

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Resolution No. 454 - Ratifying the City Manager's Local Declaration of Public Health Emergency in Response to COVID-19
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Debbie Tarry, City Manager
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

On January 21, 2020, the first reported case of COVID-19, a respiratory disease that can result in serious illness or death caused by the SARS-CoV-2 virus, occurred in Washington State in Snohomish County. On February 28, 2020, Public Health - Seattle and King County announced the first King County and United States death due to COVID-19 in Kirkland, WA. Having reviewed the present circumstances, and in consideration of available information from governmental sources, the City Manager has determined that COVID-19 has caused a local public health emergency as defined by Shoreline Municipal Code (SMC) Section 2.50.020(B) for the City of Shoreline and has declared as such (Attachment A).

This public health emergency necessitates activation of the City of Shoreline Comprehensive Emergency Management Plan (CEMP) and the utilization of emergency powers granted pursuant to State law (RCW 38.52.070(2) and RCW 38.52.110(1)) and Chapter 2.50 SMC. On March 4, 2020, the City Manager reported her intent to make this declaration to the Shoreline City Council. Tonight, Council is being asked to adopt Resolution No. 454 (Attachment B) ratifying and updating the City Manager's declaration of a local health emergency.

RESOURCE/FINANCIAL IMPACT:

The future costs of responding to COVID-19 are unknown at this time due to the evolving conditions. With the Washington State declaration of a health emergency, local COVID-19 response efforts may be eligible for state or federal reimbursement. Until there is a final determination on potential reimbursement, all expenditures will be recorded and tracked and will use existing appropriations. To date, less than \$10,000 has been expended in response to COVID-19.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 454 ratifying the City Manager's March 4, 2020 Local Declaration of Public Health Emergency in response to COVID-19.

Approved By: City Manager ***DT*** City Attorney ***MK***

BACKGROUND

On January 21, 2020, the first reported case of COVID-19 in Washington State occurred in Snohomish County and on February 28, 2020, Public Health - Seattle and King County (Public Health) announced the first King County and United States death due to COVID-19 in Kirkland, WA. COVID-19 is a respiratory disease that can result in serious illness or death caused by the SARS-CoV-2 virus, a new strain of coronavirus that had not been previously identified in humans, and can easily spread from person to person. The US Centers for Disease Control and Prevention (CDC) identifies the potential public health threat posed by COVID-19, both globally and in the United States, as “very high” and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States, the State of Washington, King County, and the City of Shoreline.

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared COVID-19 a public health emergency of international concern, and on January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency for COVID-19. On February 29, 2020, Washington State Governor Jay Inslee proclaimed a public health emergency for COVID-19 in Washington State. As of March 4, 2020, 31 have tested positive for COVID-19 in King County and eight in Snohomish County and a total of ten (10) deaths have been reported in King County.

Having reviewed the present circumstances, and in consideration of available information from governmental sources, the City Manager has determined that COVID-19 has caused a local public health emergency for the City of Shoreline. This determination was made due to nearby deaths and serious infections, and that it may have increased impact on the life and health of Shoreline residents, the local business economy, and City services.

These conditions constitute an emergency for the City of Shoreline as defined by Shoreline Municipal Code (SMC) Section 2.50.020(B), which includes circumstances that demand immediate action to preserve public health and protect life and has warranted the governor declaring a state of emergency, thereby necessitating activation of the City of Shoreline Comprehensive Emergency Management Plan (CEMP) and the utilization of emergency powers granted pursuant to State law (RCW 38.52.070(2) and RCW 38.52.110(1)) and Chapter 2.50 SMC.

On March 4, 2020, the City Manager reported her intent to make this declaration to the Shoreline City Council.

DISCUSSION

Cities have broad authority under state law to take actions necessary to protect public health as derived in the Washington State Constitution. In order to prepare for, prevent, and respond to COVID-19, the City Manager’s Local Declaration of a Public Health

Emergency authorizes the City to take necessary measures as authorized pursuant to SMC 2.50.060(H), RCW 38.52.070(2), and RCW 39.04.280.

- SMC 2.50.060(H) outlines the City Manager's power to issue a proclamation of local emergency. The proclamation authorizes the city to take necessary measures to combat a disaster; protect persons, property, and natural resources; provide emergency assistance to victims of the disaster and exercise powers authorized in RCW 38.52.070.
- RCW 38.52.070(2) waives 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 consultants
- RCW 39.04.280 allows the City to exempt competitive bidding requirements in the event of an emergency.

The City Manager's local emergency declaration authorizes each City department to take necessary measures and exercise the above powers in light of the demands of a dangerous and escalating emergency situation without regard to time consuming procedures and formalities otherwise normally required by law, excepting constitutional mandates.

The City Manager has used the emergency declaration to authorize one expense related to supporting continuity of operations, which is increased information technology support for a minimum of three weeks. This is estimated to cost the City \$5,000. The City is also exploring the possibility of increasing our conference call capabilities, though staff does not yet have a cost associated with this. With the Washington State declaration of a health emergency, local COVID-19 response efforts may be eligible for state or federal reimbursement.

RESOURCE/FINANCIAL IMPACT

The future costs of responding to COVID-19 are unknown at this time due to the evolving conditions. With the Washington State declaration of a health emergency, local COVID-19 response efforts may be eligible for state or federal reimbursement. Until there is a final determination on potential reimbursement, all expenditures will be recorded and tracked and will use existing appropriations. To date, less than \$10,000 has been expended in response to COVID-19.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 454 ratifying the City Manager's March 4, 2020 Local Declaration of Public Health Emergency in response to COVID-19.

