

**CHEHALIS CITY COUNCIL AGENDA**  
 CITY HALL  
 350 N MARKET BLVD | CHEHALIS, WA 98532

Anthony E. Ketchum, Sr., District 3 Mayor	Kate McDougall, Position at Large No. 1 Kevin Carns, Position at Large No. 2 Robert J. Spahr, Mayor Pro Tem, Position at Large No. 3	Jerry Lord, District 1 Daryl J. Lund, District 2 Dr. Isaac S. Pope, District 4
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**Special Meeting of Wednesday, December 21, 2022**

**4:30 pm**

**To access this meeting via Zoom:**

Meeting ID: 834 4212 6653

Pass Code: 674890

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| <ol style="list-style-type: none"> <li>1. <b>Call to Order</b> (Mayor Ketchum)</li> <li>2. <b>Pledge of Allegiance</b> (Mayor Ketchum)</li> <li>3. <b>Approval of Agenda</b> (Mayor Ketchum)</li> </ol> |
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SPECIAL BUSINESS	ADMINISTRATION RECOMMENDATION	PAGE
4. <b>Resolution No. 21-2022</b> , Declaring an Emergency Relating to the Repair and Replacement of the 13 <sup>th</sup> Street Water Main Line under I-5 at 13 <sup>th</sup> Street (City Manager, Streets Superintendent)	APPROVE	1

**THE CITY COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA.**

**NEXT REGULAR CITY COUNCIL MEETINGS**

MONDAY, JANUARY 9, 2023- 5:00 P.M.

MONDAY, JANUARY 23, 2023- 5:00 P.M.

**CHEHALIS CITY COUNCIL MEETING  
AGENDA REPORT**

**TO:** The Honorable Mayor and City Council

**FROM:** Jill Anderson, City Manager

**BY:** Lance Bunker, Public Works Director  
Jud Riddle, Street/ Stormwater Superintendent

**MEETING OF:** December 21, 2022

**SUBJECT:** Resolution No. 21-2022, Declaring an Emergency Relating to the Repair and Replacement of the 13<sup>th</sup> Street Water Main Line under I-5 at 13<sup>th</sup> Street

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**INTRODUCTION**

On December 14, 2022, there was a water main line break under I-5 at 13<sup>th</sup> Street that needed to be repaired immediately. An emergency was declared by the City Manager consistent with the City’s procurement policy and RCW 39.04.280, so that the necessary repairs could be made to prevent additional damage and reduce the potential for extended water service interruptions. Resolution No. 21-2022 has been prepared for action by the City Council to affirm this course of action and provide the public an opportunity to provide comment, which is also required by the City’s procurement policy and RCW 39.04.280(2)(b).

*RCW 39.04.280(2)(b): If an emergency exists, the person or persons designated by the governing body of the municipality to act in the event of an emergency may declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the municipality to address the emergency situation. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the governing body or its designee and duly entered of record no later than two weeks following the award of the contract.*

**EMERGENCY SITUATION**

On Wednesday, December 14<sup>th</sup> at approximately 8 AM a City water main that crosses under I-5 just north of 13<sup>th</sup> Street ruptured, causing a leak of an estimated 1700 gallons per minute. The damage caused water pressures to drop in the local vicinity which limited the water flow customers in the area, including Green Hill School. It also disrupted water service to the Newaukum Hill area which includes approximately 210 residents. Green Hill staff and the Newaukum Hill Water Association were both informed of the situation.

Upon locating the damaged area of water main, City staff made the assessment that the project size and scope would require an outside contractor. Employees of Iversen and Sons Inc,

a contractor that is on the small works roster, were working on a separate project nearby. They were contacted and were able to respond immediately.

The location of the damaged water main was under more than two (2) feet of water due to recent rains, which is typical for this time of year. Iversen and City staff created a series of temporary dams and water was pumped out of the area to access the water main. After the water main was exposed, it was examined to determine the extent of the damage. Two (2) repair band clamps were used to attempt spot repairs. While installing the clamps, Iversen noticed water coming from several more areas. Additional repair bands were obtained and used in an attempt to stop the leak. It became clear that the entire section of the water main needed to be removed and replaced as soon as possible; however, conditions did not exist at that time to replace the damaged section in sanitary manner. As a result, only temporary “band-aid” repairs were made to restore water service until more comprehensive repairs could be made. Due to the considerable damage to the water main, it continued to leak at a rate of approximately 20-50 gallons per minute even after the temporary repairs has been made.

Due to the unknown integrity of the surrounding pipe; the possibility of pipe failure; and the location of the water main, City staff determined that an emergency replacement of the damaged water main was needed as soon as possible. There was a very small window of relatively dry weather from December 15th through December 20<sup>th</sup> that needed to be utilized to make this repair. If the repair was not made immediately, it is likely that the area would soon be under many feet of water as winter arrives. If the pipe failed, it would be very difficult and therefore very expensive to repair because it is under the freeway in an area that is often under water during the winter months. Therefore, a pipe failure could be catastrophic, potentially leaving hundreds of people without water for weeks or months, which would then require transporting water to the area by truck, which would be very costly.

