

RESOLUTION OF THE AUBURN VALLEY COMMUNITY SERVICE DISTRICT TO MAKE AN EMERGENCY DECLARATION RELATED TO ITS WATER SYSTEM SUPPLY INFRASTRUCTURE AND ALLOCATION OF FUNDING TO PROVIDE EMERGENCY REPAIRS

WHEREAS, the Auburn Valley Service District (the "District") is a community service district duly formed under California Government Code Section 61000 et seq. to provide community services within the District's service area, including water and sewer services; and

WHEREAS, the District owns, operates, and maintains a water system including 5 wells, water line piping, 200,000 gallon water storage tank, 340,000 gallon water storage reservoir, booster pump station, and other related appurtenances and necessary improvements; and

WHEREAS, the District's primary source of water to meet demand is supplied through Well 4, which currently produces 160 gallons per minute (gpm) of the total 345 gpm system production capacity; and

WHEREAS, Well 6 is currently only able to produce 27 gpm consistently, Well 3 produces 30 gpm, Well 2 produces 48 gpm and Well 8 produces 80 gpm but exceeds the secondary MCL for manganese; and

WHEREAS, a sudden, generally unexpected occurrence or set of circumstances, involving a clear and imminent danger to public health, demanding immediate action has arisen within the Community Service District of Auburn Valley which incident it generally describes as follows:

On May 25, 2022, the District was notified by the system operator that Well 4 had completely failed. Upon notifying the State, the District was informed Well 8 must also be shut off, as Well 8 exceeds the secondary MCL for manganese and is treated through blending with water from Well 4; and

WHEREAS, the District as a public water system, is required in accordance with §64554 of Title 22 of the California Code of Regulations, such that, at all times, a public water system's water source(s) shall have the capacity to meet the system's maximum day demand (MDD) of 191 gallons per minute; and

WHEREAS, the District is unable to meet their MDD with Well 4 offline. Due to the high capacity of Well 8 compared to the other remaining wells, the State has allowed for Well 8 to remain online while Well 4 is offline if the District notifies residents that their water exceeds allowable manganese levels; 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 District and immediately repair Well 4 and make improvements to other wells as necessary to improve capacity and reliability; and

WHEREAS, the Board of Directors further finds that the need for the immediate repair of Well 4 and other well repairs and improvements, 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 AUBURN VALLEY COMMUNITY SERVICE DISTRICT, that the public interest and necessity demand the immediate expenditure of reserve funds of the District to safeguard the public health, safety and welfare, without strict compliance with the provisions of Public Contract Code; the sum shall be used to immediately

repair Well 4 to safeguard the public health, safety and well-being and make repairs and improvements to other wells as necessary to improve capacity and reliability.

BE IT FURTHER RESOLVED, that the District's Board President is authorized to enter into any contract or agreement in order to immediately perform the repairs to the subject well and related appurtenances; the District's Board President 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 Board President in addressing this emergency taken prior to the effective date hereof are hereby duly ratified by the Board of Directors.

The foregoing Resolution was adopted by the Board of Directors of the Auburn Valley Community Service District on the ____ day of May _____ 2022 by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

ATTEST:

Diane Peterson
DISTRICT SECRETARY

APPROVED:

Jim Leidigh
BOARD PRESIDENT