

RESOLUTION NO. R-2020-050

A RESOLUTION extending the Mayor's Proclamation of Civil Emergency and Order regarding a state of emergency in the City of Yakima due to the coronavirus disease 2019 ("COVID-19")

WHEREAS, on February 29, 2020, the Governor of the State of Washington issued Proclamation 20-05 declaring a state of emergency due to the number of confirmed cases of the novel coronavirus which has been named "coronavirus disease 2019" (abbreviated "COVID-19") in the State of Washington and the serious nature of the effects of COVID-19 on the population, and

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a pandemic, and

WHEREAS, on March 12, 2020, the Yakima County Commissioners declared a state of emergency in Yakima County as a result of confirmed cases of COVID-19 in Yakima County, thus enabling Yakima County to take extraordinary measures to address the threat of the novel coronavirus (COVID-19) to the public health and safety; and

WHEREAS, as a result of confirmed cases of COVID-19 affecting residents in Yakima County, the Proclamations and Orders issued by the Governor of the State of Washington, and to provide for the best opportunity for the City of Yakima to address immediate responses to the threat of COVID-19 in the City of Yakima and reduce the opportunities for exposure to the disease, the Mayor issued a Proclamation of Civil Emergency and Order on March 12, 2020, which was ratified and confirmed by the City Council on March 13, 2020; and on April 7, 2020, the Mayor issued a Proclamation Extending the Civil Emergency and Order, which was ratified and confirmed by the City Council on April 7, 2020; and

WHEREAS, 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, Governor Jay Inslee signed subsequent amendatory Proclamations since February 29, 2020, and

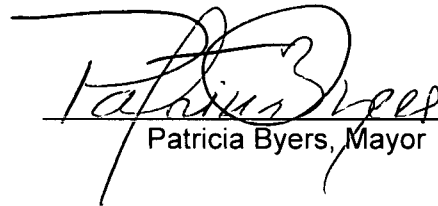
WHEREAS, pursuant to Yakima Municipal Code 6 06.030, the City Council is required to ratify and confirm the Mayor's Proclamation of an Extension of Civil Emergency and Order, within 72 hours of the Proclamation and Order being issued, and

WHEREAS, the City Council has determined that it is in the best interests of the City of Yakima to ratify and confirm the Mayor's Proclamation of an Extension of Civil Emergency and Order, and to authorize the Proclamation of an Extension of Civil Emergency and Order on the state of emergency to continue for the next thirty days through June 4, 2020, unless rescinded sooner or extended by the City Council, now, therefore,


BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

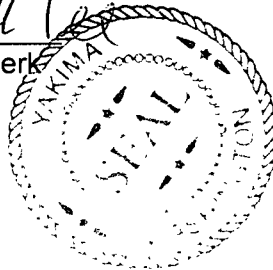
1. The City Council of the City of Yakima ratifies and confirms the Mayoral Proclamation of an Extension of Civil Emergency and Order issued on May 5, 2020, which extends the Proclamation of Civil Emergency and Order thirty days through June 4, 2020.
2. The City Manager is authorized to request any state or federal assistance needed to meet the demands of the emergency that exists, as the City may be in need of economic assistance from available state and federal sources for expenses associated with the response to the COVID-19 threat and the costs associated therewith
3. The Mayor may take whatever measures the Mayor deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents during this state of civil emergency
4. The Proclamation of an Extension of Civil Emergency and Order shall be in effect for thirty days after this ratification and confirmation of it through June 4, 2020, unless rescinded sooner or extended by the City Council

ADOPTED BY THE CITY COUNCIL this 5th day of May, 2020


Patricia Byers, Mayor

ATTEST.


