



Calwa Recreation & Park District
4545 E. Church Avenue, Fresno, CA 93725 • Phone: (559) 264-6867

Mary L. Rosales	Raul Guerra	Sandra Celedon	Felicia Salcido	Vacant
Board Member Chair	Board Member Vice-Chair	Board Member Secretary	Board Member	

Amardeep Gill
District Administrator

www.calwarecreation.org

Hilda Cantú Montoy
District Counsel

NOTICE AND CALL OF SPECIAL BOARD MEETING AND SPECIAL BOARD MEETING AGENDA

Location: 4545 E. Church Avenue, Fresno, CA 93725
Date: Saturday, June 11, 2016
Time: 8:30 AM

This Special Board meeting has been called by the Board Chair. The sole business to be conducted at this meeting is as follows:

1. CALL TO ORDER AND ROLL CALL
2. INVOCATION AND FLAG SALUTE
3. REPORT ON DAMAGE CAUSED BY TRUCK CRASHING ONTO DISTRICT PROPERTY AND REQUEST TO AUTHORIZE IMMEDIATE ACTION TO PROCURE THE NECESSARY EQUIPMENT, SERVICES, AND SUPPLIES FOR THOSE PURPOSES WITHOUT GIVING NOTICE FOR COMPETITIVE BIDS.
 - a. Discuss quotes for the repair of damaged fences and circuit breaker and other costs that will be incurred in order to maintain park operations as a result of truck crashing onto District Property and authorize District Administrator to make emergency expenditures.
 - b. Make findings that the emergency creates a serious health and safety issue and does not permit a delay resulting from competitive bids and that the action is necessary to respond by emergency.
 - c. Delegate authority to the District Administrator to take action to cause the repair of damaged fences, circuit breaker, and other costs to maintain park operations. ***(In the event cost for particular purchases or services exceeds \$25,000, a 4/5 vote of the Board is required which means 4 votes; all other actions require 3 votes.)***

Members of the public shall have an opportunity to be heard regarding items on this agenda.

This notice is given pursuant to CA Government Code Section 54956 and this notice shall also be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public. Please note that because of extenuating circumstances it may not be possible to post this agenda on the District's website. If it is able to be posted, please check www.calwarecreation.org

4. ADJOURNMENT

West's Annotated California Codes

Public Contract Code (Refs & Annos)

Division 2. General Provisions (Refs & Annos)

Part 3. Contracting by Local Agencies (Refs & Annos)

Chapter 2.5. Emergency Contracting Procedures (Refs & Annos)

West's Ann.Cal.Pub.Con.Code § 22050

§ 22050. Contracts without bids; procedures

Currentness

(a)(1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

(2) Before a governing body takes any action pursuant to paragraph (1), it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

(b)(1) The governing body, by a four-fifths vote, may delegate, by resolution or ordinance, to the appropriate county administrative officer, city manager, chief engineer, or other nonelected agency officer, the authority to order any action pursuant to paragraph (1) of subdivision (a).

(2) If the public agency has no county administrative officer, city manager, chief engineer, or other nonelected agency officer, the governing body, by a four-fifths vote, may delegate to an elected officer the authority to order any action specified in paragraph (1) of subdivision (a).

(3) If a person with authority delegated pursuant to paragraph (1) or (2) orders any action specified in paragraph (1) of subdivision (a), that person shall report to the governing body, at its next meeting required pursuant to this section, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency.

(c)(1) If the governing body orders any action specified in subdivision (a), the governing body shall review the emergency action at its next regularly scheduled meeting and, except as specified below, at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action. If the governing body meets weekly, it may review the emergency action in accordance with this paragraph every 14 days.

(2) If a person with authority delegated pursuant to subdivision (b) orders any action specified in paragraph (1) of subdivision (a), the governing body shall initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action, unless a person with authority delegated pursuant to subdivision (b) has terminated that action prior to the governing body reviewing the emergency action and making a determination pursuant to this subdivision. If the governing body meets weekly, it may, after the initial review, review the emergency action in accordance with this paragraph every 14 days.