The information was forwarded to the City Manager and the issues associated with proceeding immediately or waiting were reviewed. It was determined that an emergency existed based on RCW 39.04.280(2)(b). Therefore, the City Manager declared this situation an Emergency and a plan was executed to make the necessary repairs in order to preserve and protect public safety.

Iversen and Sons was able to reschedule some of their other work in order to stay onsite and continue with the work needed on the main water line. On Tuesday, December 20th they replaced 130 feet of a 330 feet long section of water main that makes its way under I-5 through a series of concrete “box culverts”. At approximately 2:30 p.m. on December 20th, the water main was charged and water service was restored to the affected areas. The remaining 200 feet will need to be inspected for similar wear/damage in the summer of 2023 to determine if it needs to be replaced.

### **CITY PROCUREMENT POLICY**

The City’s current procurement policy sets forth the following:

***Purchases in the Event of an Emergency: RCW 39.04.280***

*"Emergency" is defined as "...unforeseen circumstances beyond the control of the municipality that either: (a) presents a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken." In the event of an emergency, the city manager may act on behalf of the city council to declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts to address the emergency situation.*

*If a contract is awarded without competitive bidding due to an emergency, the city council must pass a resolution during an open public meeting to declare the existence of an emergency no later than two weeks following the award of the contract(s).*

This agenda report and accompanying resolution sets forth the facts supporting the declaration of an emergency relating to the water main break in the section of the 13<sup>th</sup> Street Water Main that crosses under I-5 just north of 13<sup>th</sup> Street. The next step is for the City Council to take action on the Resolution to formally affirm the emergency declaration and the related financial expenditures.

#### **FISCAL IMPACT**

The total fiscal impact has yet to be determined; however, it is anticipated to be approximately \$100,000. This repair cost is not in the 2022 Budget. However, it is expected there will be some budget remaining for the projects that were included in the 2022 Budget to cover the cost of this emergency repair work. Therefore, the expense will be charged to the City's Water Operating Fund or Water Capital Project Fund, depending on budget availability. If there are not sufficient resources in either Water fund, the cost will be addressed in a 2023 Budget amendment.

#### **RECOMMENDATION**

It is recommended that the City Council:

- 1) Waive its rules requiring two readings of a resolution with financial impact; and
- 2) Adopt Resolution No. 21-2022 on first and final reading.

#### **SUGGESTED MOTION**

I move that the City Council:

- 1) Waive its rules requiring two readings of a resolution with financial impact; and
- 2) Adopt Resolution No. 21-2022 on first and final reading.

**RESOLUTION NO. 21-2022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, FORMALLY DECLARING THE EXISTANCE OF AN EMERGENCY RELATING TO THE REPAIR OF THE 13<sup>TH</sup> STREET WATER MAIN LINE BREAK**

**WHEREAS**, on December 14, 2022, the water main line from 13<sup>th</sup> Street running under I-5 experienced a significant break rendering the line extremely unstable; and

**WHEREAS**, the water main line is necessary to convey the flow of water to residents in Chehalis; and

**WHEREAS**, the water main line break created a leak of approximately 1700 gallons per minute and interrupted water service to a State facility, Green Hill School, as well as an estimated 210 residential customers; and

**WHEREAS**, further leakage of water from the water main break would cause a health and safety concern for the general public; and

**WHEREAS**, if the replacement of the damaged section of main was not made immediately and broke again during the winter months, repair and/or replacement would become extremely difficult because the water main and surrounding vicinity is in a location that is often under several feet of water during the winter months; and

**WHEREAS**, the circumstances surrounding the water main line break were determined to have created an emergency by the City Manager consistent with the City's Procurement Policy and RCW 39.04.280; and

**WHEREAS**, replacement of the damaged section of the water main line was completed as an emergency project, including the waiver of competitive bidding requirements, in order to protect and preserve public safety; now, therefore:

**THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1.** It is hereby declared by the City Council that 13<sup>th</sup> Street water main line break was an emergency and repairs were necessary to preserve and protect public health and safety in accordance with the terms and conditions of RCW 39.04.280 and the City of Chehalis Procurement Policy; and

**Section 2.** The City Manager is authorized to expend the amount necessary to pay for the emergency repair and replacement of the damaged water main, using resources from the

Water System Operating Fund or Water System Capital Funds; and to execute all documents related to the emergency project.

**Section 3.** The emergency authority granted under this resolution shall expire 90 days from the date of the adoption of this resolution unless specifically authorized by the City Council.

**ADOPTED** by the City Council of the city of Chehalis, Washington, and **APPROVED** by its Mayor, at a special meeting on the 21<sup>st</sup> day of December 2022.

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Tony Ketchum, Mayor

Attest:

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City Clerk

Approved as to form and content:

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City Attorney