



Legislation Text

File #: 2018-0560, **Version:** 1

Clerk 11/13/2018

AN ORDINANCE certifying the existence of an emergency, requiring repair to the Stossel Bridge Right Bank Revetment, and certifying the cost incurred related to the repair work.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. In late March 2018, a property owner called the water and land resources division in the department of natural resources and parks to report rapidly-developing erosion damage to the Stossel Bridge Right Bank Revetment. The report from the property owner indicated a one-hundred-foot-long by eight-foot-high section of the riverward slope of the levee prism being eroded exposing gravel and sand substrate.

B. The executive determined that persons, property and commercial agricultural operations would have been threatened and damaged unless further efforts were taken to reduce the threat to life and property, including two homes, the Game Haven farm property and King County road 310th Avenue NE, which was immediately threatened and showed tension cracks indicating that the road is at imminent risk of collapse into the river.

C. The executive determined that the immediate nature required the repair work to be completed before September 30, 2018, in advance of the 2018-2019 winter flood season.

D. Based on the foregoing facts, on June 26, 2018, the executive issued an Executive Determination of Emergency in accordance with RCW 39.04.280 and K.C.C. 2.93.080, declaring that immediate steps needed to be taken to complete the repair work by September 30, 2018, and transmitted notice to the council on the same

day. The executive, through the Executive Determination of Emergency, waived competitive procurement requirements in accordance with RCW 39.04.010, K.C.C. 4A.100.070 and K.C.C. chapters 2.93, 12.16 and 12.18.

E. Due to project conditions and schedules, the road services division of the King County department of transportation completed the repair work on September 28, 2018, at a cost of \$697,380.

F. RCW 36.32.235(12) authorizes the county to use public employees to undertake emergency public work performed under a declaration of emergency. The statute also requires that, within two weeks of the emergency declaration, the county legislative authority adopt a resolution certifying the damage to public facilities and the costs incurred or anticipated relating to correcting the emergency.

G. Although the executive did not advise the council of the use of county employees, or the costs to complete the project until after the two-week period expired, this ordinance complies with the intent of the statute and provides the basis for the use of public employees and the costs to address the emergency.

H. The executive has determined the cost incurred for the perform the repair work for the revetment were \$697,380.

I. The executive has sufficient funds assigned to capital projects related to this action, including the flood control district capital program that the water and land resources division of the department of natural resources implements on contract with the district, so that no supplemental budget appropriation ordinance is necessary.

SECTION 2. In accordance with RCW 36.32.235(12), the council hereby certifies that the damage to the Stossel Bridge Right Bank Revetment created an emergency situation and certifies the total cost incurred to address the emergency to be \$697,380, which was a necessary expenditure to prevent significant property damage, including to county facilities.