

RESOLUTION NO. 16-307

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MISSION HILLS COMMUNITY SERVICES DISTRICT DECLARING AN EMERGENCY AND AUTHORIZING THE IMMEDIATE EXPENDITURE OF FUNDS TO REPAIR A WELL AND RELATED APPURTENANCES

WHEREAS, the Mission Hills Community Services District (the "District") is a community services district duly formed under California Government Code Section 61000 *et seq.* to provide community services within the District's service area, including water and wastewater services; and

WHEREAS, the District owns, operates and maintains a water system including wells, water line piping, pumps and other related appurtenances and necessary improvements; and

WHEREAS, the District water supply is derived from three wells, Well Nos. 5, 6 and 7; each contributing equally to the available water supply; and

WHEREAS, the water supplied from District Well No. 5, is in complete compliance with California potable water standards, the well has recently tested higher for certain constituents than the other two supply wells. Well 5 has also exceeded its service life by 14 years. While completely safe for human consumption, the higher chemical limits make very difficult to meet established waste water standards; and

WHEREAS, District Well No. 6 was recently returned to full service, after a long period of unavailability, due to numerous repairs. Well No.6's reliability is still in question; and

WHEREAS, District Well No. 7 has undergone disassembly recently to determine the amount of repair required. It was discovered that significantly more repairs are required than anticipated, causing Well No.7 to be no longer operational, the unavailability of this well represents a reduction of 33% of water supply; and

WHEREAS, repair of Well No. 7 must be undertaken immediately in order to continue to provide safe and reliable water service to the District's customers to preserve the health, safety and welfare of the public served by the District. The existing condition of two remaining Wells and the very high danger of fire contribute to the necessity to repair Well No. 7 as quickly as possible; and

WHEREAS, pursuant to Public Contract Code Section 22050, the Board of Directors deems it is in the public interest to immediately authorize the expenditure of District funds needed to safeguard the health, safety and welfare of the residents of the Mission Hills community and immediately commence the replacement of Well No. 7; and

WHEREAS, the Board of Directors further finds that the need for the immediate repair of Well No. 7, in order to protect the public health, safety and welfare, will not permit a delay resulting from a competitive solicitation for bids and that prompt action, including authorization to expend all funds for such repair without competitive bidding, is necessary to respond to the emergency described herein.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MISSION HILLS COMMUNITY SERVICES DISTRICT that the public interest and necessity demand the immediate expenditure of approximately \$100,000.00 of funds of the District to safeguard the public health, safety and welfare, without strict compliance with the provisions of Public Contract Code; the sum of up to \$100,000.00 shall be used to immediately provide for the repair of Well No. 7 to safeguard the public health, safety and wellbeing.

BE IT FURTHER RESOLVED, that the District's General Manager is authorized to enter into any contract or agreement in order to immediately perform the repairs to the subject well and related appurtenances; the General Manager will report back to the Board of Directors regarding said activity at its next regularly scheduled meeting, and each regular meeting thereafter, pursuant to Public Contract Code Section 22050. All acts of the General Manager in addressing this emergency taken prior to the effective date hereof are hereby duly ratified by the Board of Directors.

On motion of Director Fasold, seconded by Director MacKenzie, to move forward with the emergency action with a target of \$55,000 and a not to exceed amount of \$75,000 by accepting the updated proposal (attached) and removing both the chemical cleaning as well as lowering the pump and on the following roll call vote, to-wit:

AYES: Directors: Fasold, Hayes, Mac Kenzie, Nix

NAYS: Director: Naughton

ABSENT:

ABSTAIN:

The foregoing Resolution is hereby adopted this 19th day of October, 2016.

Danny Hayes, President
Board of Directors

ATTEST:

Casey Fowler, Secretary

APPROVED AS TO FORM:

Ziyad I. Naccasha, District Counsel