

GARDEN GROVE SANITARY DISTRICT

RESOLUTION NO. 3768-17

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT AUTHORIZING THE GENERAL MANAGER OR HIS DESIGNEE TO WAIVE THE FORMAL BIDDING PROCESS AS AN EMERGENCY CONDITION, DECLARING THE NECESSITY THEREOF, AND AUTHORIZING STAFF TO PROCEED WITH EMERGENCY REPAIRS TO THE SEWER LINE BREAK AND SINK HOLE ON LENORE STREET

WHEREAS, Sections 22035 and 22050 of the Public Contracts Code provide that upon adoption by the Board of Directors 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 in order to proceed with emergency work without notice for bids to let a contract for such emergency work;

WHEREAS, the staff report accompanying this Resolution sets forth the facts supporting a finding that an emergency exists relating to the condition of the sewer line break and sinkhole on Lenore Street, between Springdale and Lamplighter Streets, and that the public interest and necessity demand the immediate expenditure of funds to repair the sewer line and street to safeguard life, health or property;

WHEREAS, Section 22050 also provides that the resolution may delegate to the General Manager, or other officer, the authority to order any action required by the emergency and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let the contracts; and

WHEREAS, the General Manager has ordered that the work commence in order to repair the sewer line and street as expeditiously as possible.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT HEREBY RESOLVES, FINDS AND DETERMINES AS FOLLOWS:

1. That the public interest and necessity demand the immediate expenditure of public funds to safeguard life, health, or property in order to proceed with emergency work for the repair of the sewer line break and sinkhole on Lenore Street.
2. That the emergency will not permit a delay that would result from a competitive solicitation for bids and that action is necessary to respond to the emergency related to the conditions of the well.
3. That the General Manager or his designee is hereby authorized to order any action required to remedy the emergency relating to the sewer line break and sinkhole and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

4. That to the extent the General Manager has already authorized the work to be commenced, the General Manager's actions authorizing the emergency work are hereby approved and ratified.

Adopted this 28th day of February 2017.

ATTEST:

/s/ KRIS BEARD
PRESIDENT

/s/ TERESA POMEROY, CMC
SECRETARY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, TERESA POMEROY, Secretary of the Garden Grove Sanitary District, do hereby certify that the foregoing Resolution was duly adopted by the Board of the Garden Grove Sanitary District at a meeting held on the 28th day of February 2017, by the following vote:

AYES:	MEMBERS:	(7)	O'NEILL, NGUYEN T., BUI, KLOPFENSTEIN, NGUYEN K., JONES, BEARD
NOES:	MEMBERS:	(0)	NONE
ABSENT:	MEMBERS:	(0)	NONE

/s/ TERESA POMEROY, CMC
SECRETARY