

RESOLUTION NO. 2023-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRANITE FALLS DECLARING AN EMERGENCY, AUTHORIZING AN EMERGENCY PURCHASE AND INSTALLATION OF A WALKER 28" DRIVE UNIT AND THE REBUILD OF THE CURRENT DRIVE UNIT SUPPORTING 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, the north clarifier's main drive unit at the City's Wastewater Treatment Plant that powers a rotating sludge scraper, which moves along the bottom of the clarifying tank to collect settled solids, has failed;

WHEREAS, immediate replacement of the main drive unit is necessary due to the emergency caused by the clarifying tank failure;

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 that 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 protect public health, safety, and welfare.

4.) Under the authority of RCW 39.04.280 (Emergency) and RCW 70A.140.040 (Pollution Control Facility) 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 a Walker 18" Drive Unit and the rebuild of the old main drive unit which play a critical role in clarifying wastewater at the City's Wastewater Treatment Plant, a pollution control facility. Therefore, the staff is directed to take such actions to replace and rebuild the main drive unit immediately without competitive bidding.


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.

RESOLVED this 17 day of may, 2023




Matthew Hartman, Mayor

ATTEST:



Darla Reese, City Clerk

APPROVED AS TO FORM:



Tom H. Graafstra, City Attorney
Emily Guildner, City Attorney