

DATE SUBMITTED 08/12/2020
 SUBMITTED BY Public Services
 DATE ACTION REQUIRED 08/19/2020

COUNCIL ACTION ()
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()
26

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: Declare Emergency at Hwy 86 & Aten Rd. 1. Approval of Resolution NO. 2020- 52 53 , Declaring an emergency and authorizing the City Manager to take such action as may be necessary in response thereto.	
DEPARTMENT INVOLVED: Public Services	
BACKGROUND/SUMMARY: On the afternoon of August 12 th staff reviewed and discovered a force main that feeds into Clark Pump Lift Station had broken inside a man hole located at Hwy 86 & Aten Rd. on south eastern corner. After further review with City Manager and Assistant Manager, emergency action was declared. Public Services is currently working with A&R to begin repairs. At this time cost and time frame to complete are unknown.	
FISCAL IMPACT: Unknown	FINANCE INITIALS <u></u>
STAFF RECOMMENDATION: Council declares emergency and ratifies action already taken and approve resolution.	DEPT. INITIALS <u></u>
MANAGER'S RECOMMENDATION: <u>approve</u>	CITY MANAGER'S INITIALS <u></u>
MOTION: SECONDED: _____ APPROVED () REJECTED () AYES: _____ DISAPPROVED () DEFERRED () NAYES: _____ ABSENT: _____ REFERRED TO: _____	

RESOLUTION NO. 2020.53

**RESOLUTION DECLARING AN EMERGENCY,
AUTHORIZING THE CITY MANAGER TO TAKE SUCH
ACTION AS MAY BE NECESSARY IN RESPONSE
THERE TO AND RATIFYING ACTION TAKEN TO DATE**

WHEREAS, the City operates and maintains a waste water treatment plant (“WWTP”) and associated collection system; and

WHEREAS, wastewater generated in the City is delivered to the WWTP by way of an underground collection system (“Collection System”); and

WHEREAS, the Collection System includes manholes, including one located in the vicinity of the southeast corner of Aten Road and Highway 86 (“Manhole”); and

WHEREAS, a portion of the Collection System serviced by the Manhole has failed and, as a consequence of such failure, wastewater which should flow to the Clark Road lift station is instead flowing north causing the northbound wastewater line to approach its capacity; and

WHEREAS, the failure of the Collection System has also caused premature deterioration of the Manhole and if such deterioration is allowed to continue unabated, the Manhole could collapse; and

WHEREAS, failure of the Collection System at the aforesaid location by itself or coupled with failure of the Manhole would impact the proper conveyance of wastewater for a substantial segment of the community resulting in potential backups and other associated issues; and

WHEREAS, such backup would potentially expose persons and property to injury and damage; and

WHEREAS, the above described conditions constitute an emergency under applicable law and such emergency would not reasonably permit delays associated with a competitive solicitation for bids and the actions authorized herein are necessary to respond to the emergency; and

WHEREAS, in order to safeguard the public health and safety and to protect property, it is necessary to take immediate action to repair the Collection System and Manhole; and

WHEREAS, the City Council wishes to delegate authority to the City Manager to take such action as may be necessary to repair the Manhole and Collection System, ratify action already taken and otherwise address the emergency as described herein.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above-referenced recitals are true and correct and are incorporated herein.

2. The City Council declares that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property, and hereby delegates to the City Manager the authority to take such immediate action as may be necessary to safeguard life, health or property in connection with repair to the Manhole and Collection System in accordance with Public Contracts Code Sections 20168 and 22050 and without otherwise complying with bid requirements required by law.

3. The City Council authorizes action set forth herein and further ratifies action authorized by the City Manager taken to date to address the failure of the Collection System and potential collapse of the Manhole on the basis that the emergency described herein will not permit a delay resulting from a competitive solicitation of bids and the action is necessary to respond to the emergency.

APPROVED, PASSED AND ADOPTED, at the regular meeting of the City Council this 19th day of August, 2020.

Darrell Pechtl, Mayor

ATTEST:

City Clerk