**City of BLaine**

**Resolution 1800-20, CONFIRMING PROCLAMATION OF local emergency and**

**delegation of authority**

**recitals**

**WHEREAS**, a novel Coronavirus COVID-19 is a respiratory disease that can result in serious illness or death, that is caused by a new strain of coronavirus that had not been previously identified in humans and has proven it can easily spread from person to person; and,

**WHEREAS**, the U.S. Center for Disease Control and Prevention (CDC) has identified a potential public health threat posed by COVID-19 both globally and within the United States, including within Washington State; and,

**WHEREAS**, there are documented cases of COVID-19, including deaths caused thereby, within Washington State; and,

**WHEREAS**, the Washington State Department of Health has confirmed the person-to-person spread of COVID-19 and is finding an increasing risk of exposure and infection to the general public due to its potential to spread quickly; and,

**WHEREAS**, the U.S. Department of Health and Human Services declared a public health emergency for COVID-19 on January 31, 2020; and,

**WHEREAS**, Washington State Governor Jay Inslee proclaimed a public health emergency for COVID-19 on February 29, 2020; and,

**WHEREAS**, Whatcom County Executive Satpal Sidhu declared a public health emergency regarding COVID-19 on March 10, 2020; and,

**WHEREAS**, the World Health Organization declared COVID-19 a global pandemic on March 11, 2020; and,

**WHEREAS**, on March 13, 2020, pursuant to authority granted to the City Manager in Blaine Municipal Code 2.24 and other applicable laws, the City of Blaine City Manager issued Proclamation declaring a local Emergency as defined in BMC 2.24 thereby granting the City Manager certain additional authority and powers to protect prevent and respond to the Emergency in order to protect the public’s health, safety and wellness (“Proclamation”); and,

**WHEREAS**, the Mayor for the City of Blaine called a Special Meeting of the Council for March 16, 2020, at 5:00 PM that was held in the Council Chambers and said meeting was noticed as required by RCW 42.30, and specifically RCW 42.30.080.

**NOW, THEREFORE**, **BE IT DECLARED BY THE COUNCIL FOR THE CITY OF BLAINE DOES HERBY RESOLVE AND CONFIRM AS FOLLOWS:**

1. **Proclamation**. The City Council for the City of Blaine confirms the Proclamation hereby and expressly finds and declares, based upon the Recitals above, which are expressly adopted herein, that COVID-19 is a civil emergency that exists within the boundaries of the City that poses a real and immediate threat to the proper performance of the essential functions of the City. Further, that this emergency may result in, or threatens to result in, the material loss or damage to property or the death or serious bodily injury of persons, to such an extent as to require, in this legislative and elected bodies’ discretion, extraordinary measures to protect the public peace, safety, health and welfare.

2. **Authority and Powers**. This Resolution confirms the finding of the Proclamation and the authority and powers granted to the City Manager thereby, subject to Section 3 and 4 of this Resolution. The City Council confirms that upon the issuance of the Proclamation, the City Manager is authorized to exercise such lawful authority through the use and direction of City personnel, services, equipment and to take such additional acts as the City Manager may find necessary in their sole discretion to properly and safely manage this emergency, including without limitation: Make necessary rules and regulations reasonably related to the emergency, to obtain supplies, equipment, personal property, professional, procured or technical services, etc. (including selecting and awarding such contracts as necessary), such public works as defined by RCW 39.04.010, to authorize overtime and/or extended leave for personnel, to requisition personnel and material, obtain emergency funding and permitting through federal, state and local agencies, and take such other lawful acts as may be necessary and reasonably related to the emergency situation declared hereunder.

3. **Report to Council**. If the City Manager exercises any powers or authorities pursuant to the Proclamation and confirmed and authorized under this Resolution, the City Manager shall report such exercise to the City Council at the next regular City Council meeting with explanation as to why it was necessary to take such action to meet the emergency situation articulated herein. If required by law, the City Council shall take such action in an open session to ratify the General Manager’s action(s) hereunder. The Proclamation and this Resolution shall be and shall be reviewed as a regular agenda item on the City Council’s agenda for each regularly scheduled meeting until such time as the Proclamation and this Resolution is terminated

4. **Termination**. The Proclamation and this Resolution shall continue in full force and effect until terminated by law or by further Resolution and shall be reviewed as a regular agenda item on the City Council’s agenda until such time as this Resolution is terminated.

5. **Amendment of Rules of Procedure**. Pursuant to the City Council’s Adopted Rules of Procedure (“Rules of Procedure”), the City Council takes the following actions:

1. The Rules of Procedure are [Suspended pursuant to Rule 32] [Amended Pursuant to Rule 33) to implement this Resolution.
2. To add a new section of the Rules of Procedure as follows:

Rule No 38. In the event that the City Manager declares a Proclamation pursuant to Blaine Municipal Code 2.42, the Rules shall be suspended without action of the Council required, provided that the City Manager shall report such exercise to the City Council at the next regular City Council meeting with explanation as to why it was necessary to take such action to meet the emergency situation articulated therein. If required by law, the City Council shall take such action in an open session to ratify the City Manager’s action(s) hereunder. The Proclamation shall be reviewed as a regular agenda item on the City Council’s agenda for each regularly scheduled meeting until such time as the Proclamation is terminated by the City Manager or the City Council

1. In the event of any conflict between the Rules and this Resolution, or the Proclamation, the following shall control in the order of priority (1) the Proclamation, (2) this Resolution, (3) the Rules.

 **ADOPTED** by the City Council for the City of Blaine at a special meeting held this 16th day of March 2020.

**CITY OF BLAINE, WASHINGTON**

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Bonnie Onyon, Mayor

ATTEST/AUTHENTICATE:

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Samuel Crawford, City Clerk