

RESOLUTION NO. 2016-35

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
AUTHORIZING PURCHASE OF A 1999 GMC PAINT TRUCK**

WHEREAS, the City has the need for a paint truck to provide maintenance service functions to install traffic delineations, markings and pedestrian crosswalks for the safety of residents, visitors and tourist of the city; and

WHEREAS, Section 2-8-060 of the Municipal Code provides for open market procedures for purchase of equipment where the estimated value (excluding sales tax) exceeds \$5,000.00; and

WHEREAS, Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal.App.3d 161, provides that a competitive procurement process is not required when it would not be in the public interest such that no competitive advantage can be gained by soliciting bids; and

WHEREAS, the City Council has received information and verbal testimony this date that the used 1999 GMC paint truck which the City has been using on a trial basis, and which has proven to be satisfactory to the City's needs, may be purchased at a lesser price than on the open market by entering into a contract with Earthquake Sales LLC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Juan Bautista, as follows:

1. That because a used 1999 GMC Paint Truck meeting the City's maintenance needs is immediately available at a considerable cost savings, procurement of said paint truck through a competitive procurement process would be unavailing, would not produce an advantage and would, therefore, not be in the public interest.

2. That the City Manager is authorized and directed to purchase the above-described 1999 GMC Paint Truck at a price not to exceed \$7,410.00, without first engaging in competitive procurement and free of the provisions of Section 2-8-060 of the Municipal Code.

PASSED AND ADOPTED at a regular meeting of the San Juan Bautista City Council duly held on June 21, 2016, by the following vote:

AYES: Edge, Lund, Boch, West, Martorana
NOES: None
ABSENT: None
ABSTAIN: None

Rick Edge, Mayor

ATTEST:

Connie Schobert, City Clerk