

RESOLUTION NO. 2306-24

A RESOLUTION OF THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, DECLARING AN EMERGENCY RELATED TO THE REPEATED PIPE FAILURES ON EAST BLACKBURN ROAD IN MOUNT VERNON, WA

WHEREAS, the PUD has a mission to provide our customers with high-quality water services at an affordable price; and

WHEREAS, one of the PUD's core values is quality, where we seek to exceed customer expectations by providing exceptional service; and,

WHEREAS, the PUD has a practice to replace waterlines within the distribution system when they become undersized, are at the end of their useful service life, or are part of a nearby land development project where infrastructure upgrades are necessary; and

WHEREAS, the PUD is aware of a 2-inch PVC pipeline from 1968 on East Blackburn Road that has a history of breaks causing flooding damage to nearby homes; and

WHEREAS, the breaks on this 2-inch pipeline are becoming more frequent, with recent breaks occurring on May 13, 2021, March 29, 2022, August 2, 2024, and August 24, 2024; and

WHEREAS, recent breaks are causing repeated flooding damage to a nearby home at 2833 East Blackburn Road, to the point where the owners have hired a structural engineer to assess possible foundation damage; and,

WHEREAS, the PUD coordinates all flooding damage claims through Enduris, but the repeated and potentially catastrophic damage from the recent breaks could have the possibility of increasing our insurance premiums; and,

WHEREAS, the PUD is aware of a nearby land development project that will need to replace a portion of this waterline as part of the project, but the timing of the said project is unknown; and,

WHEREAS, the PUD needs to utilize staff and contracted services to replace the 2-inch waterline as soon as practically possible with a new waterline to prevent any potential further damage to 2833 East Blackburn Road from another break; 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 repeated pipe failures on East Blackburn Road in Mount Vernon; 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 PUD'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 PUD 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 PUD'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

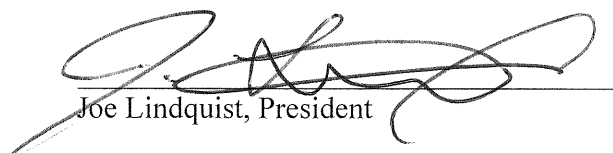
hereunder; and

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 27th day of August 2024.

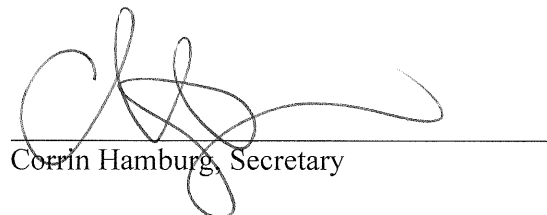


Joe Lindquist, President

ATTEST



Andrew Miller, Vice President



Corrin Hamburg, Secretary