Sonya Claar Tee, City Clerk



**MAYORAL PROCLAMATION OF AN EXTENSION OF CIVIL EMERGENCY
AND ORDER**

**City of Yakima, Washington
May 5, 2020**

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the novel coronavirus which has been named "coronavirus disease 2019" (abbreviated "COVID-19"), and

WHEREAS, on February 29, 2020, Governor Jay Inslee issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the State of Washington as a result of the COVID-19 outbreak in the United States and the confirmed person-to-person spread of COVID-19 in Washington State and directed that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented, and

WHEREAS, 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, Governor Jay Inslee signed subsequent amendatory Proclamation 20-06 on March 9, 2020, Proclamation 20-07 on March 11, 2020; and subsequent amendatory Proclamations 20-08 through 20-51, and

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a pandemic, and

WHEREAS, on March 12, 2020, the Yakima County Commissioners signed an Emergency Declaration due to the number of confirmed cases of COVID-19 in Yakima County, thus enabling Yakima County government to take extraordinary measures, and

WHEREAS, the Executive Director of the Yakima County Department of Health for Yakima County has reported to the Mayor and/or the City Manager and the public that there are a number of confirmed cases of COVID-19 in Yakima County and that that number will likely increase; and

WHEREAS, the City of Yakima believes that the significant likelihood of additional confirmed cases of COVID-19 constitutes a civil emergency as defined in Yakima Municipal Code Chapter 6.06 entitled "Emergency Powers of Mayor, City Council and City Manager" and necessitates the utilization of emergency powers granted under RCW 38 52 070, and

WHEREAS, the Proclamation and Order by the Mayor of the City of Yakima dated March 12, 2020 declared a state of emergency in the City of Yakima (the "City") due to the novel coronavirus (COVID-19) in the City of Yakima in Yakima, County, Washington, establishes and orders measures to protect public health and safety, including the potential for a general curfew in a certain specified area should such a measure become necessary, and the numbers of COVID-19 cases have increased since that time and the proclamation of a state of emergency needs to continue, and

WHEREAS, the novel coronavirus (COVID-19) is occurring in Yakima County and is having an impact within the city limits of the City of Yakima, Washington, and

WHEREAS, since the Mayoral Proclamation of Civil Emergency and Order was issued on March 12, 2020 and ratified and confirmed by the City Council on March 13, 2020, there have been a number of Proclamations and Orders issued by federal, state and local authorities regarding COVID-19, and the number of COVID-19 cases has continued to increase in the United States, the State of Washington, and in Yakima County; and

WHEREAS, some of the of the Orders and Proclamations that have been issued since March 12, 2020 because of the COVID-19 pandemic include but are not limited to the following on March 23 2020, the President of the United States declared a national emergency; on March 23, 2020, State of Washington Governor Jay Inslee issued an Executive Order directing all residents immediately to heed current State public health directives to stay home, except as needed to maintain continuity of operations of essential critical infrastructure sectors and as additional sectors as the State Public Health Officer may designate as critical to protect health and well-being of all Washingtonians, and on or about March 22, 2020, the Yakima Health District Health Officer issued a Stay at Home Order for Yakima County residents, and

WHEREAS, on April 7, 2020, a Mayoral Proclamation of Extension of Civil Emergency and Order was issued by the Mayor of the City of Yakima, which was ratified and confirmed by the City of Yakima City Council at the City Council regular meeting on April 7, 2020, which has remained in effect; and

WHEREAS, the coronavirus (COVID-19) continues to threaten the health and safety of persons and property within Yakima, and

WHEREAS, a civil emergency exists requiring me to exercise the emergency powers vested in me as Mayor by Yakima Municipal Code ("YMC") Chapter 6.06 entitled "Emergency Powers of Mayor, City Council and City Manager", and

WHEREAS, I have reviewed the situation, consulted with the Interim City Manager and some of the City Department Heads and verified the existence of the emergency cited below, and the necessity for me to take immediate, extraordinary action as outlined in this Proclamation and Order; and

WHEREAS, in the judgment of the Mayor, extraordinary measures are necessary to protect the public peace, safety and welfare, and

WHEREAS, the Mayor is authorized by Yakima Municipal Code ("YMC") Chapter 6.06 entitled "Emergency Powers of Mayor, City Council and City Manager" to take certain actions necessary to protect persons and property in the event of an emergency; and

