

RESOLUTION NO 2020-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON RATIFYING PROCLAMATION OF EMERGENCY AND PROVIDING TEMPORARY PROCEDURES TO RESPOND TO THE COVID-19 EPIDEMIC.

WHEREAS, the Revised Code of Washington (RCW) Chapter 38.52 authorizes the Mayor to exercise emergency powers; and

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease that may result in serious illness or death and is easily transmissible from person to person; and

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary, Alex Azar, declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring a state of emergency exists in all counties in the state of Washington due to the number of confirmed cases of COVID-19 in the state and directed that the plans and procedures of the Washington State Comprehensive Emergency Plan be implemented; and

WHEREAS, on March 18, 2020, Mayor Matthew Hartman declared herein an emergency for the City of Granite Falls due to the anticipated spread of COVID-19 which constitutes an emergency as defined by RCW 38.52.010 and necessitates the utilization of emergency powers granted pursuant to RCW 38.52.070.

WHEREAS, the health, safety and welfare of City residents, businesses, visitors and staff is of utmost importance to the City and additional future measures may be needed to protect the community; and

WHEREAS, the City may require additional assistance in the future, and a formal declaration of emergency allows additional resources to flow to the City in a timely fashion; and

WHEREAS, existing conditions related to the COVID-19 warrant the proclamation of an emergency, as defined by Revised Code of Washington (RCW) Section 38.52.010; and

WHEREAS, RCW 36.40.180, RCW 38.52.070(2), and RCW 39.04.280(3), authorize the waiver of the requirements of competitive bidding and public notice with reference to any contract relating to the City's lease or purchase of supplies, equipment, personal services or public works as defined by RCW 39.04.010, or to any contract for the selection and award of professional and/or technical consultant contracts in emergency situations;

WHEREAS, there is an emergency present which necessitates the utilization of emergency powers granted pursuant to chapter 38.52 RCW, and other relevant provisions of state and federal law; and

WHEREAS, the Open Public Meetings Act, chapter 42.30 RCW, requires Cities to take action in an open public meeting where members of the public are able to attend such meetings without any conditions placed on attendance; and

WHEREAS, due to the multiple declarations of emergency adopted as set forth herein, the public's ability to attend public meetings must be balanced with the need to limit continued exposure, or risk of exposure, through social interaction to the COVID-19 virus; and

WHEREAS, the Attorney General has issued guidance to public agencies attempting to comply with the OPMA and reducing and limiting the risk of social exposure indicating that using a remote speakerphone available at an agency meeting location (agency office or other designated physical location) where the public can attend to listen to the discussion, using a phone call- in numbers the public can use, or real time streaming of the meeting online, or GoToMeeting, or similar remote means for the public to listen to the discussion would be appropriate under existing Emergency Proclamation(s);

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON

SECTION 1. That the Emergency Proclamation signed by Mayor Matthew Hartman dated March 18, 2020 is hereby ratified and confirmed and all acts consistent with and prior to the adoption of this Resolution are further ratified and confirmed.

SECTION 2. Emergency Authorizations. The City of Granite Falls shall employ the emergency powers granted under RCW 38.52.070 including but not limited to the following: (1) Enter into contracts and incur obligations necessary to combat such emergency situations to protect the health and safety of persons, property and the environment; and (2) request assistance from outside agencies; and (3) provide appropriate emergency assistance to the victims of such disaster.

SECTION 3. Personnel Matters. Each City of Granite Falls Department Director is authorized to exercise the powers vested under this Proclamation in light of the urgencies of an extreme emergency situation without regard to time consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements). These authorizations include the ability for Department Directors to work with employees on a case by case basis to address flex scheduling as needed, leaves of absences directly related to illnesses from the COVID-19 epidemic that affects employees and family members as defined within the current Collective Bargaining Agreement between the City of Granite Falls and its bargaining units. Additional considerations that may arise outside of adopted personnel policies will be adopted by the City Manager and reviewed and approved by the Mayor.

SECTION 4. Council Procedures. During the term of the COVID-19 pandemic the following amendments to City Council Procedures are hereby adopted:

- A. Any rule or procedure adopted by City Council that would prevent or prohibit all City Councilmembers from attending City Council meetings telephonically are temporarily suspended and all City Councilmembers are encouraged to attend all meetings via telephone or other electronic connection.
- B. All in-person Committee meetings of the City Council are cancelled.
- C. Council directs that the public comment portion of Council meetings shall occur by telephone connection and any scheduled public hearings be temporarily suspended to discourage public in-person attendance. City Council and staff encourages and will accept

public comment via email to the City Clerk or provided to the City via the drop-box location identified at City Hall. Public comments received will be read aloud to the City Council during the regularly scheduled time on the Agenda.

D. Any Council rules that are inconsistent with this Resolution are hereby waived and suspended during the term of this Resolution.

The City council also recognizes and affirms that the Mayor may cancel all meetings of ad hoc committees. In addition, the Mayor may direct that City Staff not attend outside meetings. Boards and committees.

SECTION 5. City Response and Communication. The City is committed to protecting the public and staff by minimizing the spread of COVID-19. The City has and will continue to follow the guidelines provided by the State of Washington and the Snohomish County Health District, who prescribe social distancing and minimizing gatherings of people. City Hall offices were officially closed to appointments only as of Wednesday, March 18, 2020 until further notice. Residents and businesses may pay utility bills, contact staff regarding licenses, permits and other transactions needed via telephone and email.

SECTION 6. Under the direction of the City Manager or the Mayor, the City may engage services, purchase materials and incur obligations to address the emergency and the effects of the emergency. Consistent with State Auditor requirements approval of claims and warrants by a majority of the council shall continue, but if physical presence, review and approval is deemed by the City Manager or Mayor not necessary, then approval shall be by the Mayor only. Approval of claims, warrants, fund transfers and checks by inclusion on the Council's consent agenda shall continue.

SECTION 7. Ratification and Finding of Fact. The Granite Falls City Council hereby ratifies this Proclamation of Emergency issued by Mayor Matthew Hartman on March 18, 2020. Council further finds that an emergency exists pursuant to RCW 39.04.280(2)(b) and authorizes the Mayor to waive any necessary competitive bidding requirements related to the COVID-19 emergency.

APPROVED AND ADOPTED this 15th day of April, 2020.

APPROVED:




Matthew Hartman, Mayor

APPROVED AS TO FORM:



Thom H. Graafstra, City Attorney

ATTEST:



Darla Reese City Clerk