

BLYTHE CITY COUNCIL

SPECIAL MEETING



AGENDA

NOVEMBER 28, 2022

2:30 P.M.

Dale S. Reynolds, Mayor
Joseph DeConinck, Vice Mayor
Johnny Z. Rodriguez, Council Member
Joseph Halby, III, Council Member
Sam Burton, Council Member
Mallory Crecelius, Interim City Manager/City Clerk
Brittany Roberto, City Attorney

MEETINGS ARE HELD IN THE CITY COUNCIL CHAMBER, 235 NORTH BROADWAY, BLYTHE, CA



**Blythe City Council
Special Meeting
November 28, 2022
2:30pm**

CALL TO ORDER

ROLL CALL

Mayor Reynolds
Vice Mayor DeConinck
Councilman Rodriguez
Councilman Halby
Councilman Burton

Interim City Manager/City Clerk Crecelius
City Attorney Roberto
City Treasurer/Finance Director Elms
Chief Building Official Brown
Fire Chief Hasler

Police Chief Dale

PLEDGE OF ALLEGIANCE

INVOCATION

CONSENT CALENDAR- (Item 1)

All matters listed under Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time of voting on the motion unless members of the Council or staff request specific items be discussed and/or removed from the Consent Calendar for separate action.

1. **Posting of the Agenda.**

The summary of agenda items were posted on the bulletin boards on the outside of the public entrance to the Council Chamber and near the inside entrance of the Council Chamber on Wednesday, November 23, 2022.

NEW BUSINESS- (Item 2)

2. **Emergency Repairs at Waste Water Treatment Plant**

Recommendation: Council review the emergency action for the repairs to the collapsed pipe at the Waste Water Treatment Plant. It is further recommended Council, by a 4/5 vote determine there is a need to continue the emergency repairs.

ORAL REPORTS (Council may ask a question for clarification, make a brief announcement, make a brief report on his/her own activities, request staff to report back at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.)

PUBLIC COMMENT Public comments will be allowed on matters not appearing on the agenda, but within Council/Blythe Successor Agency jurisdiction. Speakers are asked to identify themselves by stating their name and address for the record. Comments shall be limited to 3 minutes in duration.

ADJOURNMENT The next meeting will be held on December 13, 2022 at 6:00 p.m. in the Council Chamber, 235 N. Broadway, Blythe, California.

NOTE TO THE PUBLIC:

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact ADA Coordinator Mallory Crecelius at (760) 922-6161 EXT. 1237 or by email at msutterfield@cityofblythe.ca.gov. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.104 ADA Title II).



**CONSENT
CALENDAR**



NEW BUSINESS



**CITY OF BLYTHE
CITY COUNCIL MEETING**

STAFF REPORT

MEETING DATE: November 28, 2022

SUBJECT: Emergency Repairs at Waste Water Treatment Plant

PRESENTED BY: Mallory Crecelius, Interim City Manager

PREPARED BY: Mallory Crecelius, Interim City Manager

RECOMMENDATION: It is recommended Council review the emergency action for the repairs to the collapsed pipe(s) at the Waste Water Treatment Plant. It is further recommended Council, by a 4/5 vote, determine there is a need to continue the emergency repairs.

FISCAL IMPACT: Unknown.

BACKGROUND: During the week of November 14, 2022, a 20' sewer pipe bringing sewage into the aeration basin at the Waste Water Treatment Plant collapsed. Staff initially tried to bypass the line to repair the pipe, but the bypass failed. Staff brought in larger pumps to clear the area which did not hold. Due to this, staff is not sure where the pipe is compromised or if there are multiple breaks in the line. Staff has determined the following work is required to repair the pipe:

- Installation of three plugs into the 17-foot manhole. This will allow the area to dry out so that staff may determine what is compromised.
- Due to the depth of the existing service line which has created issues during the repair, the project will likely include installation of a new overground service line along with any other necessary repairs to broken or compromised sewer line or joints.

Public Contract Code section 1102 defines an "emergency" as "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

Per Section 2.66.070(B) of the Blythe Municipal Code and the City's Purchasing Policy, in cases of emergency, when it is impractical to convene a meeting of the City Council, the City Manager is authorized to order the repair or replacement of 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.

The collapsed pipe at the Waste Water Treatment Plant may result in sewage leaks, which are a public health and safety issue and could result in fines from the State. Due to impracticability of convening a meeting of the City Council due to the Thanksgiving holiday and the need for the repairs to be made immediately, on November 22, 2022, the Interim City Manager determined the collapsed pipe constituted an emergency, as defined by Public Contract Code section 1102, and directed staff to move forward with the repairs.

STAFF REPORT: Pursuant to Public Contract Code section 22050(b)(3), the Interim City Manager is required to report to the City Council 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 response to the emergency. Pursuant to Public Contract Code section 22050(c)(2), the City Council is required to initially review the emergency action ordered by the Interim City Manager no later than seven (7) days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths (4/5) vote, that there is a need to continue the action. Council is required to terminate the action at the earliest possible date that conditions warrant, so the remainder of the work may be completed by giving notice for bids.

As outlined above, the emergency action is necessary because there is a need to repair the collapsed pipe at the Waste Water Treatment Plant immediately to protect public health and safety and to avoid potential fines from the State. Further, if the City followed competitive bidding requirements for the repair work, it would take approximately 2-3 months before a contractor would start the repairs. Therefore, the emergency will not permit a delay resulting from a competitive solicitation for bids.

Since the Interim City Manager's direction to move forward with the repairs, staff have been working with Rain for Rent who supplied pumps, RE Hoover, a Class A contractor that has previously performed work at the Waste Water Treatment Plant, and Rove Engineering, another contractor who routinely performs work for the City. Rove Engineering will insert the necessary plugs and excavate the site. Once the site is excavated, staff will have a better understanding of what repairs will be necessary.

As the repairs to the collapsed pipe at the Waste Water Treatment Plant are necessary and ongoing, staff recommends that the City Council determine, by four-fifths (4/5) vote, that there is a need to continue the emergency repairs to the collapsed sewer pipe at the Waste Water Treatment Plant.

ATTACHMENTS: None



REPORTS

A graphic of a public comment sign. It features a central rectangular sign with rounded corners and a slight 3D effect, with the words "PUBLIC COMMENT" printed in bold, black, sans-serif capital letters. The sign is flanked by two stylized banners that resemble folded paper or flags, with pointed ends. The entire graphic is enclosed within a double-line rectangular border.

**PUBLIC
COMMENT**

