

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
DECLARING AN URGENCY TO AWARD A PUBLIC WORKS
PROJECT AT THE GEORGE F. HAINES INTERNATIONAL SWIM
CENTER WITHOUT ADVERTISING FOR BIDS IN ACCORDANCE
WITH SANTA CLARA CITY CHARTER SECTION 1310**

WHEREAS, the George F. Haines International Swim Center (ISC) was designed in 1965, constructed in 1966, and opened to the public on July 1, 1967;

WHEREAS, the ISC features three pools (a 50-meter x 25-yard racing pool, a deep diving well, and a training pool), decks, mechanical circulation, filtration and heating systems, 3,000-seat viewing stands, roof, and several support spaces;

WHEREAS, in 2017, the Kitchell Report determined that the majority of the ISC was in poor to critical condition, with many components being deemed beyond their useful life;

WHEREAS, the City contracted with LPA, Inc. to conduct an assessment of the ISC which revealed significant health and safety concerns;

WHEREAS, in January 2024, due to the health and safety concerns identified in the LPA report, the ISC was closed indefinitely;

WHEREAS, during the ISC's closure the City has worked with local aquatic groups such as the Santa Clara Swim Club, Santa Clara Artistic Swimming, and the Santa Clara Dive Club to find alternate locations that meet their program needs, however alternate locations do not match what was offered at the ISC nor do such locations meet all of the aquatic groups' needs;

WHEREAS, since the ISC's closure, the City has engaged in efforts to reopen the facility in a limited capacity by replastering the racing pool and training pool (the "Original Project");

WHEREAS, during the course of the City's replastering project, the City's contractor, Adams Pool Solutions, discovered unforeseen damage to the pools' gutter and apron infrastructure and provided the City with potential options to remediate the facility;

WHEREAS, City staff now recommends pursuing an expanded project scope to the Original Project that includes replacement of the pool decking, recirculation, plumbing, boilers and

perimeter gutter systems for all pools, replacement or refurbishment of the dive tower, and reconfiguration of the racing pool depth, lighting, temperature, and equipment (the "Project");

WHEREAS, there is a critical need to act expeditiously to implement the Project in order to mitigate the negative impacts of the ISC's closure on the City and local aquatic groups;

WHEREAS, Santa Clara City Charter Section 1310 authorizes the City Council to award a public works contract without advertising for bids if the City Council deems the work to be of urgent necessity for the preservation of life, health or property;

WHEREAS, several programmatic, financial, and social impacts on the City and local non-profit aquatics groups justify a need to issue a contract award for the Project without advertising for bids; and

WHEREAS, the Project contract award is proposed for Adams Pool Solutions, a contractor previously selected pursuant to a competitive bid process to do the Original Project work, and a contractor that has satisfactorily performed a substantial number of project scopes involving similar work for the City on other City aquatic facilities over the years.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. The City Council hereby deems the work implementing the Project to be of urgent necessity for the preservation of life, health, and property based on the following declaration of facts:

A. For local aquatic groups and their participants:

(1) They are experiencing significant on-going disruptions to programming schedules due to the lack of a consistent space since the ISC's closure.

(2) Alternate locations do not match what was offered at the ISC (e.g., bodies of water/depth, platform volume and heights, ability to offer daily programming, exhibitions, meets, shows, camps, swim lessons, etc.) which place aquatic groups at a significant disadvantage financially and programmatically, and which hinders the City's ability to attract tourism to the area and collect user fees for capital improvements and maintenance of the

facility.

(3) Increased travel time to and from alternate sites presents substantial challenges and risks for families (e.g., additional time on the road and reducing time for homework, dinner, and other commitments, that are important to the health and well-being of parents and children alike).

(4) Movement of equipment from site to site causes increased wear and tear and the need to accelerate standard replacement schedules, increasing costs.

(5) Financial strain on organizations due to increased pool rental costs increase membership dues and create financial barriers for families.

(6) The prolonged closure of the ISC diminishes the ability of local aquatic groups to prepare athletes to collegiate programs, world class athletes to national, international and Olympic teams as well as professional shows.

(7) The ongoing closure of the ISC creates uncertainty on the long-term viability of the aquatic user groups based overextended operation restrictions.

B. For the City and users of the ISC generally:

(1) City has experienced a dramatic impact in its ability to deliver core health and wellness recreation aquatic programs, such as lap swimming and drop-in swimming for City residents.

(2) In 2022, the last year of uninterrupted ISC operation, the City served over 20,000 participants for these services. Since the 2024 ISC closure, the City has served less than 1,000 participants for the same services as alternative facilities are inadequate to meet the demand and need for such services.

(3) The lack of availability of the ISC to support core health and wellness recreation aquatic programs has, and will continue to have until re-opened, a material adverse impact on the public health and well-being of Santa Clara residents.

2. In light of the foregoing declaration and determination, the demonstrated capacity and

qualifications of Adams Pool Solutions to do the Project work on reasonable market terms, and any and all other evidence and testimony presented in the record of the proceeding with respect to the Project, the City Council hereby waives the standard requirements under Charter Section 1310 that would otherwise require advertising for bids for the award of the Project, thereby allowing for the award of the Project contract to Adams Pool Solutions without advertising for bids.

3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 2025, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA