

**A PROCLAMATION OF THE CITY OF KELSO, WASHINGTON DECLARING
A CIVIL EMERGENCY IN ACCORDANCE WITH CHAPTER 2.92 OF THE
KELSO MUNICIPAL CODE**

WHEREAS, the Cowlitz County Director of Emergency Management has reported to the Board of County Commissioners, as to conditions beginning on December 8, 2015 created by heavy rainfall and flooding within Cowlitz County including the incorporated boundaries of the City of Kelso; and

WHEREAS, extensive injury has or will, likely occur to persons and/or there is the potential for considerable damage to property; and,

WHEREAS, there is a present emergency which necessitates activation of the Cowlitz County Comprehensive Emergency Management Plan (CEMP) and utilization of emergency powers granted pursuant to RCW 36.40.180 and RCW 38.52.070(2); and

WHEREAS, Chapter 2.92 of the Kelso Municipal Code authorizes the City's participation within the Cowlitz County Emergency Management Council and authorizes the Mayor to declare a civil emergency as that emergency is defined in KMC 2.92.010; and

WHEREAS, the declaration of a civil emergency must be confirmed by the Kelso City Council at its next regular or special meeting;

NOW, THEREFORE BE IT RESOLVED:

SECTION 1. It is hereby proclaimed by the Mayor of the City of Kelso that, in accordance with the terms and conditions of RCW 35A.38.010, there is an emergency due to the above stated conditions in Cowlitz County; therefore, designated departments are authorized to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster; and,

SECTION 2. Each designated department is authorized, in accordance with the terms and conditions of RCW 38.52.070(2), to exercise the powers vested under Section 1 of this resolution in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law, (excepting mandatory constitutional requirements), including but not limited to:

- budget law limitations
- requirements of competitive bidding and publication of notices
- provisions pertaining to the performance of public work
- entering into contracts
- the incurring of obligations

- the employment of temporary workers
- the rental of equipment
- the purchase of supplies and materials
- the appropriation and expenditures of public funds

SECTION 3. Each designated department may undertake contracting authority subject to the terms and conditions and provisions of RCW 39.04.280.

SECTION 4. Notwithstanding the authorizations set forth in Section 1 of this resolution, designated departments shall endeavor to secure the most competitive price available for goods and services, subject to the terms, conditions and provisions of RCW 39.04.280.

SECTION 5. Such authorization shall include unannounced entry and access onto and about private property, where such entry and access shall not violate those constitutional privacy and property rights under an emergency declaration.

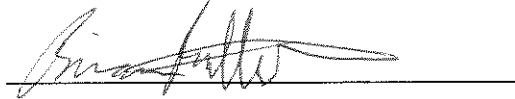
PROCLAIMED and **SIGNED** by the Mayor this 8th day of

December, 2015.



MAYOR

ATTEST/AUTHENTICATION:



CITY CLERK