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City Council

Approval of an Ordinance Declaring a Continuing Public Health Emergency Relating to Coronavirus (COVID-19) - First and Final Reading

Agenda Date: 2/23/2021
Agenda Item Number: 4.G
File Number: 21-0211

Type: ordinance **Version:** 1 **Status:** Passed

Title

Approval of an Ordinance Declaring a Continuing Public Health Emergency Relating to Coronavirus (COVID-19) - First and Final Reading

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the Ordinance declaring a continuing state of public health emergency relating to Coronavirus (COVID-19) and authorizing actions as are reasonable and necessary to mitigate conditions caused by such public health emergency on first and final reading.

Report

Issue:

Whether to approve an Ordinance declaring a continuing state of public health emergency relating to Coronavirus (COVID-19) and authorizing actions as are reasonable and necessary to mitigate conditions caused by such public health emergency.

Staff Contact:

Mark Barber, City Attorney, 360.753.8338

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

On January 21, 2020, the Washington State Department of Health confirmed the first case of Novel Coronavirus (COVID-19) in the United States of America in Snohomish County, Washington.

On January 31, 2020, the Secretary of the United States Department of Public Health and Human Services, Alex Azar, declared a public health emergency effective January 27, 2020 for the Novel

Coronavirus known as COVID-19.

On February 29, 2020, Governor Jay Inslee signed Proclamation 20-05 declaring that 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 that the risk of person-to-person transmission throughout Washington State and the United States of America would significantly impact the life and health of people, as well as the economy of Washington State, and is a public disaster that affects life, health, property or the public peace. The Governor directed State agencies and departments to use State resources to do everything reasonably possible to assist political subdivisions of the State in an effort to respond and recover from the outbreak.

On March 17, 2020, the Olympia City Council enacted Ordinance No. 7233 declaring a state of public health emergency, and that the Olympia City Council will take all actions within its powers and resources to protect the public peace, health, safety and welfare of the citizens, residents and businesses of the City of Olympia during the novel coronavirus COVID-19 pandemic to mitigate the consequences of the illness and public health emergency taking place and to maintain essential public services such as police, fire, public works and public utilities such as water and solid waste collection.

As a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, the Governor subsequently issued amendatory Proclamations 20-06 through 20-53, 20-55 through 20-67, and 20-69 through 20-70, exercising the Governor's emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations.

To enable public meetings to occur while maintaining the social distancing and limitations on in-person interactions necessary to curtail the spread of COVID-19, on March 24, 2020, the Governor issued Proclamation 20-28, prohibiting in-person meetings and waiving and suspending laws and rules concerning RCW 42.56, the Public Records Act, and RCW 42.30, the Open Public Meetings Act that hindered conducting public meetings remotely.

On June 16, 2020, September 15, 2020, and December 15, 2020, the Olympia City Council enacted Ordinance No. 7246, Ordinance No. 7248, and Ordinance No. 7266, respectively, declaring a continuing state of public health emergency and authorizing actions as are reasonable and necessary to mitigate conditions caused by such public health emergency.

On January 19, 2021, the Governor issued extensions of 26 emergency proclamations, which were extended by the Washington State Legislature on January 15, 2021 with the passage of Senate Concurrent Resolution 8402. The proclamations cover a broad range of statutory waivers that support state and local services during the COVID pandemic, including those necessary to support long term care and behavioral health facilities, to provide access to government, to provide relief from tax penalties and fees, and to protect federal stimulus payments from collection for consumer debt. These emergency orders are effective throughout the state of emergency, unless rescinded by the Governor or the Legislature, whichever occurs first.

On February 18, 2021, the Washington State Department of Health reported 334,284 confirmed cases and 4,824 deaths statewide, and Thurston County reported 6,951 confirmed cases of COVID-19 and 74 deaths due to COVID-19.

The worldwide COVID-19 pandemic and its progression in Washington State continues to threaten the life and health of our people as well as the economy of Washington State, and remains a public disaster affecting life, health, property or the public peace.

The Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident.

The Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people.

Declaring a continuing state of public health emergency provides a factual basis for the public health emergency and references statutory authority that allows the City more flexibility to act quickly in response to COVID-19. Under the Ordinance, the City may, for example, obligate funds for emergency expenditures as directed by the City Council and enter into contracts and incur obligations necessary to combat such emergency situations to protect the health and safety of persons and property.

Ordinance No. 7266, passed by the Council on December 15, 2021, remains in effect until 11:59 p.m. on March 15, 2021. The proposed ordinance shall take effect immediately upon adoption by a vote of a majority plus one, and the emergency will remain in effect from 12:00 a.m. on March 16, 2021 through 11:59 p.m. on June 16, 2021, at which point the City Council will review the conditions that gave rise to this public health emergency to determine if keeping it in place is warranted. The City Council may conduct this review sooner if the conditions caused by COVID-19 lessen.

Neighborhood/Community Interests (if known):

The COVID-19 disease, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, continues to spread throughout Washington State, and the threat of serious associated health risks to the citizens, residents and businesses of Olympia remains.

Options:

1. Move to approve the Ordinance declaring a continuing state of public health emergency relating to COVID-19 and authorizing actions as are reasonable and necessary to mitigate conditions caused by such public health emergency.
2. Direct staff to modify the Ordinance.
3. Move to take no action.

Financial Impact:

Unknown

Attachments:

Ordinance

