

7/21/15
City Council Meeting

**Handouts received after
agenda posted**

RESOLUTION NO. 2015-16

**A RESOLUTION OF THE LEMOORE CITY COUNCIL DECLARING
EMERGENCY AND AUTHORIZING REPAIRS OF GOLF COURSE WATER
PUMP WITHOUT BIDDING**

WHEREAS, on June 24, 2015, a water pump at the Lemoore Golf Course broke preventing the watering of 4 greens on the golf course. After 24 hours of no water, the greens were showing signs of damage. Without the pump, the greens would become irreparably damaged and the cost of repair would increase by ten times the cost for the repair of the pump (“Incident”); and

WHEREAS, immediate repair of the damage was and is necessary to permit the continuance of services at the golf course and to safeguard the property; and

WHEREAS, the delay that would occur through the normal bidding process would cause and increase in damage to the property and could cause the discontinuance of play at the golf course for multiple holes; and

WHEREAS, Public Contract Code section 20168 permits the City, by a four-fifths vote of its governing body to enter into contracts without complying with the bidding requirements in cases of emergency; and

WHEREAS, in this Incident, the services to the pump were performed and invoiced without a formal contract; and

WHEREAS, Public Contract Code section 1102 defines “emergency” as “a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services”; and

WHEREAS, because of the need for immediate repairs, the City needed to contract for services to repair the damage from the Incident, without advertising for public bid; and

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lemoore, hereby finds, determines and orders as follows:

1. The recitals above are true and correct.
2. The Incident is an “emergency” for purposes of Public Contract Code Sections 1102 and 20168, and the work performed to repair the damage resulting from the Incident, including all labor and furnishing of all materials or supplies in connection therewith, without advertising for or

inviting bids, is and was necessary to permit the continuance of services at the golf course and to avoid damage to property.

3. The repairs have been made in accordance with the needs of the Incident and no further repairs related to this Incident are necessary, therefore this “emergency” has concluded and any further repairs should follow the bidding process

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on July 21, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Jeff Chedester, Mayor Pro Tem

ATTEST:

Mary J. Venegas, City Clerk