

Resolution No. 2004-12

[City Council meeting minutes Jun 21 04](#)

RESOLUTION NO. 2004-12

A RESOLUTION of the City Council of the City of Lakewood, Washington, waiving bidding requirements to address an emergency.

WHEREAS, the City of Lakewood is responsible for preserving public health, protecting life and protecting public property; and,

WHEREAS, current street conditions at 100th Street between Gravelly Lake Drive and South Tacoma Way, South Tacoma Way between 96th and Steilacoom Blvd, and Bridgeport Way between 93rd and 83rd, jeopardize the City's obligation in that the street surface has failed; and,

WHEREAS, Lakewood Municipal Code 8.80.030 B, defines emergency to include an event or circumstances which demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken neighborhood overtaken by such occurrence; and,

WHEREAS, the City Manager under Lakewood Municipal Code 8.80.060 has the authority to proclaim the existence of an emergency; and,

WHEREAS, the City Manager has proclaimed the situation at 100th Street between Gravelly Lake Drive and South Tacoma Way, South Tacoma Way between 96th and Steilacoom Blvd, and Bridgeport Way between 93rd and 83rd, to be such an emergency; and,

WHEREAS, RCW 39.04.280 allows as an exemption to competitive bidding requirement the purchases made in the event of an emergency; and,

WHEREAS, such purchases are needed to address the situation at 100th Street between Gravelly Lake Drive and South Tacoma Way, South Tacoma Way between 96th and Steilacoom Blvd, and Bridgeport Way between 93rd and 83rd; and,

WHEREAS, other options such as shutting down this particular street create such disruption that they're considered to be a more extreme measure than the waiver of the bidding requirement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES, as Follows:

Section 1. The competitive bidding requirements are hereby waived for purposes of addressing the street situation at 100th Street between Gravelly Lake Drive and South Tacoma Way, South Tacoma Way between 96th and Steilacoom Blvd, and Bridgeport Way between 93rd and 83rd.

Section 2. The City Manager is hereby authorized to execute any agreements necessary to remedy the declared emergency.

Section 3. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not effect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.

Section 4. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 21st day of June, 2004.

CITY OF LAKEWOOD

Douglas G. Richardson, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

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