WHEREAS, the area impacted or endangered by the current situation is described below; and

WHEREAS, the current situation involving COVID-19 qualifies as a civil emergency; and

WHEREAS, response to the COVID-19 emergency situation requires decisive action to protect the health and safety of persons and property; and

WHEREAS, RCW 38.52 070(2) on emergency powers and YMC 6.06.030D authorize the City to enter into contracts and incur obligations necessary to combat a civil emergency,

protecting the health and safety of persons and property, and providing emergency assistance to the victims of such civil emergency if needed, and

WHEREAS, upon the proclamation of a civil emergency by the Mayor and during the existence of such emergency, the Mayor may make and proclaim various actions and orders pursuant to YMC 6.06 030(D) in order to address an emergency situation, and

WHEREAS, pursuant to YMC 6 06.030, civil emergency orders by the Mayor "shall, at the earliest practicable time but in no event more than seventy-two (72) hours after the proclamation of the respective order(s), be presented to the City Council for ratification and confirmation, and if not so ratified and confirmed shall be void", and

WHEREAS, pursuant to YMC 6.06 040 regarding delivery of the proclamation to the news media, the Mayor shall cause any proclamation issued pursuant to YMC Chapter 6 06 "to be delivered to all news media within the City and shall utilize such other available means, including public address systems, as shall be necessary in his or her judgment, to give notice of such proclamation to the public", and

WHEREAS, the Mayor finds it to be in the best interest of the City of Yakima to continue and extend a proclamation of a state of emergency for the City of Yakima, to establish measures to protect public health and safety, and to define the geographical area within the City limits to which this Proclamation and Order applies, now, therefore,

IT IS HEREBY PROCLAIMED AND ORDERED:

1 **Determination of Emergency** A state of emergency currently exists and continues to exist in the City of Yakima as a result of:

An outbreak and increase of the coronavirus disease (COVID-19) in the United States and confirmed person-to-person spread of COVID-19 in Washington State, including in Yakima County

As a result of the occurrence of this outbreak and the emergency that exists, I authorize the City of Yakima to exercise all actions necessary during the state of emergency to protect the safety, health and well-being of the residents of the City, to include but not be limited to

a ordering areas of quarantine as may be necessary and appropriate to preserve health and safety;

b postponing meetings of City committees, commissions and boards as may be determined appropriate,

c altering the schedule means, methods and occurrence of City Council meetings to accommodate health concerns and preservation of public safety;

d authorizing the City to enter into contracts and obligations necessary to respond to the declared emergency to protect the health, welfare and property of the City's residents and to provide emergency assistance as required, and to otherwise suspend requirements for bidding processes and formalities otherwise required by law unless mandated by Constitutional requirements in order to respond to the emergency that exists, and

e authorizing the City to utilize alternative methods of conducting all formal bid openings, and waiving the requirements of Yakima Municipal Code Chapter 1.80 020 for public bid openings while the declared emergency is in effect. Bid tabulations shall be made available to all bidders, or upon request, within a reasonable amount of time after bid openings

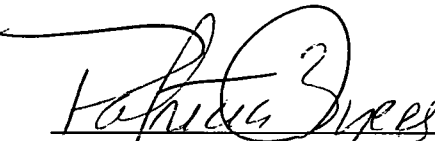
2 Violation—Penalty. Pursuant to YMC 6 06 050 on “Violation—Penalty,” “it is unlawful for any person to fail or refuse to obey any such Order proclaimed by the Mayor or the City Council” issued pursuant to YMC Chapter 6.06; and any person convicted of a violation of YMC Chapter 6 06 shall be guilty of a misdemeanor and may be punished by a fine of not more than Five Hundred Dollars or by imprisonment in jail for not more than ninety days, or by both such fine and imprisonment.

