

### RESOLUTION R2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, DECLARING AN EMERGENCY PURSUANT TO PUBLIC CONTRACT CODE SECTIONS 20168 AND 22050, REGARDING THE HAZARDOUS CONDITION OF THE ROOF OF THE QUALEX BUILDING, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE ALL APPROPRIATE ACTIONS NECESSARY TO CARRY OUT THE PURPOSE AND INTENT OF THE RESOLUTION AND TO ADDRESS THE EMERGENCY

WHEREAS, pursuant to Public Contract Code section 20168, in the case of an emergency, the legislative body may pass a resolution by a four-fifths vote declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property; and

WHEREAS, upon adoption of the resolution, a legislative body may expend any sum required in the emergency without complying with the typical bidding requirements of the Public Contract Code; and

WHEREAS, pursuant to Public Contract Code section 22050, 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; and

WHEREAS, the legislative body must make a finding, based on substantial evidence, 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; and

WHEREAS, the legislative body, by a four-fifths vote, may delegate to the City Manager the authority to order any action pursuant to the emergency; and

WHEREAS, earlier this year, two (2) sections of the Qualex Building roof collapsed due to excessive rainfall and standing water, causing significant structural damage, resulting in an imminent safety hazard and requiring immediate emergency repairs to stabilize the roof; and

WHEREAS, while the emergency repairs addressed urgent safety concerns, they were limited in scope and did not resolve the underlying deterioration of the roof; and

WHEREAS, a comprehensive roof repair is immediately needed to preserve the structural integrity of the building, further stabilize the roof prior to the next rainy season, prevent further damage, and address immediate safety concerns.

## ATTACHMENT 2

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Manteca as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establishes the factual basis for the City Council's adoption of this Resolution.
2. The City Council hereby declares that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property, and the current condition of the roof at the Qualex building is an emergency and an immediate threat to public health and safety.
3. This emergency will not permit a delay resulting from a competitive solicitation for bids, and this action is necessary to respond to the emergency and immediately complete roof repairs at the Qualex building.
4. The City Council hereby authorizes the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the Resolution and to address this emergency.
5. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the 2<sup>nd</sup> day of September 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: \_\_\_\_\_  
GARY SINGH  
Mayor

ATTEST: \_\_\_\_\_  
CASSANDRA CANDINI-TILTON  
City Clerk