

**CITY OF STANWOOD
Stanwood, Washington**

RESOLUTION 2015-29

**A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON
DECLARING AN EMERGENCY DUE TO DAMAGES INCURRED AND
RESULTING FROM THE FLOOD EVENT ON AND AFTER NOVEMBER
13, 2015; WAIVING PUBLIC BIDDING REQUIREMENTS PURSUANT TO
RCW 39.04.280 AND AUTHORIZING EMERGENCY WORKS
CONTRACTING**

WHEREAS, on November 13, 2015, severe flooding was experienced in and around the Stillaguamish River System, including the City of Stanwood; and

WHEREAS, Mayor Leonard Kelley signed an emergency proclamation dated November 13, 2015 which is incorporated by this reference: and

WHEREAS, the Public Works Director determined that if emergency repairs are not taken severe flooding would pose significant risks to lives and property, and could cause substantial damage to city infrastructure; and

WHEREAS, the public health, safety and welfare of the City's local citizens and businesses may be jeopardized if immediate work is not commenced; and

WHEREAS, Section 190 of the City of Stanwood Purchasing Policies authorize the Mayor or designee to make procurement of Public Works, materials, supplies, or equipment without complying with the requirements of purchasing policies when their exists an emergency; and

WHEREAS, Mayor Kelley contacted Taylor's Excavating on Friday, November 13, 2015 to provide construction materials and labor on a time and material basis to assist the city with building the flood wall on Florence Road and Marine View Drive adjacent to the Stanwood Park and Ride Lot; and

WHEREAS, on Tuesday, November 17, 2015, Mayor Kelley again requested assistance from Taylor's Excavating to finish constructing the flood wall over the Burlington Santa Fe railroad tracks to prevent water from the Stillaguamish River from entering East Stanwood; and

WHEREAS, on Friday, November 20, 2015, city staff surveyed the flood drainage structure located east of the Wastewater Treatment Plant commonly known as the "Seven Tubes" and found the culverts and flood gates were critically damaged; and

WHEREAS, during significant flood events the seven tubes are necessary to drain flood water trapped behind levees along the Stillaguamish River adjacent to the City of Stanwood; and

WHEREAS, proper operation of the seven tubes is vital to protecting the City of Stanwood's business district, wastewater treatment plant, and public works shop from damaging flood events; and

WHEREAS, the seven tubes are constructed with flood gates to keep the Stillaguamish River from flowing back toward the city and wastewater treatment plant during high tide; and

WHEREAS, the seven tubes and flood gates were damaged by storm events between Friday, November 13, 2015 and Tuesday, November 17, 2015; and

WHEREAS, it is necessary to repair the damaged flood drainage structure as quickly as possible before the next food event to protect public and private property; and

WHEREAS, RCW 39.04.280 and Section 190 of the City of Stanwood Purchasing Policies provide exemptions for emergency public works projects and purchases; and

WHEREAS, based on the above recital paragraphs the Stanwood City Council declares that an emergency exists and that there is imminent threat to public and private property if the damaged flood drainage structure called the seven tubes is not repaired immediately; and

WHEREAS, the City Council waives the competitive bidding requirements and authorizes the award of all necessary contracts to address the emergency situation created by the storm events beginning on November 13;

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

1. An emergency exists such that the public health, safety and welfare would suffer material injury or damage by delay, and such emergency is now proclaimed.
2. The facts constituting the emergency are set forth in the recital paragraphs of this Resolution.
3. Pursuant to RCW 39.04.280 and Section 190 of the City of Stanwood Purchasing Policies, the City Council does hereby waive the requirements of public bidding to contract for any work performed for flood protection or repairs performed resulting from flood damage.
4. The City Council does hereby authorize the Mayor to enter into and execute emergency works contracts on behalf of the City to perform flood protection or repairs as deemed necessary by the Public Works Director.

ADOPTED by the City Council and **APPROVED** by the Mayor this 23rd day of November, 2015.

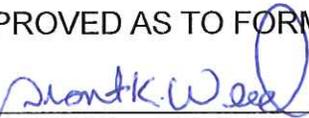
CITY OF STANWOOD

By 
Leonard Kelley, Mayor

ATTEST:

By 
Greg Thrasher, City Clerk

APPROVED AS TO FORM:

By 
Grant Weed, City Attorney