3 Subsequent Orders. The Mayor is authorized to issue subsequent Orders which are additionally necessary to address the present situation, pursuant to and in accordance with YMC 6 06 030 and subject to approval of the City Council within seventy-two hours of their issuance

4. Circulation A copy of this Proclamation and Order shall be sent to the Governor of the State of Washington and to the County Commissioners of Yakima County To the extent practicable, notices of this Proclamation and Order shall be made available to all news media within the City of Yakima pursuant to YMC 6 06 040 and to the general public

5 Presentation, Ratification, Termination. This Proclamation and Order shall at the earliest practicable time pursuant to YMC 6.06.030 be presented to the City Council for ratification and confirmation, modification, or rejection, but in no event more than seventy-two (72) hours after the proclamation of this Order, and if rejected, shall be void. This Proclamation and Order shall remain in effect until such time as it is removed by a subsequent City Proclamation, Order or Resolution when it is determined that the extraordinary measures are no longer required for the protection of the public peace, and safety and welfare, or through the 4th day of June, 2020, when the City Council shall either modify, renew or discontinue this Proclamation and Order; whichever occurs first.

DATED this 5th day of May, 2020.



Patricia Byers, Mayor
of the City of Yakima



**BUSINESS OF THE CITY COUNCIL
YAKIMA, WASHINGTON
AGENDA STATEMENT**

Item No. 4.A.
For Meeting of: May 5, 2020

ITEM TITLE: Resolution approving extension of Mayoral Proclamation declaring emergency and order, if the Mayor issues a Proclamation extending the civil emergency proclamation and order due to COVID-19 and draft letter to Governor Inslee

SUBMITTED BY: Alex Meyerhoff, Interim City Manager

SUMMARY EXPLANATION:

On March 24, 2020, Governor Inslee issued Proclamation 20-28 amending emergency proclamation 20-05, which temporarily suspends the Open Public Meetings Act language requiring agencies to provide a physical location for the public to attend meetings in person. Therefore, the public may attend Council meetings by live streaming the meeting on the City's web page at www.yakimawa.gov under "City Council", then "Steam Meetings Live" at <https://www.yakimawa.gov/council/live-stream/> or by viewing the live telecast on Y-PAC, Spectrum Cable channel 194. Comments relating to the City Council agenda can be delivered by email or by telephone to the City of Yakima until May 5, 2020 at 5:00 p.m. Oral public comment on agenda topics which are not public hearings continues to be suspended. There are no public hearings on the May 5, 2020 City Council agenda.

On March 12, 2020, the Mayor issued a Proclamation of Emergency and Order regarding a state of emergency in the City of Yakima due to the coronavirus disease 2019 ("COVID-19"). The City Council ratified the emergency proclamation at a special meeting on March 13, 2020. On April 7, 2020, the City Council ratified and approved the Mayoral Proclamation of an Extension of Civil Emergency and Order for thirty 30 days until May 7, 2020. If the Mayor issues a proclamation extending the emergency proclamation and order beyond May 7, 2020, the City Council will consider an extension of the emergency proclamation and order for thirty days through June 4, 2020.

Additionally, attached is a draft letter Mayor Byers would like to discuss sending to Governor Inslee.

ITEM BUDGETED: NA

STRATEGIC PRIORITY: Public Safety

APPROVED FOR SUBMITTAL BY THE CITY MANAGER

RECOMMENDATION:

ATTACHMENTS:

	Description	Upload Date	Type
📎	Mayoral Proclamation Extending Civil Emergency and Order	4/21/2020	Presentation
📎	Resolution - Mayoral Proclamation Extending Civil Emergency and Order	4/21/2020	Resolution
📎	draft letter Inslee	5/1/2020	Cover Memo
📎	Proclamation 20-28 - OPMA	4/21/2020	Backup Material
📎	R-2020-040 Mayoral Proclamation of an Extension of Civil Emergency and Order	4/21/2020	Backup Material
📎	Mayoral Proclamation of an Extension of Civil Emergency and Order	4/21/2020	Backup Material
📎	R-2020-025 Resolution Ratifying Mayoral State of Emergency Proclamation	4/21/2020	Backup Material
📎	Mayoral Proclamation of Civil Emergency and Order	4/21/2020	Backup Material

