**CITY OF NORTH BONNEVILLE**

**RESOLUTION 597**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH BONNEVILLE, WASHINGTON AFFIRMING A MAYORAL DECLARATION OF EMERGENCY FOR NORTH BONNEVILLE RELATING TO WATER AND WASTEWATER OPERATION AND WAIVING COMPETITIVE BIDDING REQUIREMENTS**

**WHEREAS,** RCW Chapter 38.52 authorizes the Mayor to exercise emergency powers; and

**WHEREAS,** The City of North Bonneville has heretofore been unable to retain a team of qualified water and wastewater treatment plant operators including back-up operators for redundancy in case of emergency; and

**WHEREAS,** On July 30, 2026, the City of North Bonneville's only certified Treatment Plant Operator resigned without notice; and

**WHEREAS,** the Operator's resignation at a time without a fully staffed water and wastewater treatment plant workforce jeopardizes the decent, safe, and sanitary conditions of individual dwellings and the City as a whole by effectively rendering the City unable to operate its treatment plant; and

**WHEREAS,** RCW 36.40.180, RCW 38.52.070(2), and RCW 39.04.280(3), authorize the waiver of the requirements of competitive bidding and public notice with reference to any contract relating to the City's lease or purchase of supplies, equipment, personal services, or public works as defined by RCW 39.04.010, or to any contract for the selection and award of professional and/or technical consultant contracts in emergency situations; and

**WHREAS**, on August 5, 2026, the Mayor, in exercise of his powers, declared an emergency; and

**WHEREAS,** NBMC 8.04.030. B. states: *The Mayor's declaration shall constitute an automatic directive to the City Council, staff, and attorney to engage in an immediate fact finding task force to substantiate the Mayor's findings. The City Council shall report its finding at a special meeting or regular meeting of the council as the particular circumstance may require and set upon receipt of the Mayor's declaration. The City attorney shall report his finding to the Mayor and Council with respect to the breach of any contract that materially affects the health, safety and welfare of the citizen and the corporation, its trade, commerce and manufactures*; and

**WHEREAS,** NBMC 8.04.040 *Emergency Resolution* states: *The City Council shall by formal resolution establish such special rules, regulation and procedures for handling the emergency. Said rules and regulation shall be specific to the findings of the Mayor and establish the definition of an infraction for each particular set of circumstances*; and

**WHEREAS,** there was robust discussion at the regular meeting of the City Council on Tuesday August 11th at 7pm, following Council's receipt of the Mayor's declaration, including findings by individual councilmembers, questions from councilmembers to the Mayor and the responding contractor, OMT; and

**WHEREAS,** there has been set one special meeting of the City Council on Thursday August 20th at 7:00 pm for the purpose of continued discussion of facts pursuant to NBMC 8.04.030. B. and for workshopping this resolution; and

**WHEREAS,** this resolution shall state councils finding as to the substantiation of the Mayor's declaration pursuant to NBMC 8.04.030. B. and shall set such special rules, regulation and procedures for handling the emergency specific to the findings of the Mayor, and shall establish the definition of an infraction for each particular set of circumstances as necessary and applicable pursuant to NBMC 8.04.040 *Emergency Resolution*; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH BONNEVILLE, WASHINGTON AS FOLLOWS:**

**SECTION 1. substantiation of mayoral declaration** (NBMC 8.04.030. B)

In order to promptly address the emergency staffing and certification shortfall, pursuant to RCW 36.40.180, RCW 38.52.070(2), and RCW 39.04.280(3), and NBMC 8.04.030, and the Mayor's Declaration of May 5, 2026, which is hereby ratified and confirmed, an emergency exists, and the requirements of competitive bidding and public notice were lawfully waived with reference to any contract relating to repairs or purchases required to address the water and wastewater event. Each designated department is hereby authorized to exercise the powers vested in the Declaration and prior actions of staff are hereby ratified and affirmed.

**SECTION 2. Rules and regulations** (NBMC 8.04.040)

a. The Council hereby orders the state of emergency terminated and returns contracting authority to the purview of the City Council and city operations to the *status quo*.

b. The Council hereby requests that the Mayor direct staff to obtain an expected monthly dollar amount for services provided to the City. It is recognized and accepted that there may be expenditures outside the expected amount in the event of emergency callouts.

c. The Council hereby sets as a special rule and regulation that any further contract entered into for the purpose of mitigating the emergency shall include a maximum expenditure amount not to be exceeded and which amount shall be reviewed and approved by the Council.

d. The Council hereby requests that the Mayor direct staff to open recruitment to fill the vacated Public Works Supervisor position two months prior to the expiration of the City's current contract with OMT, LLC.

e. Should the City recruit a qualified candidate, the Council approves a 4-week overlap between the candidate's employment start date and the expiration of the contract to allow for proper turnover of duties. At the expiration of the current OMT contract, the Council reserves the right to determine if the City will extend its current contract or open for bids pursuant to the City's procurement policy and competitive bidding requirements.

f. The Council orders that All OMT invoices and supporting documentation be included in council packets prior to payment approval.

**SECTION 3. Definition of infraction(s)** (NBMC 8.04.040)

The Council hereby finds and declares that no such definition is necessary and that a return to status quo and reliance upon the Municipal Code and the policies and procedures of the City of North Bonneville are sufficient to maintain diligent control over the ongoing challenge with which the City is presented.

**PASSED IN REGULAR SESSION THIS** 8 **DAY OF** September, **2026.**

Jeremy B Tennison

Mayor, Jeremy Tennison

Attest:

Taylor Chambers

Taylor Chambers, Chief Administrative Officer

Approved as to Form:

Dan Curtis

Dan Curtis, City Attorney