage the flow of water into Owens Lake in a manner that minimizes impacts to the current dust mitigation infrastructure; and

WHEREAS, LADWP must take subsequent steps to repair, replace, and remediate damaged dust-control measures on the Owens Lake playa to comply with air-quality regulations; and

WHEREAS, LADWP must take immediate steps to armor facilities; divert creek and water conveyance flows; clean, repair, and rebuild water-delivery and -conveyance facilities as needed; and repair and restore damaged patrol and access roads and associated drainage infrastructure; and

WHEREAS, events continue to be beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City government;

NOW THEREFORE, the Council of the City of Los Angeles RESOLVES that:

1. The Council recognizes and ratifies the existence of a local emergency within the meaning of Los Angeles Administrative Code Section 8.21, *et seq.*, at the time of the Mayor's March 14, 2023, Declaration of Local Emergency, throughout the City-owned lands adjacent to the City's Los Angeles Aqueduct, its water-gathering facilities, and its air-quality control facilities located in Mono, Inyo, Kern, and Los Angeles Counties and in the City of Los Angeles related to the City's Los Angeles Aqueduct; and

2. Because the local emergency continues to exist, there is a need to continue the declared state of local emergency, whose continuance the City Council hereby ratifies; and
3. In accordance with Los Angeles Administrative Code section 8.21 *et seq.*, all appropriate City departments, agencies, and personnel are instructed and requested to continue to perform all duties and responsibilities to represent the City in this matter to prevent and abate the emergency and receive, process, and coordinate all inquiries and requirements necessary to obtain whatever State and Federal assistance may become available to the City and/or to the citizens of the City who may be affected by the emergency; and
4. The General Manager of the Emergency Management Department is hereby instructed to advise the Mayor and City Council on the need to extend the state of local emergency; and
5. Insofar as the public interest and necessity demand the immediate expenditure of public funds to safeguard life, health, or property in response to the local emergency and mitigation efforts related to the local emergency, the City Council hereby approves and resolves that the competitive bidding restrictions enumerated in Charter sections 372, and Los Angeles Administrative Code sections 10.15 and 10.17 be suspended until April 21, 2023 or the termination of the state of emergency, whichever comes first, for the Los Angeles Department of Water and Power (LADWP) to authorize and order any action relative to the procurement of construction contracts, supplies, and equipment but only if monies for related payments be drawn from LADWP's proprietary funds; and
6. LADWP shall report every two weeks to the City Council on the reasons justifying why such aforesaid action was necessary to respond to the emergency, including why the emergency did not permit a delay resulting from a competitive solicitation for bids or proposals and why competitive proposals or bidding was not reasonably practicable or compatible with the City's interests; and
7. The City Clerk is hereby instructed to forward copies of this Resolution to the Governor of the State of California, the Director of the Office of Emergency Services of the State of California, the Los Angeles County Office of Emergency Management, and the Los Angeles County Board of Supervisors.