

**HIGHLINE WATER DISTRICT  
King County, Washington**

**RESOLUTION 22-1-19A**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HIGHLINE WATER DISTRICT, KING COUNTY, WASHINGTON, DECLARING AN EMERGENCY PURSUANT TO RCW 39.04.280(1)(e), WAIVING THE REQUIREMENTS OF CHAPTER 39.80 RCW FOR THE RETENTION OF ENGINEERING SERVICES, WAIVING THE COMPETITIVE BIDDING REQUIREMENTS OF RCW 57.08.050, AND AUTHORIZING AND DIRECTING THE DISTRICT MANAGER OR DESIGNEE TO NEGOTIATE, APPROVE, AND EXECUTE THE NECESSARY CONTRACTS ON THE DISTRICT'S BEHALF TO REMEDIATE RESERVOIR VENTS FOUND TO HAVE A SIGNIFICANT DEFICIENCY.**

**WHEREAS**, in June 2021, the Washington State Department of Health (DOH) revised Publication 331-250 *Sanitary Protection of Reservoirs – Vents* updating standards and requiring agencies to repair or replace older, improperly designed reservoir vents that do not adequately protect stored water with a secure, durable air vent; and

**WHEREAS**, DOH conducted a routine Sanitary Survey of the District to inspect water system facilities, operations, and records to identify conditions that may present a sanitary or public health risk; and

**WHEREAS**, the DOH identified a Significant Deficiency for air vents located at the Star Lake Tank, North Hill Tank, and Bow Lake Tank, as they are susceptible to windblown contaminants and potential vandalism and must be modified or replaced; and

**WHEREAS**, the DOH requires a Significant Deficiency be addressed within forty-five (45) days; and

**WHEREAS**, the need to replace these vents as soon as possible constitutes an emergency due to unforeseen circumstances beyond the control of the District and presents a real, immediate threat to the proper performance of the essential function of the District's water system and will likely result in material loss or damage to property, sudden and unplanned interruption in service, bodily injury or loss of life if immediate action is not taken to repair and replace the vents to meet DOH standards and mitigate the public health risk; and

**WHEREAS**, Chapter 39.80 RCW provides for a process to procure engineering services based on a qualifications process as set forth therein; however, such chapter also provides in RCW 39.80.060 that the procurement requirements of Chapter 39.80 RCW need not be complied with if the contracting agency makes a finding that an emergency requires the immediate execution of the work involved; and

**WHEREAS**, RCW 39.04.280(1) authorizes persons designated by the governing body of the municipality to act in the event of an emergency may declare an emergency exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency situation.

## HIGHLINE WATER DISTRICT King County, Washington

### RESOLUTION 22-1-19A

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Highline Water District, King County, Washington, as follows:

1. The recitals set forth above are incorporated herein in full by this reference.
2. Pursuant to RCW 39.04.280(1) (e), an emergency is hereby declared for the reasons stated above to perform the Work.
3. Due to the existence of an emergency, the retention of engineering services in accordance with Chapter 39.80 RCW is waived.
4. Due to the existence of an emergency, the competitive bidding requirements set forth in RCW 57.08.050(1) for public works projects is hereby waived for the purposes of having the Work performed as soon as possible.
5. The District General Manager or designee is authorized and directed to negotiate, approve, and execute the necessary contract(s) on the District's behalf to have the emergency repair work performed.

**ADOPTED BY THE BOARD OF COMMISSIONERS** of Highline Water District, King County, Washington, at an open public meeting held this **19th** day of **January 2022**.

#### BOARD OF COMMISSIONERS

DocuSigned by:

*Polly Daigle*

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**Polly Daigle, President**

DocuSigned by:

*Todd Fultz*

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**Todd Fultz, Commissioner**

DocuSigned by:

*Kathleen Quong-Vermeire*

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**Kathleen Quong-Vermeire, Commissioner**

DocuSigned by:

*Daniel Johnson*

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**Daniel Johnson, Secretary**

DocuSigned by:

*V. Koester*

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**Vince Koester, Commissioner**

Agenda Item No.: 5.1  
Agenda Date: 01/19/22  
Reviewed By: [Signature]

Subject: Declaration of Emergency to remediate reservoir vents found to have a Significant Deficiency

CATEGORY	
<i>Executive</i>	<input type="checkbox"/>
<i>Administrative</i>	<input type="checkbox"/>
<i>Engineering/Operations</i>	<input checked="" type="checkbox"/>

FINANCIAL			
<i>Expenditures?</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
<i>Budgeted?</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<i>Amount:</i> \$ _____			

**ATTACHMENTS:**

1. Resolution 22-1-19A

The Department of Health identified a Significant Deficiency for air vents located at the Star Lake Tank, North Hill Tank, and Bow Lake Tank, as they are susceptible to windblown contaminants and potential vandalism and must be modified or replaced.

The Department of Health requires a Significant Deficiency be addressed within forty-five (45) days.

The need to replace these vents as soon as possible constitutes an emergency due to unforeseen circumstances beyond the control of the District and presents a real, immediate threat to the proper performance of the essential function of the District's water system and will likely result in material loss or damage to property, sudden and unplanned interruption in service, bodily injury or loss of life if immediate action is not taken to repair and replace the vents to meet DOH standards and mitigate the public health risk.

RCW 39.04.280(1) authorizes persons designated by the governing body of the municipality to act in the event of an emergency may declare an emergency exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency situation.