

RESOLUTION NO. 2299-23

A RESOLUTION OF THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, DECLARING AN EMERGENCY RELATED TO THE FAILURE OF THE POWER TRANSFORMER AT THE SKAGIT RIVER DIVERSION

WHEREAS, the Skagit River Diversion (SRD) is an essential piece of infrastructure used to pump raw water from the Skagit River into the Judy Reservoir during periods when low flows in the four mountains streams do not allow for diversion; and

WHEREAS, Washington State has made an Emergency Drought Declaration for 12 counties, including Skagit, on July 24, 2023, and we are expected to see high temperatures and high water demands in the coming week; and,

WHEREAS, the operation of the SRD is critical during this period of peak water demands when the drought is in effect for most of the PUD's service area; and

WHEREAS, the power transformer at the SRD had to be removed from service on August 10 after an oil sample indicated that electricity was arcing inside the transformer; and

WHEREAS, we do not have the ability to operate the pumps at the SRD, and there is no way to divert raw water into Judy Reservoir from the tributary streams because of low instream flows; and

WHEREAS, the construction of a replacement transformer has an approximately 40 week delivery time, during which the pumps will be inoperable; and,

WHEREAS, an existing transformer has been located as a potential replacement, but we would need to act quickly in order to procure it and secure delivery; and,

NOW, THEREFORE, BE IT RESOLVED, that on the basis of the foregoing facts, the Board of Commissioners of Public Utility District No. 1 of Skagit County, Washington, declares an emergency caused by the failed power transformer at the SRD; and

BE IT FURTHER RESOLVED, the Board authorizes the General Manager to waive bidding requirements related to RCW 39.04.280 and exercise such emergency powers as may be lawful and necessary under applicable laws, regulations, ordinances, or the District's policies, including by way of example and not limitation: RCW 54.16.100 (PUD General Manager Powers), RCW 54.16.190 (General Resolutions), RCW 39.04.280(3) for emergency procurement, and Chapter 39.28 RCW (Emergency Public Works); and

BE IT FURTHER RESOLVED, the General Manager is authorized during this emergency to exercise such lawful authority through the use and direction of District personnel, services, equipment and such additional acts as the General Manager may find necessary in his sole discretion to properly and safely manage this emergency which may include but is not limited to: make necessary rules and regulations reasonably related to the emergency, obtain supplies, equipment, personal property, professional, procured or technical services, etc. (including selecting and awarding such contracts as necessary), such public works as defined by RCW 39.04.010, to waive competitive biddings requirements as necessary, to adjust work schedules for staff, to authorize overtime and/or extended leave for personnel, to determine and assign essential personnel to maintain the District's necessary functions, obtain emergency funding and permitting through federal, state and local agencies, and take such other lawful acts as may be necessary and reasonably related to the emergency situation declared hereunder; and

BE IT FURTHER RESOLVED, the Board authorizes an increase to the General Manager's spending limit authority during this emergency from \$120,000 to \$1,000,000 without prior approval in order to make necessary purchases and to enter into contracts and incur obligations in order to combat the emergency. As soon as practicable, the

General Manager will advise the Board of any obligations that have been entered into under the authority of this resolution; and

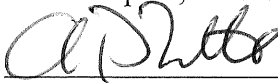
BE IT FURTHER RESOLVED, this Resolution shall continue in full force and effect until terminated by law or until the Board withdraws such authority; and shall be reviewed as a regular agenda item at the Board's meetings until such time as this Resolution is terminated; and

BE IT FURTHER RESOLVED, this Resolution is not intended to establish a precedent for how similar emergency situations will be addressed in the future.

ADOPTED by the Commission of Public Utility District No. 1 of Skagit County, Washington, at an open public meeting held this 15th day of August 2023.



Joe Lindquist, President



Andrew Miller, Vice President

ATTEST



Corrin Hamburg, Secretary