

RESOLUTION 2025 - 87

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, DECLARING A STATE OF EMERGENCY
FOR EMERGENCY REPAIRS AT THE WASTEWATER TREATMENT PLANT**

WHEREAS, During the April 7, 2025, City Council Study Session City Council was presented with information regarding a failure at the Wastewater Treatment Plant (WWTP) and the WWTP's ability to regulate methane gas; and

WHEREAS, City Council and City Staff took prompt action to submit a funding application to seek emergency funds through the Public Works Board; and

WHEREAS, funding has been secured, the failed system has been evaluated, and construction work to make the repairs is ready to begin; and

WHEREAS, timing to correct the deficient biogas piping and flare system is of the essence as the unregulated release of methane gas is a permit violation and can pose a workplace safety hazard; and

WHEREAS, in accordance with RCW 39.04.280(1)e the governing body of a municipality may waive the competitive bidding requirement for a public works project in the event of an emergency; and

WHEREAS, in accordance with RCW 39.04.280(3) defines "emergency" as unforeseen circumstances beyond the control of the municipality that either: (a) Present a real, immediate threat to the proper performance of essential function; or (b) will likely result in material loss or damage of property, bodily injury, or loss of life if immediate action is not taken; and

WHEREAS, the City Council has determined that due to the timing and critical function and the need for immediate repair, insufficient time may not exist to complete the project through the standard competitive bidding process; and

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

SECTION 1. The City Council recognizes an emergency exists with the failure of essential WWTP equipment and components, and authorizes the Mayor and City Manager to waive the competitive bidding process and award necessary contracts on behalf of the City to undertake the repair or replacement of the WWTP equipment and components and to keep the Council appraised of the progress of the situation.

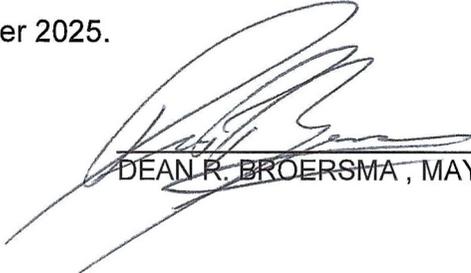
SECTION 2. The City Council recognizes an emergency exists and authorizes the City Manager to pursue all funding options available, if additional funding is necessary, and to keep the Council appraised of the progress.

SECTION 3. This Declaration of Emergency will expire automatically when Well 7 is online and all repairs aforementioned are completed.

SECTION 4. The City Clerk is authorized to make the correction of scrivener's/clerical errors, references, Resolution numbering, section/subsection numbering and any references thereto.

SECTION 5. This Resolution shall be effective upon passage, approval and signatures hereon in accordance with law.

PASSED this 13th day of October 2025.



DEAN R. BROERSMA, MAYOR

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:

/s/Julie K. Norton

BY: JULIE K. NORTON, CITY ATTORNEY