

**SOUTHWEST SUBURBAN SEWER DISTRICT
KING COUNTY, WASHINGTON**

RESOLUTION NO. 2012-10

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
SOUTHWEST SUBURBAN SEWER DISTRICT, KING COUNTY,
WASHINGTON, FORMALLY DECLARING THE EXISTENCE OF
AN EMERGENCY RELATING TO A BROKEN SEWER LINE
NEAR LIFT STATION NO. 7, WAIVING THE FORMAL BIDDING
REQUIREMENTS OF RCW 57.08.050, AND RATIFYING THE
BOARD'S PRIOR DECLARATION OF AN EMERGENCY.**

WHEREAS, Southwest Suburban Sewer District ("District") has discovered that a sewer line located on the beach near lift station No. 7 is broken and offset which is allowing an excessive amount of sub-tide ground water to flow into the lift station;

WHEREAS, due to the excessive flow of ground water into lift station No. 7, the pumps are barely able to keep up with the flows and the demand being placed on the pumps is causing damage to electronic control equipment required to operate the lift station;

WHEREAS, the excessive flow of ground water into lift station No. 7 is flushing large amounts of sand and rock into the lift station necessitating additional maintenance in order to prevent the pumps from becoming plugged which would rendered the lift station inoperable;

WHEREAS, in the event the pumps at lift station No. 7 become inoperable and/or are otherwise unable to keep up with the excessive flows of ground water, wastewater from the lift station could overflow onto the beach and cause a public health and safety issue, as well as endanger aquatic life in the area;

WHEREAS, because the current situation involved unforeseen circumstances beyond the District's control which was likely to result in a material loss or damage to property if immediate action was not taken, on Thursday, May 24, 2012, at a special meeting of the Board of Commissioners, the Board declared an emergency, waived the competitive bidding requirements pursuant to RCW 57.08.050(5), and directed District staff to take immediate action in order to repair the broken sewer line;

WHEREAS, the District Board of Commissioners desires to adopt this resolution to ratify the prior declaration of emergency adopted by motion at the special meeting on May 24, 2012; now therefore,

BE IT RESOLVED by the Board of Commissioners of Southwest Suburban Sewer District, as follows:

1. The recitals set forth above are incorporated herein in full by this reference.

2. Unforeseen circumstances beyond the control of the District exist which are likely to result in a material loss or damage to property if immediate action is not taken; therefore, pursuant to RCW 39.04.280(1)(e), an emergency is hereby formally declared for the above stated reasons which will allow District staff to take immediate actions to procure a contractor or contractors to complete the repair of the broken sewer line.

3. Because of the existence of an emergency, the formal competitive bid requirements set forth in Chapter 57.08 RCW are hereby waived.

4. In order to address and resolve the emergency situation, District staff are hereby authorized to obtain and award all necessary contracts on behalf of the District to provide for the repair of the sewer line located on the beach near lift station No. 7. The District's decision to undertake immediate repairs of the broken sewer line shall be without waiver of any rights it may have to seek reimbursement from responsible third parties, and all rights are reserved in that regard.

5. The Board's prior action on May 24, 2012 declaring an emergency is hereby ratified by the adoption of this Resolution.

ADOPTED by the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, at a regular meeting thereof held this 5th day of June, 2012.

SOUTHWEST SUBURBAN SEWER DISTRICT
KING COUNTY, WASHINGTON

Individual Commissioners
Vote on Resolution

In Favor of: _____
Opposed: _____
Abstained: _____

William A. Tracy
President and Commissioner

In Favor of: _____
Opposed: _____
Abstained: _____



Scott Hilsen
Vice President and Commissioner

In Favor of: _____
Opposed: _____
Abstained: _____



Susan Genzale
Secretary and Commissioner

CERTIFICATE

I, Susan Genzale, Secretary of the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, do hereby certify that the foregoing resolution is a true and correct copy of Resolution No. 2012- 10 of such Board, duly adopted at a regular meeting thereof held on the 5th day of June, 2012 signed by the members of such Board in attendance at such meeting and attested by myself in authentication of such adoption.



Susan Genzale
Secretary of the Board of Commissioners
Southwest Suburban Sewer District