ATTACHMENTS

Attachment A – March 4, 2020 Local Declaration of Public Health Emergency

Attachment B – Resolution No. 454

**LOCAL DECLARATION OF PUBLIC HEALTH EMERGENCY
CITY MANAGER OF CITY OF SHORELINE**

WHEREAS, on January 21, 2020 the first reported case of COVID-19 in Washington State occurred in Snohomish County and on February 28, 2020 the Public Health Seattle and King County announced the first King County and United States death due to COVID-19 in Kirkland, Washington, and

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death caused by the SARS-CoV-2 virus, a new strain of coronavirus that had not been previously identified in humans, and can easily spread from person to person; and

WHEREAS, the US Centers for Disease Control and Prevention (CDC) identifies the potential public health threat posed by COVID-19, both globally and in the United States, as "very high" and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States, the State of Washington, King County, and the City of Shoreline; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared COVID-19 a public health emergency of international concern; on January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency for COVID-19 and; and

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

WHEREAS, as of March 4, 2020, 31 have tested positive for COVID-19 in King County and eight in Snohomish County and a total of ten (10) deaths have been reported in King County; and

WHEREAS, having reviewed the present circumstances, and in consideration of available information from governmental sources, the City Manager has determined that COVID-19 has caused a local public health emergency for the City of Shoreline, due to nearby deaths and serious infections, and that it may have increased impact on the life and health of Shoreline residents, the local business economy, and City services; and

WHEREAS, the conditions stated above constitute an emergency for the City of Shoreline as defined by SMC 2.50.020(B), which includes circumstances that demand immediate action to preserve public health and protect life and has warranted the governor declaring a state of emergency, thereby necessitating activation of the City of Shoreline Comprehensive Emergency Management Plan (CEMP) and the utilization of emergency powers granted pursuant to RCW 38.52.070(2), RCW 38.52.110(1), and Chapter 2.50 SMC; and

WHEREAS, the City Manager of the City of Shoreline has reported her intent to make this declaration to the Shoreline City Council

NOW THEREFORE, the Shoreline City Manager declares as follows:

Section 1: It is hereby declared under Chapter 38.52 RCW and Chapter 2.50 SMC, that COVID-19 is a local public health emergency that exists within the confines of the City of Shoreline, that will result in, or threatens to result in, the death or injury of persons and, as such, requires extraordinary measures to protect the public health, safety, and welfare.

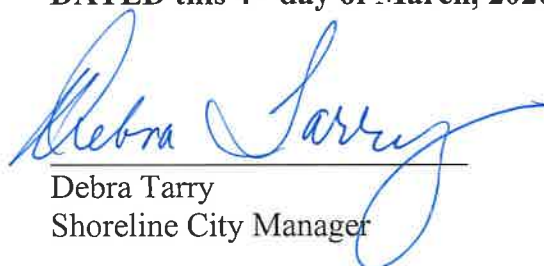
Section 2. Pursuant to the local public health emergency declared at Section 1, the Shoreline City Manager authorizes City departments and offices, as designated pursuant to the CEMP, to take actions and incur obligations deemed necessary to mitigate and prevent such emergency to protect the health and safety of the citizens of Shoreline and to provide emergency assistance to the victims of such emergency consistent with the CEMP.

Section 3. In order to prepare for, prevent, and respond to this emergency, the City Manager authorizes the City to take necessary measures as authorized pursuant to SMC 2.50.060(H), RCW 38.52.070(2), and 39.04.280,; including waiving 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 consultants. Each City department designated is hereby authorized to exercise the powers vested in this proclamation in light of the demands of a dangerous and escalating emergency situation without regard to time consuming procedures and formalities otherwise normally required by law, except constitutional mandates.

Section 4. The emergency declared in Section 1 shall be in place immediately upon the date of adoption and continue and shall remain in place until terminated or extended by further resolution of the City Council.

Section 5. A copy of this declaration, the extent practicable, shall be posted at the City's regular locations for official notices and shall be made available to members of the local news media and the general public and appropriate federal, state, regional and local agencies.

DATED this 4th day of March, 2020.


 Debra Tarry
 Shoreline City Manager

RESOLUTION NO. 454

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, RATIFYING DECLARATION OF PUBLIC HEALTH EMERGENCY RELATED TO THE COVID-19 VIRUS.

WHEREAS, Shoreline Municipal Code (“SMC”) Section 2.50.060 grants the City Manager the authority to take action on behalf of the City of Shoreline (“City”) in the event of an emergency or disaster subject to ratification by the City Council as soon as practicable; and

WHEREAS, in the exercise of such authority the City Manager did execute a Declaration of Public Health Emergency related to the COVID-19 virus dated March 4, 2020; and

WHEREAS, the City Council held a regular meeting on March 16, 2020; and

WHEREAS, the City Council wishes to ratify the above referenced Declaration of Public Health Emergency and the acts of City Departments and staff that have been and will be taken in connection with such emergency.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES:

Section 1. Any and all acts undertaken by City Departments and staff consistent with the Declaration of Public Health Emergency related to the COVID-19 virus issued by the City Manager dated March 5, 2020, and prior to the effective date hereof, are hereby ratified and confirmed.

Section 2. Any and all acts undertaken by City Departments and staff consistent with the Declaration of Public Health Emergency related to the COVID-19 virus issued by the City Manager dated March 4, 2020, and following the effective date hereof, are hereby authorized until such time as such declaration has been amended, rescinded or otherwise terminated by the City Manager or City Council.

Section 3. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

Passed by majority vote of the City Council in an open meeting this 16th day of March, 2020 and signed in authentication thereof on March 16, 2020.

Will Hall, Mayor

ATTEST:

Jessica Simulcik Smith, City Clerk