



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 4, 2018

Ordinance 18841

Proposed No. 2018-0560.1

Sponsors Lambert

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

4 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 **SECTION 1. Findings:**

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

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

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

20 D. Based on the foregoing facts, on June 26, 2018, the executive issued an
21 Executive Determination of Emergency in accordance with RCW 39.04.280 and K.C.C.
22 2.93.080, declaring that immediate steps needed to be taken to complete the repair work
23 by September 30, 2018, and transmitted notice to the council on the same day. The
24 executive, through the Executive Determination of Emergency, waived competitive
25 procurement requirements in accordance with RCW 39.04.010, K.C.C. 4A.100.070 and
26 K.C.C. chapters 2.93, 12.16 and 12.18.

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

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

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

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

41 I. The executive has sufficient funds assigned to capital projects related to this
42 action, including the flood control district capital program that the water and land

43 resources division of the department of natural resources implements on contract with the
44 district, so that no supplemental budget appropriation ordinance is necessary.

45 SECTION 2. In accordance with RCW 36.32.235(12), the council hereby
46 certifies that the damage to the Stossel Bridge Right Bank Revetment created an
47 emergency situation and certifies the total cost incurred to address the emergency to be

48 \$697,380, which was a necessary expenditure to prevent significant property damage,
49 including to county facilities.

50

Ordinance 18841 was introduced on 11/13/2018 and passed by the Metropolitan King County Council on 12/3/2018, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles
and Ms. Balducci

No: 0

Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Clerk of the Council



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KING COUNTY COUNCIL

APPROVED this 10 day of DECEMBER 2018.

Dow Constantine, County Executive

Attachments: None