

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ARROYO GRANDE DETERMINING A NEED TO
CONTINUE WORK UNDER EMERGENCY CONTRACTS
FOR THE FCFA STATION 1 EMERGENCY GENERATOR
REPLACEMENT PROJECT**

WHEREAS, on September 13, 2022, pursuant to Public Contract Code (PCC) Section 22050, the City Council deemed it was in the public interest to immediately authorize the expenditure of City funds needed to safeguard the health, safety and welfare and to proceed immediately with the replacement of the emergency generator at the Five Cities Fire Authority (FCFA) Station 1; and

WHEREAS, On September 13, 2022, the City Council deemed the immediate replacement of the emergency generator was necessary in order to protect the public health, safety and welfare and would not permit a delay resulting from a competitive solicitation for bids and that prompt action, including authorization to expend all funds required for such replacement without competitive bidding, was necessary to respond to the emergency; and

WHEREAS, on September 13, 2022, the City Council adopted Resolution No. 5219 declaring an emergency and authorizing the City Manager to enter into any contract or agreement in order to immediately replace the emergency generator; and

WHEREAS, PCC Section 22050 requires that after proceeding with an emergency project, the City Council shall review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the emergency action is terminated; and

WHEREAS, on September 27, 2022, the City Council adopted Resolution No. 5225 determining a need to continue work under emergency contracts to replace the emergency generator; and

WHEREAS, if it is determined that there is a need to continue the emergency action, PCC Section 22050 requires a four-fifths vote to authorize the continuation of the emergency action.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Arroyo Grande that the emergency declared by the City Council on September 13, 2022 regarding replacement of the generator at FCFA Station 1 shall be deemed to continue.

BE IT FURTHER RESOLVED, that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

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On motion by Council Member _____, seconded by Council Member _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

The foregoing Resolution was passed and adopted this 13th day of December, 2022.

CAREN RAY RUSSOM, MAYOR

ATTEST:

JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:

WHITNEY MCDONALD, CITY MANAGER

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY