

RESOLUTION 2024-67

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, AUTHORIZING AN EMERGENCY EXCEPTION TO PROCUREMENT REGULATIONS, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AGREEMENTS FOR THE REPLACEMENT OF THE HOT WATER HOLDING TANK AT THE RECREATION CENTER, AND APPROVING AN EXPENDITURE NOT TO EXCEED \$100,000

WHEREAS, the City of San Dimas operates a Recreation Center that is essential to the community in providing a multifunctional, recreational facility; and

WHEREAS, a 320-gallon hot water holding tank at the facility has been determined to be leaking due to corrosion, posing a risk of failure and potential damage to surrounding infrastructure; and

WHEREAS, the tank supplies hot water necessary for the operation of showers and sinks, and its failure would significantly disrupt the facility's operations; and

WHEREAS, the risk of failure could cause further damage to electrical infrastructure, pumps, and other equipment in the utility room; and

WHEREAS, California Public Contract Code Section 1102 defines an emergency as a sudden occurrence requiring immediate action to prevent the impairment of life, health, property, or essential public services; and

WHEREAS, California Public Contract Code Sections 22035 and 22050 authorize the expenditure of public money without a formal bidding process during an emergency, provided the governing body declares by a four-fifths vote that the situation requires immediate action; and

WHEREAS, San Dimas Municipal Code Section 3.30.100 authorizes the City Manager to approve emergency purchases when public health, safety, or welfare is at risk, and such purchases must be ratified by the City Council at its next regular meeting; and

WHEREAS, the imminent nature of potential failure threatens health and safety and a critical facility constituting an emergency.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Dimas as follows:

SECTION 1. The City Council finds the recitals set forth above to be true and incorporates each and every one into the findings in support of this Resolution.

SECTION 2. The City Council hereby declares an emergency under California Public Contract Code Sections 1102, 22035, and 22050 due to the imminent failure of the hot water holding tank at the Recreation Center.

SECTION 3. The City Council hereby finds that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

SECTION 4. The City Council authorizes the City Manager or designee to execute all

necessary agreements for the emergency replacement of the hot water holding tank without adhering to standard procurement procedures.

SECTION 5. The City Council approves the expenditure of funds not to exceed \$100,000 for the replacement of the tank, including installation, labor, and any incidental repairs.

SECTION 6. The City Council shall review this emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action.

SECTION 7. The City Clerk shall attest and certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 24th day of September 2024.

Emmett G. Badar, Mayor

ATTEST:

Debra Black, City Clerk

I, Debra Black, City Clerk, hereby certify that Resolution 2024-67 was approved by vote of the City Council of the City of San Dimas at its regular meeting of September 24, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Black, City Clerk