

RESOLUTION #247

A RESOLUTION OF THE TOWN OF PE ELL, WASHINGTON, DECLARING AN AMENDMENT TO THE RESPONSE TO THE DETECTION OF THE COVID-19 VIRUS IN LEWIS COUNTY, RESOLUTION NO. 246 SIGNED MARCH 17, 2020

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

**WHEREAS**, the United States 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 “high” and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

**WHEREAS**, the Washington State Department of Health has confirmed an increasing localized person-to-person spread of COVID-19 in Washington State, significantly increasing the risk of exposure and infection to Washington State’s general public creating public health risk that may spread quickly; and

**WHEREAS**, the outbreak of COVID-19 and the potential for rapid transmission throughout Washington State, including Lewis County, presents a significant threats to the life and health of the Town of Pe Ell residents, as well as the economy of the Town; and

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

**WHEREAS**, on February 29, 2020, Washington Governor Jay Inslee declared a state of emergency in response to the continued and growing threat presented by COVID-19; and

**WHEREAS**, under the above referenced conditions there is a substantial likelihood of risk to the citizens of the Town of Pe Ell unless further efforts are taken to reduce the threat; and

**WHEREAS**, there is a present emergency which necessitates activation of the Lewis County Comprehensive Emergency Management Plan (CEMP) and utilization of emergency powers granted pursuant to RCW 36.40.180 and RCW 38.52.070(2).

**NOW THEREFORE BE IT RESOLVED SECTION 1.** It is hereby declared by the Town Council of the Town of Pe Ell that, in accordance with the terms and conditions of RCW 36.40.180, there is an emergency due to the above-stated conditions in the Town of Pe Ell; therefore, Town of Pe Ell offices and departments are authorized to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster.

**SECTION 2.** Each Town of Pe Ell office and department is authorized, in accordance with the terms and conditions of RCW 38.52.070(2), to exercise the powers vested under Section 1 of this resolution in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law, (excepting mandatory constitutional requirements), including but not limited to:

- Budget law limitations
- Requirements of competitive bidding and publication of notices
- Provisions pertaining to the performance of public work
- Entering into contracts
- The incurring of obligations
- The employment of temporary workers
- The rental of equipment
- The purchase of supplies and materials
- The appropriation and expenditures of public funds
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**SECTION 3.** Each Town of Pe Ell office and department may undertake contracting authority subject to the terms and conditions and provisions of the Town of Pe Ell Policies.

**SECTION 4.** Notwithstanding the authorizations set forth in Section 1 of this resolution, each Town of Pe Ell office and department shall endeavor to secure the most competitive price available for goods and services, subject to the terms of the Town of Pe Ell Policies.

**SECTION 5.** Such authorization shall include unannounced entry and access onto and about private property, where such entry and access shall not violate those constitutional privacy and property rights under an emergency declaration.

**SECTION 6.** The emergency authority granted under this resolution shall expire 30 (thirty) days from the date of the adoption of this resolution unless specifically authorized by the Town Council.

Signed by the Mayor of the Town of Pe Ell and approved by the Pe Ell Town Council this 21<sup>ST</sup> day of APRIL , 2020



Lonnie Willey, Mayor

ATTEST:



Terra Oster, Town Clerk



Allen Unzelman, Town Attorney