

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING AN URGENT NECESSITY FOR THE PRESERVATION OF LIFE, HEALTH, PROPERTY, AND AUTHORIZING THE CITY MANAGER TO CONTRACT FOR THE REPAIR OF A NATURAL GAS LINE AT 2008-2038 N. FRESNO, 2641-2789 E. WELDON, AND 2045-2139 N. ANGUS, FRESNO, CALIFORNIA

WHEREAS, the Mayor has declared a local emergency due to nearly 1,800 tenants lacking access to heat and hot water at the 2008-2038 N. Fresno, 2641-2789 E. Weldon, and 2045-2139 N. Angus in the City of Fresno ("Property"); and

WHEREAS, the natural gas line servicing the property has been tested and declared inoperable and a threat to public health and safety, and until it is repaired, tenants will remain without heat and hot water, rendering them unable to use stoves or ovens to cook, to bathe with hot water, or to heat their apartments; and

WHEREAS, the tenants include children and seniors, who are particularly vulnerable to cold temperatures, and some of whom are ill; and

WHEREAS, the weather forecast includes winter storms that will likely cause the temperature to drop into the 30°s; and

WHEREAS, many of the tenants are extremely low income and have no financial means of finding other sources of food or housing; and

WHEREAS, repair of the natural gas line is estimated to take three weeks, and the delays inherent in advertising for bids will unacceptably delay commencement of the repair several weeks; and

WHEREAS, further delay will have a serious impact on the health and safety of the tenants as well as prolonging the period of displacement from those whose units are rendered untenable; and

WHEREAS, by waiving the requirement for advertised bidding, repairs can commence immediately.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno that:

1. The foregoing facts constitute an urgent necessity for the preservation of life, health, or property.

2. The requirement of advertising for bids is hereby waived pursuant to Charter Section 1208(a).

3. The City Manager or his designee is authorized to enter into and execute contracts, documents and instruments providing for the repair of the natural gas line servicing the Property, as well as necessary associated improvements, at a cost not to exceed \$_____, and subject to prior approval as to form by the City Attorney's Office.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2015.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Katie Doerr [Date]
Assistant City Attorney

KBD:ns [69758ns/kbd]- 11/25/15