

RESOLUTION NO. 2010-1920

**A RESOLUTION OF THE LAS GALLINAS VALLEY SANITARY DISTRICT
RESCINDING RESOLUTION NO. 2009-1891, DECLARING AN EMERGENCY, AND
AUTHORIZING IMMEDIATE EXPENDITURE OF FUNDS FOR REPAIR**

LAS GALLINAS VALLEY SANITARY DISTRICT

WHEREAS, the Board of Directors of the Las Gallinas Valley Sanitary District does hereby resolve that there is an emergency within the meaning of Public Contracts Code § 20806

WHEREAS, the cogeneration engine which is a necessary facility within the District's anaerobic digester process has a bent rod which has been straightened but could fail at anytime. If it would fail, the plant cannot operate properly.

WHEREAS, this immediate expenditure is necessary to safeguard life, health, and property since this is sanitary district plant and it must always function properly.

WHEREAS, the Board determines there is an emergency and necessity demands the immediate expenditure of funds of the District to safeguard life, health and property within the area of the District and further determines that evidence in the Staff Report and the written report given by the General Manager support the emergency purchase of a rebuilt cogeneration engine.

WHEREAS, the Board adopted Resolution No. 2009-1891 on October 22, 2009 to expend the sum of \$30,000 from the funds of the District, without observing the provisions of the Public Contract Code of the State of California requiring contracts, bids or notice.

WHEREAS, District staff have been unable to locate a used cogeneration engine and have determined it is necessary to purchase a rebuilt cogeneration engine.

NOW THEREFORE, the Board of Directors of the Las Gallinas Valley Sanitary District does hereby rescind Resolution No. 2009-1891 and resolves to immediately expend the sum of \$ 40,000.00 from the funds of the District, without observing the provisions of the Public Contract Code of the State of California requiring contracts, bids or notice.

This sum of \$ 40,000.00 shall be used to purchase and install a rebuilt cogeneration engine, with warranty.

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I hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on December 9, 2010, by the following vote of the members thereof:

AYES, and in the favor thereof, Members: *Clark, Greenfield, Hoder, Murray, Schriener*

NOES, Members: *None*

ABSENT, Members: *None*

ABSTAIN, Members: *None*

Carolyn A. Memmott

Carolyn A. Memmott, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

[Signature]

Craig K. Murray, Board President

(seal)

