

RESOLUTION NO. 18-68

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE,
CALIFORNIA DETERMINING THAT THERE IS A NEED TO CONTINUE THE
ACTIONS AUTHORIZED BY RESOLUTION NO.18-34 FOR THE
EMERGENCY WORK FOR MODIFICATIONS TO THE VETERANS PARK
FIRE SPRINKLER SYSTEM FOR FIRE CERTIFICATION AND INSURANCE
COVERAGE OF THE BUILDING PURSUANT TO PUBLIC CONTRACT
CODE SECTION 22050**

WHEREAS, Council, in abundance of caution approved closure of the Veterans Park building in February 2017 and authorized complete abatement of the building including lead and asbestos, and;

WHEREAS, in 2017, Veterans Park Building went through complete environmental abatement work that included stripping the building completely and removing all the ceiling tiles, and;

WHEREAS, as a result of this work, many components of the existing fire extinguishing and sprinkler system was rendered ineffective and as such they do not meet the California state-mandated California Fire Code, and;

WHEREAS, California Fire Code Section 901.4, installation (Title 24, CCR, Part 9 (2013) states: "Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards." code and certification requirements, and;

WHEREAS, due to the modifications that were made to the building in 2017, the existing system no longer meets the Fire Codes and as such, the City was unable to receive its 5-year Fire Prevention Certification for the Veterans Park Building, which expired at the end of 2017. Lack of such certification also may negatively impact the City's continued insurance coverage, and;

WHEREAS, based on the above substantial evidence, the public interest and necessity demands the immediate expenditure of public money to safeguard life, health, or property. Further, pursuant to Public Contracts Code (hereinafter, "PCC") section 22050(a)(2), "...that the emergency will not permit a delay resulting from a competitive solicitation for bids," and therefore, this action recommended by City staff is necessary to respond to the emergency.

WHEREAS, PCC section 20168 provides that in the case of an emergency a "legislative body may pass a resolution by a four-fifths vote of its members declaring that the public interest and necessity demand the immediate expenditure of public

money to safeguard life, health, or property.”

WHEREAS, on March 20, 2018, the City Council adopted Resolution No. 18-34 for the emergency work for modifications to the Veterans Park Fire Sprinkler System for fire certification and insurance coverage of the building pursuant to Public Contract Code Section 22050

WHEREAS, Public Contract Code Section 22050(c) requires that the City Council to review the emergency action at its next regularly scheduled meeting following the adoption of Resolution No. 18-34 to determine, by a four-fifths vote, that there is a need to continue the action and take similar action at each regularly scheduled meeting thereafter until the emergency is terminated.

WHEREAS, on May 9, 2018, the contractor is on site working and installing required fire sprinkler adjustments and improvements. The contractor will continue with the installation work, and process necessary inspections and approvals to achieve the required 5-year certification. While the majority of the field work is anticipated to be completed within approximately 2 weeks, it is anticipated the final approval and acceptance process, and project close-out after the field work completion may take approximately 1 to 2 months.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES
HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. Adopt a Resolution determining that there is a need to continue the actions authorized by Resolution No.18-34 for the emergency work for modifications to the Veterans Park Fire Sprinkler System for fire certification and insurance coverage of the building pursuant to Public Contract Code Section 22050.

PASSED, APPROVED and ADOPTED this 15th day of May, 2018.

Oralia Y. Rebollo
Mayor

ATTEST:

Lena Shumway, City Clerk