

**CITY OF STANWOOD
Stanwood, Washington**

DECLARATION OF EMERGENCY

RESOLUTION NO. 2018-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANWOOD
DECLARING AN EMERGENCY DUE TO A SEWER FORCE MAIN BREAK ON
94TH DRIVE; AUTHORIZING AN EMERGENCY PUBLIC WORKS CONTRACT
AND MAKING FINDINGS PURSUANT TO RCW 39.04.280(1)(c).**

WHEREAS, the City Administrator and the Public Works Director have reported to the Mayor that a sewer force main under 94th Drive has failed and has resulted in raw sewage to be released above ground and may ultimately enter the City's storm water system. The Department of Ecology regards this repair as highly time sensitive due to the potential harm to the public and thus will likely continue to cause damage to both private and public properties in the City of Stanwood, Washington; and

WHEREAS, these problems have or soon could create a threat to life and property; and

WHEREAS, all necessary and available resources of the City and/or its contractors should be committed to address and rectify the emergency; and

WHEREAS, the City requires supplemental assistance through a qualified contractor; and

WHEREAS, this event constitutes an emergency under RCW 38.52.010(6)(a), RCW 39.04.280 and Chapter 2.80 SMC and necessitates the utilization of emergency powers; and

WHEREAS, pursuant to Chapter 2.80 SMC the Mayor is requesting the City Council declare the existence of an emergency, authorize public works contracting and to make findings pursuant to RCW 39.04.280(1)(c);

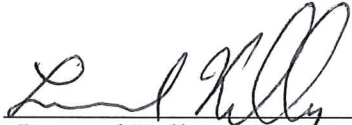
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON AS FOLLOWS:

Section 1. Based on the foregoing recitals, the City Council hereby declares and finds an emergency to exist within the City of Stanwood due to the sewer force main break under 94th Drive and hereby authorizes the use of emergency powers under RCW 38.52.070, RCW 39.04.280 and Ch. 2.80 SMC.

Section 2. Pursuant to RCW 39.04.280 the normal public works bidding and contracting requirements are hereby waived and pursuant to the City procurement policies, the Mayor's actions to contract for emergency repair work with Taylor's Excavating is hereby ratified.

PASSED by the City Council and APPROVED by the Mayor this 10th day of May, 2018.

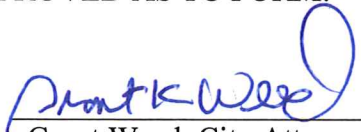
CITY OF STANWOOD

By 
Leonard Kelley, Mayor

ATTEST:

By 
David A. Hammond, City Clerk

APPROVED AS TO FORM:

By 
Grant Weed, City Attorney