

WHEREAS, on March 20, 2017, the Mayor of the City of Los Angeles (City) proclaimed and declared that due to the significant impact on the Los Angeles Aqueduct (LAA) of excessive amounts of precipitation within Inyo and Mono Counties during January and February of 2017, conditions of extreme peril to the safety of public property, infrastructure and the environment exist which will impact the Los Angeles Aqueduct, water gathering and delivery facilities, and air quality mitigation facilities owned and controlled by the Los Angeles Department of Water and Power (LADWP) located within Mono, Inyo, Kern, and Los Angeles Counties and the City; and that a local emergency existed; and

WHEREAS, the magnitude of these conditions is such that they are beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City government; and

WHEREAS, the specific cause of the aforementioned perilous conditions are due to multiple atmospheric river storm systems which struck California in January and February 2017, bringing massive amounts of snow and rain; and

WHEREAS, precipitation within Inyo and Mono Counties during January and February far exceeded any amount since LADWP record keeping began; and

WHEREAS, the precipitation rapidly filled reservoirs, lakes, rivers, and streams throughout the Eastern Sierra region, causing them to reach capacity, resulting in potential widespread flooding; and

WHEREAS, the precipitation has produced a snowpack that is 241 percent of normal to-date snowpack levels, which was confirmed by LADWP analysts on March 15, 2017, and LADWP expects to manage a volume of water that is nearly twice the amount of the City's annual demand; and

WHEREAS, the LAA system is transporting an exceptionally large volume of water; and

WHEREAS, there are three locations for delivery of excess water in the LAA: (1) the lands and water bodies of the Owens Valley; (2) the City and the Los Angeles River; and (3) the natural terminus of the Owens River and Owens Lake; and

WHEREAS, LADWP is taking extraordinary measures to conserve the water in the Owens Valley and throughout the vicinity of the LAA by maximizing the amount of water delivered to Los Angeles, recharging the groundwater basins and attempting to bring all surface storage reservoirs to full capacity. The City is also taking extraordinary steps to avoid inundating environmentally sensitive areas, such as preventing water from spilling over the Long Valley Dam because of dam safety concerns and the existence of endangered Tui Chub habitat that was identified by the California Department of Fish and Wildlife to be directly below the dam, all while attempting to

maximize the reasonable and beneficial use of such water through storage in all available locations; and

WHEREAS, LADWP and its customers have invested over \$1.1 billion to improve air quality at Owens Lake and its infrastructure is threatened by the potential inundation of the large amounts of water predicted to flow through the LAA throughout the upcoming months; and

WHEREAS, LADWP must take immediate steps, including constructing infrastructure at and near Owens Lake, to manage the flow of water into Owens Lake in a manner that avoids additional air quality problems at the shoreline of the lakebed and in a manner that is most protective of 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 in an expedited manner that incorporates flood resiliency components to ensure air quality is maintained throughout the Great Basin Unified Air Pollution Control District; and

WHEREAS, LADWP must take immediate steps to (1) armor facilities, including the Lower Owens River pumpback station and ancillary facilities, and diversion and water conveyance structures; (2) divert creek and water conveyance flows as necessary to prevent damage; and (3) clean, repair and rebuild water delivery and conveyance facilities as needed; and

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

1. A local emergency existed within the City of Los Angeles within the meaning of Los Angeles Administrative Code Section 8.21, *et seq.*, and the Mayor's May 20, 2017, Proclamation of Local Emergency is hereby ratified; and
2. Pursuant to the Proclamation and declaration of Local Emergency by the Mayor, the Los Angeles City Council hereby approves and resolves that the competitive bidding restrictions enumerated in Charter Section 371 and Los Angeles Administrative Code Section 10.15 are suspended for contracts entered into by LADWP in response to the declared proclaimed emergency and mitigation efforts related thereto. This suspension will remain in effect during the pendency existence of the proclaimed emergency; and
3. The Los Angeles City Council approves and resolves, by a four-fifths vote (1) that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property; (2) that the General Manager of the LADWP is hereby authorized to order any action relative to the procurement of construction contracts, equipment, services, and labor necessary to safeguard life, health or property caused by the proclaimed local emergency; and (3) requiring LADWP to report back on the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency; and the ongoing status of the

matter including actions to protect public safety, infrastructure and the environment; and

4. The City Clerk calendar include for City Council consideration at a regularly scheduled Council session no later than April 7, 2017, and not later than every fourteen days thereafter until rescinded, any additional reports required under Paragraph 2.