

**A RESOLUTION TO DECLARE AN EMERGENCY AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO ENTER CONTRACTS AND RETAIN SERVICES FOR WORK TO BE PERFORMED AT THE RAPID CITY LANDFILL**

WHEREAS, the City of Rapid City (“City”) owns and operates the Rapid City Landfill to dispose of refuse produced by the citizens of the City; and

WHEREAS, one function performed by Rapid City Landfill Operations is to grind and process yardwaste at the landfill for safe and efficient reuse; and

WHEREAS, as Landfill Operations has experienced a large influx of trees and yardwaste, which it expects is the result of warmer temperatures and the public’s ability to dispose of debris resulting from snow storm Atlas; and

WHEREAS, a number of recent mechanical problems with the industrial grinder owned and operated by the City of Rapid City Landfill Operations has caused a significant buildup on grinding of the debris located at the landfill; and

WHEREAS, it has been determined by the Rapid City Fire Department that this buildup of debris will soon represent a serious fire hazard if not dealt with through grinding and proper processing as quickly as possible; and

WHEREAS, normal competitive bidding procedures would cause undue delay in addressing this problem, potentially causing harm to the health, welfare, and safety of the public and possible environmental damage; and

WHEREAS, the conditions stated above are urgent and represent compelling reasons to allow the Public Works Director to enter a contract for services to address this problem pursuant to the emergency procurement process provided in SDCL 5-18A-9.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City that there is hereby declared a state of emergency regarding the buildup of yardwaste at the Rapid City Landfill.

BE IT FURTHER RESOLVED, that this state of emergency shall be in effect from the date this resolution is approved until such time as the Rapid City Fire Department deems the potential for fire hazard to be resolved and/or until such time that the Rapid City Landfill Operations equipment is repaired and is able to assume responsibility for the proper processing of the yardwaste, or until such time as the Common Council acts to lift this declaration, whichever is shorter.

BE IT FURTHER RESOLED, by the City of Rapid City that in conformance with SDCL 5-18A-9, the Public Works Director or his designee is hereby authorized to enter all necessary contracts, in order to ensure immediate and proper processing of the yardwaste buildup at the City’s Landfill.

BE IT FURTHER RESOLVED, by the City of Rapid City that this resolution is necessary for the immediate preservation of the public peace, health, safety, and support of the municipal government and its existing public institutions, and this resolution shall take effect immediately upon its execution.

DATED this \_\_\_\_\_ day of June, 2014.

CITY OF RAPID CITY

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Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(seal)