

RESOLUTION NO. 2541-09

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
DECLARING THAT THE LEAK IN THE WATER MAIN CROSSING UNDER
WINDSOR CREEK CONSTITUTES AN EMERGENCY AND AUTHORIZING THE
TOWN MANAGER TO PROCURE THE NECESSARY EQUIPMENT, SERVICES AND
SUPPLIES TO REPAIR THE WATER MAIN**

WHEREAS, the Town of Windsor has a water distribution system network that provides domestic, commercial and fire service throughout the Town and extending into the Shiloh development; and

WHEREAS, the distribution system includes many loops to promote hydraulic efficiency and system redundancy; and

WHEREAS, a leak has been discovered in the water main at its crossing of Windsor Creek near the westerly terminus of Old Oak Road; and

WHEREAS, the leaking segment of piping had to be severed from the rest of the distribution system until such time as a repair is completed; and

WHEREAS, during the period the leaking segment of piping is out of service the Town's capability to deliver fire flows are reduced in nearby portions of the Town's service area; and

WHEREAS, immediate action is necessary to restore fire flows capability to prior levels; and

WHEREAS, repair of the water main will not permit a delay resulting from a competitive solicitation for bids; and

WHEREAS, the leak therefore has created a situation that meets the definition of an emergency under California Public Contract Code; and

WHEREAS, California Public Contract Code allows for public agencies, in event of an emergency, to procure the necessary equipment, services, and supplies for repair of a public facility, without giving notice for bids to award contracts.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor delegates authority to the Town Manager to order any action required by the emergency, and to procure the necessary equipment, services, and supplies for repair of the water main at the creek crossing, without giving notice for bids to award contracts.

BE IT FURTHER RESOLVED that the Town Council authorizes the Administrative Services Director to pay all proper claims for the performance of said services.

PASSED, APPROVED AND ADOPTED this 16th day of September 2009, by the following vote:

AYES: COUNCILMEMBERS FUDGE, SALMON, AND MAYOR GOBLE
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBERS ALLEN AND SCHOLAR



ROBIN R. GOBLE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK