

RESOLUTION NO. 2020-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRANITE FALLS DECLARING AN EMERGENCY, AUTHORIZING AN EMERGENCY PURCHASE OF POLLUTION CONTROL FACILITIES AT THE CITY'S WASTEWATER TREATMENT PLANT AND AUTHORIZING CITY PERSONNEL TO TAKE ALL SUCH ACTIONS AS ARE NECESSARY TO REMEDY AND ABATE SAID EMERGENCY.

WHEREAS, tanks at the City's Wastewater Treatment Plant holding and processing essential chemicals in use at the plant have failed;

WHEREAS, immediate replacement of these essential pollution control facilities is necessary due to the emergency caused by the tank failures;

WHEREAS, sewer service has to be maintained;

WHEREAS, the above circumstances were unforeseen and beyond the control of the City of Granite Falls and presented a real, immediate threat to the proper performance of essential public functions and would likely result in material loss or damage to property, public health, bodily injury or loss of life if immediate action is not taken; and

WHEREAS, the above described circumstances justify declaring an emergency which requires immediate action by the City;


NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, AS FOLLOWS:

- 1.) An emergency exists and property, persons and the environment would suffer material injury or damage by delay, and the public health, safety and welfare would suffer material injury or damage by delay, and as such, an emergency is now declared to exist.
- 2.) The existence of such emergency and the facts constituting the emergency are set forth in the recital paragraphs of this resolution. Said facts and circumstances are hereby adopted as findings of the Granite Falls City Council and justify the declaration of an emergency.
- 3.) This resolution is intended to be liberally construed to effectuate the purpose of protecting the public health, safety and welfare.

4.) The City Council does hereby waive the requirements of RCW 35A.40.210 and RCW 35.23.352 requiring public bidding and ratifies the emergency purchase of replacement tanks for chemical storage and processing at the City's Wastewater Treatment Plant. Staff are directed to take such actions to replace these failed pollution control facilities immediately.


5.) If any section, subsection, sentence, clause, phrase or word of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this resolution.

PASSED by the City Council of the City of Granite Falls this 5th day of August 2020



Matthew Hartman, Mayor

Attest:



Darla Reese, MMC, City Clerk

Approved as to form:



Thomas H. Graafstra, City Attorney