



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Consider Finding a Public Works Emergency Exists Requiring the Immediate Repair of Blakely Pool Circulation System and Authorizing City Manager to Enter Contract With Paragon Pools of Lodi to Repair the System (not to exceed \$20,000)

MEETING DATE: April 3, 2013

PREPARED BY: Parks, Recreation and Cultural Services Director

RECOMMENDED ACTION: Make a finding a Public Works Emergency exists requiring the immediate repair of Blakely Pool circulation system and authorizing City Manager to enter contract With Paragon Pools of Lodi to repair the system in an amount not to exceed \$20,000.

BACKGROUND INFORMATION: Parks Division staff recently noticed water leaking from the Enze Pool Complex's south pool at Blakely Park. Upon further investigation, the leak is apparently within the below-ground plumbing system beneath a concrete deck.

An estimated 8,000 gallons of water is leaking from the pool each day due to an unknown cause. Water seen pooling at the nearby playground Tuesday is believed to be coming from the leak. Parks Division staff will begin excavating a portion of the pool deck today in an effort to locate the leak. Once that step is completed, Paragon Pools will provide repairs to the plumbing system, subgrade and pool deck in an amount not to exceed \$20,000.

Because of the water loss and the risk that any subgrade failures could be exacerbated by a delayed repair, staff requests the City Council take special steps to protect this public asset. The cost of the repair is unknown at this time.

Public Contract Code Section 20168 allows cities to dispense with bidding requirements during council-declared emergencies. The Council must make a finding by four-fifths vote that immediate expenditure of public money is required to safeguard life, health or property, and that emergency will not permit delay caused by bidding. The resolution must authorize the City Manager to take appropriate action to resolve the emergency. Thereafter the City Manager must report back to the Council on the resolution of the emergency. If the action is not complete by the Council's next meeting, the Council must redeclare the emergency at every subsequent meeting until the emergency is resolved (Public Contract Code Section 22050).

Accordingly, Staff recommends that Council make the emergency finding required by the Public Contract Code and authorize the City Manager to contract with Paragon Pools for the repairs at a price not to exceed \$20,000.

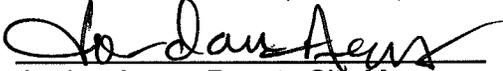
FISCAL IMPACT: Repair costs will be absorbed by the Department, but a timely repair is needed to avoid potential higher costs and to allow for summer swim programs to begin as scheduled.

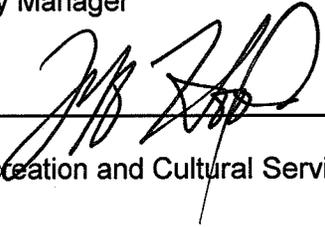
APPROVED:


Konradt Bartlam, City Manager

FUNDING AVAILABLE:

PRCS funds 347001, 347211, 347215, 347216, 347312, 347313.


Jordan Ayers, Deputy City Manager


Jeff Hood
Parks, Recreation and Cultural Services Director

RESOLUTION NO. 2013-54

A RESOLUTION OF THE LODI CITY COUNCIL FINDING A
PUBLIC WORKS EMERGENCY EXISTS REQUIRING THE
IMMEDIATE REPAIR OF BLAKELY POOL CIRCULATION
SYSTEM, AND FURTHER AUTHORIZING CITY MANAGER
TO EXECUTE CONTRACT

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WHEREAS, staff recently noticed water leaking from the Enze Pool Complex's south pool at Blakely Park. The leak apparently is within the below-ground plumbing system beneath a concrete deck; and

WHEREAS, an estimated 8,000 gallons of water is leaking from the pool each day due to an unknown cause, and water seen pooling at a nearby playground is believed to be coming from the leak; and

WHEREAS, the Parks Division staff will begin excavating a portion of the pool deck in an effort to locate the leak, and once that step is completed, Paragon Pools will provide repairs to the plumbing system, subgrade, and pool deck in an amount not to exceed \$20,000; and

WHEREAS, because of the water loss and the risk that any subgrade failures could be exacerbated by a delayed repair, staff requests that the City Council take special steps to protect this public asset. The exact cost of the repair is unknown at this time; and

WHEREAS, Public Contracts Code Section 20168 authorizes cities to dispense with bidding requirements during council declared emergencies. The City Council must make a finding by a 4/5ths vote that immediate expenditure of public money is required to safeguard life, health, or property, and that emergency will not permit delay caused by bidding; and

WHEREAS, the resolution must authorize the City Manager to take appropriate action to resolve the emergency. Thereafter, the City Manager must report back to the Council on the resolution of the emergency. If the action is not complete by the Council's next meeting, the Council must re-declare the emergency at every subsequent meeting until the emergency is resolved. (Public Contracts Code Section 22050); and

WHEREAS, accordingly, staff recommends that Council make the emergency finding required by the Public Contracts Code and authorize the City Manager to contract with Paragon Pools to repair the system at a price not to exceed \$20,000.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby make the emergency finding required by the Public Contracts Code, that immediate repairs are necessary to the Blakely Pool Circulation System to protect the pool and deck from further damage; and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager to execute a contract with Paragon Pools to repair the system at a price not to exceed \$20,000.

Dated: April 3, 2013

I hereby certify that Resolution No. 2013-54 was passed and adopted by the City Council of the City of Lodi in a special meeting held April 3, 2013, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, Mounce, and Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk