

**RESOLUTION NO. 26-4904**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA TERMINATING THE EMERGENCY DECLARATION IN CONNECTION WITH THE RESTORATION OF SHOWERS AND RESTROOM FACILITIES AT MURRIETA FIRE AND RESCUE STATION 2**

**WHEREAS**, in October 2025, City of Murrieta (“City”) staff encountered a potential mold issue in the living quarter’s showers and restroom due to a water leak at Murrieta Fire and Rescue Station 2 located at 40060 California Oaks Rd, Murrieta, CA 92562; and

**WHEREAS**, subsequent testing by a certified environmental health company confirmed the presence of mold; and

**WHEREAS**, a mold remediation company was hired to isolate the area, treat the mold, and remove affected building materials from the premises, causing the closure of the showers and restroom; and

**WHEREAS**, on-duty personnel at Murrieta Fire and Rescue Station 2 are now using portable shower facilities located in a trailer on the property, which impacts their living conditions and health and the public’s property such that the closure of the showers and restroom constitutes an “emergency” as that term is defined in Public Contract Code § 1102; and

**WHEREAS**, pursuant to Public Contract Code §§ 20168 and 22050, contracts for emergency expenditures may be approved by the adoption, by a four-fifths vote, of a resolution declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property such that the City is authorized to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

**WHEREAS**, on December 2, 2025, the City Council adopted Resolution No. 25-4898 declaring an emergency and approving the execution of a Public Works Contract for the restoration of showers and restroom facilities at Murrieta Fire and Rescue Station 2 without notice for bids pursuant to California Public Contract Code Sections 1102, 20168, and 22050; an

**WHEREAS**, the City then commenced the process authorized by Public Contract Code § 22050 to immediately engage a contractor to provide construction services to restore the facilities to usable condition; and

**WHEREAS**, City Staff negotiated an Emergency Public Works Construction Contract with Capital Construction, Inc. to perform the remedial efforts which was executed by the City Manager on January 5, 2026 as authorized by City Council for an amount not to exceed \$190,000, plus a 15% contingency.

**WHEREAS**, this item must be reviewed every 60 days, until the emergency has ended, to ensure that the need to continue the action continues to exist.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The recitals above are true and correct and incorporated herein by this reference.

**Section 2.** The City Council finds that the emergency conditions have been abated, that no further work is currently anticipated beyond the current Emergency Public Works Contract, and as such, the Emergency Declaration is hereby terminated.

**Section 3.** The City Clerk shall certify to the adoption of this Resolution.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of January, 2026.

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Jon Levell, Mayor

ATTEST:

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Cristal McDonald, City Clerk

APPROVED AS TO FORM:

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Tiffany J. Israel, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE )§  
CITY OF MURRIETA )

I, Cristal McDonald, City Clerk of the City of Murrieta, California, do hereby certify that the foregoing Resolution No. 26-4904 was duly passed and adopted by the City Council of the City of Murrieta at the regular meeting thereof, held on the 20<sup>th</sup> day of January, 2026, and was signed by the Mayor of the said City, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Cristal McDonald, City Clerk