

CITY OF SULTAN
WASHINGTON
RESOLUTION NO. 16-09

A RESOLUTION OF THE CITY OF SULTAN, WASHINGTON, DECLARING THAT A STATE OF EMERGENCY EXISTS DUE TO A FAILURE OF THE DAM AT LAKE 16; AND AUTHORIZING AND RATIFYING, WAIVING THE COMPETITIVE BIDDING PROCESS, THE PURCHASE OF SERVICES, MATERIAL AND EQUIPMENT AND THE AWARD OF CONTRACTS NECESSARY AND APPROPRIATE TO ADDRESS THIS EMERGENCY SITUATION.

WHEREAS, on Wednesday, May 18, 2016 City of Sultan employees discovered damage to the Lake 16 dam, and a resultant leak.

WHEREAS, on Wednesday, May 19, 2016 City of Sultan employees drained Lake 16 to protect the dam's structural integrity and to allow for inspection.

WHEREAS, Lake 16 is the city's primary water source providing 95% of Sultan's water.

WHEREAS, the city is currently drawing water to serve utility customers from a back up connection to Everett water; and

WHEREAS, having reviewed the situation and verified the existence of the emergency;

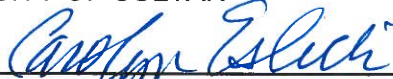
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN DO RESOLVE AS FOLLOWS:

Section 1. Emergency Existed. The City Council finds and declares there is a critical need to repair the Lake 16 dam in order to restore the city's primary water source for drinking water and fire suppression. The actions taken and to be taken by the Mayor and authorized designees are reasonable and necessary to repair the dam and restore water service for drinking water and for fire suppression.

Section 2. Declaration of Emergency. There is hereby declared a state of emergency within the Sultan Watershed and that all competitive bidding that might otherwise apply regarding the purchase of material, equipment, items and services, and the award of related contracts necessary to address this emergency situation, are hereby waived.

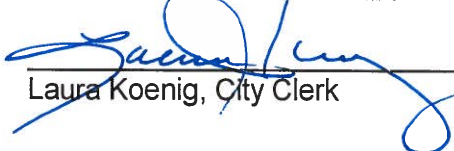
PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26TH DAY OF MAY, 2016.

CITY OF SULTAN



Mayor Carolyn Eslick

ATTEST/AUTHENTICATED:



Laura Koenig, City Clerk

Sup

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: A-3
DATE: May 26, 2016
SUBJECT: Resolution No. 16-09 Declaration of Emergency
Lake 16 Dam
CONTACT PERSON: Mick Matheson, P.E. Public Works Director



ISSUE:

The issue before the city council is to adopt Resolution No. 16-09 declaring an emergency and waiving competitive bidding requirements under RCW 39.04.280.

ALTERNATIVES

1. Adopt Resolution No. 16-09 declaring an emergency and waiving competitive bidding requirements. This action will allow the council to act quickly to repair the dam and restore water service to utility customers. Under RCW 39.04.280 the city can waive competitive bidding requirements for purchases and public works projects in the event of an emergency. An emergency declaration may also assist the city in applying and receiving grant funding for the needed repairs.
2. Do not Adopt Resolution No. 16-09 and direct staff to areas of concern. This action could delay repairs and restoration of water service while the city follows state purchasing requirements for engineering and construction services. The city may not be eligible for grant funding for needed repairs.

STAFF RECOMMENDATION:

Adopt Resolution No. 16-09 declaring a state of emergency within the Sultan Watershed and waive all competitive bidding that might otherwise apply regarding the purchase of material, equipment, items and services, and the award of related contracts necessary to address this emergency situation.

SUMMARY:

On Wednesday morning, May 18, 2016 the City of Sultan employees discovered damage to the dam caused by an overflow of the dam crest. The overflow washed away material supporting the dam, and a resultant leak appeared on the left side

(looking upstream) of the dam. City personnel placed large rock (2-man and 3-man boulders) on the left downstream side of the dam to create ballast to protect the dam from further damage. The lake behind the dam (Lake 16) was drained on May 19, 2016 to allow for inspection and to further protect the dam. Currently, there is no water available from the city's raw water reservoir (Lake 16) to the supply line at the water treatment plant. Lake 16 is the city's primary water source providing 95% of Sultan's water.

At this point, the city has consulted with a dam specialist consulting engineering firm to determine the level of the damage and to develop options and costs to repair the dam. A consulting contract may be presented to the city council for action at the June 9, 2016 council meeting.

The city is currently drawing water to serve utility customers from a back up connection to Everett water (Intertie to Pipeline No. 5). The city's current water rate structure is sufficient to cover the cost to purchase Everett water. City staff are working with Everett Utilities to ensure sufficient water pressure and fire flow to meet the city's needs until the dam is repaired. City staff will work with Everett Utilities finance personnel to ensure the city's water rates will continue to be sufficient to cover the cost of purchasing water if the repairs take more time to complete.

FISCAL IMPACT:

There is no fiscal impact with adopting Resolution No. 16-09 declaring an emergency. Discussion of the cost to repair the dam may be provided verbally at the city council meeting on May 26, 2016.

RECOMMENDED ACTION:

Adopt Resolution No. 16-09 declaring a state of emergency within the Sultan Watershed and waive all competitive bidding that might otherwise apply regarding the purchase of material, equipment, items and services, and the award of related contracts necessary to address this emergency situation.

ATTACHMENTS:

A- Resolution No. 16-09

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ATTACHMENT A

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
26TH DAY OF MAY, 2016.

CITY OF SULTAN

Mayor Carolyn Eslick

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Amy Mill, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No.:
Date Posted: