

**A RESOLUTION TO DECLARE AN EMERGENCY AND AUTHORIZE REPAIR OR REPLACEMENT OF CERTAIN FIXTURES AND EQUIPMENT AT THE CITY'S WATER RECLAMATION FACILITY**

WHEREAS, the City of Rapid City ("City") owns and operates a Water Reclamation Facility (WRF) to treat wastewater produced by the citizens of the City; and

WHEREAS, WRF staff recently discovered that the facility's sludge pond liner is failing; and

WHEREAS, it is currently unknown to what extent the liner is damaged; and

WHEREAS, the sludge pond liner is an integral part of the wastewater treatment process; and

WHEREAS, a failing sludge pond liner compromises the City's ability to treat wastewater according to federal and state requirements; and

WHEREAS, discharges of untreated or improperly treated wastewater pose a threat to the health, welfare and safety of the public, in addition to the groundwater and environment surrounding the WRF; and

WHEREAS, it is necessary to repair or replace the liner as quickly as possible to prevent discharges of untreated or improperly treated wastewater; and

WHEREAS, normal competitive bidding procedures would cause undue delay in repairing or replacing the liner, 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 compelling reasons to allow an emergency repair by utilizing 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 sludge pond liner at the Water Reclamation Facility.

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 WRF is repaired and operating normally, or until such time as the Common Council acts to lift this declaration, whichever is shorter.

BE IT FURTHER RESOLVED, 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 make all necessary repairs to the sludge pond liner and related appurtenances, including replacement thereof, in order to ensure timely and proper treatment of the City's wastewater.

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 March, 2014.

CITY OF RAPID CITY

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Mayor

ATTEST:

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

(seal)