(3) When the governing body reviews the emergency action pursuant to paragraph (1) or (2), it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

(d) As used in this section, “public agency” has the same meaning as defined in Section 22002.

(e) A three-member governing body may take actions pursuant to subdivision (a), (b), or (c) by a two-thirds vote.

(f) This section applies only to emergency action taken pursuant to Sections 20133, 20134, 20168, 20193, 20205.1, 20213, 20223, 20233, 20253, 20273, 20283, 20293, 20303, 20313, 20331, 20567, 20586, 20604, 20635, 20645, 20685, 20736, 20751.1, 20806, 20812, 20914, 20918, 20926, 20931, 20941, 20961, 20991, 21020.2, 21024, 21031, 21043, 21061, 21072, 21081, 21091, 21101, 21111, 21121, 21131, 21141, 21151, 21161, 21171, 21181, 21191, 21196, 21203, 21212, 21221, 21231, 21241, 21251, 21261, 21271, 21290, 21311, 21321, 21331, 21341, 21351, 21361, 21371, 21381, 21391, 21401, 21411, 21421, 21431, 21441, 21451, 21461, 21472, 21482, 21491, 21501, 21511, 21521, 21531, 21541, 21552, 21567, 21572, 21581, 21591, 21601, 21618, 21624, 21631, 21641, and 22035.

Credits

(Added by Stats.1994, c. 803 (A.B.3348), § 88. Amended by Stats.1997, c. 373 (A.B.1316), § 2; Stats.1998, c. 485 (A.B.2803), § 137.)

West's Ann. Cal. Pub. Con. Code § 22050, CA PUB CONT § 22050

The statutes and Constitution are current with urgency legislation through Ch. 18 of 2016 Reg.Sess. and Ch. 8 of 2015-2016 2nd Ex.Sess

West's Annotated California Codes
Public Contract Code (Refs & Annos)
Division 2. General Provisions (Refs & Annos)
Part 3. Contracting by Local Agencies (Refs & Annos)
Chapter 1. Local Agency Public Construction Act (Refs & Annos)
Article 53.5. Recreation and Park Districts (Refs & Annos)

West's Ann.Cal.Pub.Con.Code § 20815.1

§ 20815.1. Contracts for new construction or repairs or unrelated materials and supplies; lowest responsible bidder; dollar amount estimates

Effective: January 1, 2002

Currentness

- (a) All contracts for new construction estimated to cost in excess of twenty-five thousand dollars (\$25,000) shall be let to the lowest responsible bidder after competitive bidding.
- (b) All contracts for alterations, maintenance, or repairs estimated to cost in excess of twenty-five thousand dollars (\$25,000) shall be let to the lowest responsible bidder after competitive bidding.
- (c) All contracts for materials and supplies not related to new construction, alterations, maintenance, or repairs estimated to cost in excess of twenty-five thousand dollars (\$25,000) shall be let to the lowest responsible bidder after competitive bidding.
- (d) A district may purchase in the open market without calling for bids, materials and supplies estimated to cost less than twenty-five thousand dollars (\$25,000) for use in the work either under contract or by force account.

Credits

(Added by Stats.2001, c. 15 (S.B.707), § 2.)

Editors' Notes

LEGISLATIVE COMMITTEE COMMENTS

2001 Additions

Topic, Derivation, and Comments: Bids and Force Accounts.

Section 20815.1 derived from § 5782.5(h). The amount is based on Public Resources Code § 5549(b)(2) which allows the East Bay Regional Park District to spend up to \$25,000 for supplies, materials, and labor without bids (AB 584, Aroner, 1999).

[Parks, Progress, and Public Policy: A Legislative History of Senate Bill 707 and the "Recreation and Park District Law", Senate Committee on Local Government, October 2001.]

West's Ann. Cal. Pub. Con. Code § 20815.1, CA PUB CONT § 20815.1

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