

BEFORE THE BOARD OF SUPERVISORS  
OF THE  
COUNTY OF FRESNO, STATE OF CALIFORNIA

IN THE MATTER RELATED TO THE FLOOD	)	
INCIDENT AT THE FRESNO COUNTY	)	
BRIX-MERCER BUILDING	)	RESOLUTION
_____	)	

WHEREAS, the County owns certain real property known as the Fresno County Brix-Mercer Building located at 1221 Fulton Mall Street in the City of Fresno; and

WHEREAS, on October 17, 2018, a City of Fresno water main broke outside the Brix-Mercer on the west side of the building causing extensive water damage on multiple floors, submerging the mechanical systems in the building which made them inoperable, and in effect, rendering the entire building inhabitable; and

WHEREAS, there was present an immediate need for preservation of public health, welfare, and safety; and

WHEREAS, there was present an immediate need for protecting County property; and

WHEREAS, the Director of Internal Services/Chief Information Officer (Director/CIO), in conjunction with the County Administrative Officer, declared the situation to be an emergency; and

WHEREAS, contractors were engaged by the Director/CIO to perform work necessary for taking the necessary steps to protect County property and employees; and

WHEREAS, the nature of the emergency was such that immediate remediation and restoration was and is necessary; and

WHEREAS, the cost of remediation and restoration will exceed the deductibles on the County's insurance policies and will be paid for by insurance proceeds;

NOW, THEREFORE, BE IT RESOLVED that all of the foregoing recitals are true and correct.

1 BE IT FURTHER RESOLVED that the flooding incident at the Brix-Mercer Building was an  
2 emergency and the Director/CIO's procurement of all services, equipment, and supplies to provide  
3 for the remediation and protection of County property without competitive bidding was and is in the  
4 best interest of the County due to the immediate need to obtain services, equipment and supplies for  
5 the protection of County property.

6 BE IT FURTHER RESOLVED that all of the agreements, contracts and other documents that  
7 were approved and entered into by the Director/CIO on behalf of the County for all services,  
8 equipment and supplies for the remediation and restoration of the Brix-Mercer Building and  
9 protection of County property are hereby ratified.

10 BE IT FURTHER RESOLVED that the interests of the County in restoring County property  
11 will be best served through a negotiated contract or contracts approved and entered into by the  
12 Director/CIO on behalf of the County without competitive bidding by working with and through the  
13 County's property insurance carrier.

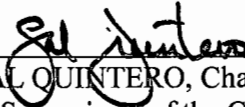
14 The foregoing was passed and adopted by the following vote of the Board of Supervisors of  
15 the County of Fresno this 6th day of Nov., 2018, to wit:

16 AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero

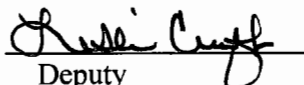
17 NOES: None

18 ABSENT: None

19 ABSTAINED: None

20  
21   
22 SAL QUINTERO, Chairperson of the Board  
of Supervisors of the County of Fresno

23 **ATTEST:**  
24 BERNICE E. SEIDEL  
25 Clerk of the Board of Supervisors  
County of Fresno, State of California

26 By:   
27 Deputy  
28