

**ALL CELL PHONES AND ELECTRONIC DEVICES MUST BE
TURNED OFF IN THE COUNCIL CHAMBERS**

**A G E N D A
REEDLEY CITY COUNCIL **SPECIAL** MEETING**

12:00 P.M.

WEDNESDAY, December 16, 2015

**Meeting Held In the Council Chambers,
845 "G" Street, Reedley, California**

The Council Chambers are accessible to the physically disabled. Requests for additional accommodations for the disabled, including auxiliary aids or services, should be made one week prior to the meeting by contacting the Acting City Clerk at 637-4200 ext. 212.

Any document that is a public record and provided to a majority of the City Council regarding an open session item on the agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such documents may be posted on the City's website.

Unless otherwise required by law to be accepted by the City at or prior to a Council meeting or hearing, no documents shall be accepted for Council review unless they are first submitted to the City Clerk by the close of business one day prior to said Council meeting/hearing at which the Council will consider the item to which the documents relate, pursuant to the adopted City Council Protocols.

City of Reedley's Internet Address is www.reedley.ca.gov

Ray Soleno, Mayor

Anita Betancourt, Mayor Pro Tem
Mary Fast, Council Member

Robert Beck, Council Member
Henry Rodriguez, Council Member

MEETING CALLED TO ORDER

ROLL CALL

1. ADOPT RESOLUTION NO. 2015-115, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY DECLARING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE IMMEDIATE EXPENDITURE OF PUBLIC MONEY RELATED TO THE REED AVENUE SEWER COLLAPSE TO SAFEGUARD LIFE, HEALTH, OR PROPERTY IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 20168 - Report, discussion and/or other Council action to approve, modify, and/or take other action as appropriate. – (Community Development)
Staff Recommendation: Approve

ADJOURNMENT

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Dated this 15th day of December 2015.



Sylvia Plata, City Clerk



REEDLEY CITY COUNCIL

- Consent
- Regular Item
- Workshop
- Closed Session
- Public Hearing

ITEM NO: _____

DATE: December 16, 2015

TITLE: ADOPT RESOLUTION NO. 2015-115, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY DECLARING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE IMMEDIATE EXPENDITURE OF PUBLIC MONEY TO SAFEGUARD LIFE, HEALTH, OR PROPERTY IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 20168

SUBMITTED: Nicole R. Zieba
City Manager

RECOMMENDATION

Staff recommends approval of Resolution No. 2015-115.

BACKGROUND

On December 9th, a catastrophic failure of the sewer main on Reed Avenue occurred. This required immediate action from the City in order to safeguard public health and safety. State Code allows for certain emergency actions to occur when public health and safety is jeopardized and necessitates action. The State Code does require that the Council subsequently ratify or adopt a resolution declaring the emergency, ratifying actions that have been taken, and authorizing future action related solely to the emergency.

At the Special Meeting of the City Council on December 16, 2015, staff will walk through the failure that occurred, all actions taken to-date, and any actions expected within the next weeks to repair the sewer main and bring normalcy to the system.

FISCAL IMPACT

This emergency has prompted an expenditure of funds. An accounting of funds spent to-date will be discussed at the meeting, as will an estimate of funds necessary to complete the emergency repairs.

ATTACHMENT

- 1) Resolution No. 2015-115

RESOLUTION NO. 2015-115

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REEDLEY
DECLARING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE
IMMEDIATE EXPENDITURE OF PUBLIC MONEY TO SAFEGUARD LIFE, HEALTH,
OR PROPERTY IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 20168**

WHEREAS, on Wednesday, December 9, 2015, a main sewer pipeline for the City of Reedley located on Reed Ave. between Curtis Ave. and Carpenter Ave., and Olson Ave., between Reed Ave. and the Olson bridge, collapsed and created a blockage of sewer flow to the City's wastewater treatment plant; and

WHEREAS, due to the immediate threat to public health and safety, as well as for the protection of the adjacent Kings River, the removal and replacement of the pipeline (Project) had to immediately begin; and

WHEREAS, the emergency situation did not allow sufficient time for the City to advertise for Project bids and proceed with the normal bidding process; and

WHEREAS, Section 20168 of the Public Contract Code provides that, in case of emergency, the City Council may pass a resolution by a four-fifths vote of its members declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property, and upon adoption of such a resolution the City may expend any sum required in the emergency without complying with the requirements for competitive solicitation of bids and contracting with the lowest responsible bidder; and

WHEREAS, the City Council has considered all the information and evidence presented by City staff during the consideration of this resolution, and such public comments presented at the meeting.

NOW, THEREFORE, the City Council of the City of Reedley hereby finds, determines, orders, and resolves as follows:

1. The work performed on the Project, including all labor and furnishing of all materials or supplies in connection therewith, without advertising for or inviting bids, was necessary for the continuance of existing causes and to avoid danger to life or property, and is hereby approved and ratified as such.
2. The City Manager of the City of Reedley or designee is hereby authorized to expend necessary funds from the Sewer Enterprise Capital fund to make all necessary repairs of the collapsed sewer main as well as associated incidentals, including procuring necessary equipment, services and supplies and to take any directly related and immediate action required by that emergency, without giving notice for bids to let contracts.

The foregoing Resolution was duly passed, approved, and adopted on December 16, 2015, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Ray Soleno, Mayor

ATTEST:

Sylvia B. Plata, City Clerk