



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Health & Human Services

Agenda Title: **DECLARE AN EMERGENCY RELATED TO COVID-19**

Presented by: Marni Kuyl, Director of Health and Human Services;
Steve Rhodes, County Administrator;
Alan Rappleyea, County Counsel

SUMMARY:

Washington County Health and Human Services, the County Administrative Office and County Counsel are bringing forward a request for consideration of an extension of the emergency declaration related to COVID-19. The attached R&O has one expansion of authority regarding ROW permits. It will allow LUT to streamline the process for utilities to work in our ROW on essential infrastructure during the emergency.

The number of individuals who have tested positive with COVID-19 continues to increase. Our Public Health Division and EOC is working on many fronts to support activities that keep our community safe. Continuing the declaration of emergency will allow for additional resources to assist in the response to COVID-19. It will also provide the Board with the tools to address COVID-19.

A declaration of emergency is authorized under Chapter 8.36 of the Washington County Code. Staff has proposed that earlier in your meeting today you adopt Ordinance 863 as an emergency ordinance which will become effective immediately. Under that new code, if the Board adopts it, it will allow for the extension of emergencies for up to 30 days. The attached Resolution and Order extends the declaration until June 2, 2020, the date of your first meeting in June.

ADDITIONAL INFORMATION:

Community Feedback (Known Support/Opposition): n/a

Legal History/Prior Board Action: Board work session on 2/11/2020 and Board presentation on 2/25/2020. Adopted a resolution and order declaring a county-wide emergency on March 4th, 2020, continued the declaration for 14 days on March 17, 2020, continued the declaration until April 16, 2020, continued the declaration until April 21, 2020 and continued the declaration until May 5, 2020.

Budget Impacts: Unknown

Attachment: Resolution and Order

COUNTY ADMINISTRATOR'S RECOMMENDATION:

Declare an extension of the emergency until June 2, 2020 under Washington County Code Chapter 8.36 to support response activities to COVID-19.

Agenda Item No.	7.a.
Date:	05/05/20

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of the Extension of the) RESOLUTION AND ORDER
4 Declaration of a State of Emergency)

5 No. _____

6 This matter having come before the Washington County Board on May 5, 2020, and

7 It appearing to the Board that:

8 WHEREAS, ORS 401.305 provides authority for Washington County to act as an emergency
9 management agency, including authority to establish policies and protocols for defining and
10 directing responsibilities during time of emergency; and

11 WHEREAS, on March 4, 2020 the Board of Commissioners adopted a Resolution and Order
12 declaring a state of emergency and the conditions that created that state of emergency continue
13 to exist; and

14 WHEREAS, Washington County has enacted a local ordinance (County Code Chapter
15 8.36) pursuant to the authority granted by ORS Chapter 401 and the Washington County
16 Charter, that provides for executive responsibility in times of emergency and specifically
17 delegates authority to declare a state of emergency to the Board of Commissioners, or if a
18 quorum of the Board of Commissioners is unavailable, to the County Chair, Vice Chair,
19 Commissioners, County Administrator, Assistant Administrator, Sheriff (if preceding official is
20 unavailable); and

21 WHEREAS, the following conditions have resulted in the need for an extension of the
22 declaration of the state of emergency:

1 The number of COVID-19 cases continue to escalate in Washington County; and

2 WHEREAS, the following disruption of important services, damage to life, or damage to
3 property can be expected from the above conditions:

4 COVID-19 continues to expand in Washington County and worldwide. County resources
5 continue to be needed to respond to this threat to keep the public as safe as possible. Resources
6 related to disease investigation and prevention, public information, continuity of operations,
7 assistance to homeless individuals, support for families affected by the illness, personal
8 protective equipment, and funding are expected to be exhausted; and

9 WHEREAS, pursuant to ORS 310.309 the Board has assigned authority to the Department
10 of Land Use & Transportation to issue permits to utilities to construct, occupy, maintain, and
11 service their facilities in the right-of-way and the Board has adopted reasonable rules for use of
12 the right-of-way in R&O 77-76 that may create difficulties for utilities providing essential services
13 during the pandemic; and

14 WHEREAS, the foregoing continues to affect the entire County and;
15 now, therefore, it is

16 RESOLVED AND ORDERED that the Board of Commissioners for Washington County
17 formally extends the declaration of a state of emergency for Washington County that the Board
18 adopted and was in effect on March 4, 2020, extended on March 17, 2020, extended again on
19 March 31, 2020, extend again on April 7, 2020 and extended again on April 21m 2020 and it is
20 further

21 RESOLVED AND ORDERED that, upon declaration of a state of emergency the Board of

1 Commissioners shall be authorized to take such actions and issue such orders as are determined
2 to be necessary to protect the public and property and to efficiently conduct activities that
3 minimize or mitigate the effect of the emergency as described in WCC 8.36.050., and further that
4 the County Office of Emergency Management is empowered to carry out the appropriate
5 function and duties identified in County Code Chapter 8.36 during times of emergency and shall
6 implement the Washington County Emergency Operations Plan; and it is further

7 RESOLVED AND ORDERED that the Emergency Program Manager shall take all necessary
8 steps authorized by law to coordinate response and recovery from this emergency including, but
9 not limited to, requesting assistance and potential reimbursements from the State of Oregon and
10 the appropriate federal agencies; and it is further

11 RESOLVED AND ORDERED that emergency procurements of goods and services are
12 authorized pursuant to ORS 279B.080, ORS 279C.335(6), ORS 279.380(4), and Rules of
13 Procurement, Section 20-020; and it is further

14 RESOLVED AND ORDERED that the County Administrative Officer is delegated authority to
15 authorize contracts under this emergency declaration in amounts of up to five hundred thousand
16 dollars (\$500,000) and will follow the emergency procedures in the Rules of Procurement, Section
17 20-020; and it is further

18 RESOLOVED AND ORDERED, that the Board finds that the rules adopted by R&O 77-76
19 may be impractical during this time, the Director Department of Land Use & Transportation or his
20 designee is authorized to take such action and issue necessary authorization, that is in the best
21 interest of the public for the use and protection of the public roadway and traveling public, to

1 allow utilities, as identified in R&O 77-76, to conduct work on existing essential critical
2 infrastructure, as determined by the Department of Homeland Security; and it is further

3 RESOLVED AND ORDERED that this declaration of emergency shall expire on June
4 2, 2020.

5 DATED this 5th day of May, 2020.

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8 _____
9 CHAIR KATHRYN HARRINGTON

10 _____
11 RECORDING SECRETARY