JAY INSLEE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

**PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATION 20-05**

20-28

Open Public Meetings Act and Public Records Act

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, 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, I have subsequently issued amendatory Proclamations 20-06, 20-07, 20-08, 20-09, 20-10, 20-11, 20-12, 20-13, 20-14, 20-15, 20-16, 20-17, 20-18, 20-19, 20-20, 20-21, 20-22, 20-23, 20-24, 20-25, 20-26, and 20-27, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, 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 broadly spread throughout Washington State; and

WHEREAS, to curtail the spread of the COVID-19 pandemic in Washington State and to protect our most vulnerable populations, it is necessary to limit person to person contact through social distancing and limiting person to person contact; and

WHEREAS, to curtail the spread of the COVID-19 pandemic in Washington State and to protect our most vulnerable populations, it is necessary to limit person to person contact through social distancing and limiting the numbers of people who may gather in one location; and

WHEREAS, transparency in state government and all of its political subdivisions is an important state policy, such that all statutes related to open public meetings and public records are the business of the state; and

WHEREAS, there are a plethora of electronic, telephonic and other options that make it possible for the public to attend open public meetings remotely; and

WHEREAS, it is necessary to immediately waive any requirement in RCW 42.56, the Public Records Act, and RCW 42.30, the Open Public Meetings Act, that provides for any activity that necessitates an in-person setting; and

WHEREAS, the worldwide COVID-19 pandemic and its progression throughout Washington State continue 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; and

WHEREAS, the Washington State Department of Health (DOH) 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 this ongoing incident; and

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

NOW, THEREFORE, I, Jay Inslee, Governor of Washington, as a result of the above-noted situation, and under RCW 38.08, RCW 38.52 and RCW 43.06, do hereby proclaim that a state of emergency continues to exist in all Washington State counties, that Proclamation 20-05 and all amendments thereto remain in effect, and that Proclamation 20-05 is amended by waiving and suspending the portions of RCW 42.30 and RCW 42.56 that require in-person meetings or contact.

I again direct that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the Washington State Comprehensive Emergency Management Plan and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Also, I continue to direct the DOH, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(1)(h), I find that RCW 42.30, as applied to all public agencies statewide, involves the conduct of state business, and to help preserve and maintain life, health, property or the public peace, I hereby amend Proclamation 20-05 to prohibit public agencies as follows:

Any public agency, subject to RCW 42.30, is prohibited from conducting any meeting, subject to RCW 42.30 unless (a) the meeting is not conducted in-person and instead provides an option(s) for the public to attend the proceedings through, at minimum, telephonic access,

and may also include other electronic, internet or other means of remote access, and (b) provides the ability for all persons attending the meeting to hear each other at the same time.

Remote meeting resources include the Department of Enterprise Services Master Contract for teleconferencing and web-based meeting platforms, which can be found here:

Software Resellers (06016):

<https://apps.des.wa.gov/DESContracts/Home/ContractSummary/06016>

Cloud Solutions (05116):

<https://apps.des.wa.gov/DESContracts/Home/ContractSummary/05116>

Other resources can be found online by searching for free conference call services and for other e-based meeting services. Additional guidance for remote meetings may be found on at the Municipal Research and Services Center (MRSC, www.mrsc.org).

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(1)(h), I find that RCW 42.30, as applied to all public agencies statewide, involves the conduct of state business, and to help preserve and maintain life, health, property or the public peace, I hereby amend Proclamation 20-05 to prohibit public agencies as follows:

Subject to the conditions for conducting any meeting as required above, agencies are further prohibited from taking “action,” as defined in RCW 42.30.020, unless those matters are necessary and routine matters or are matters necessary to respond to the COVID-19 outbreak and the current public health emergency, until such time as regular public participation under the Open Public Meetings Act is possible.

FURTHERMORE, based on the above noted situation and under the provisions of RCW 43.06.220(2)(g), I find that strict compliance with the following portions of statutory and regulatory obligations or limitations will prevent, hinder, or delay necessary action for coping with the COVID-19 State of Emergency by bringing people in contact with one another at a time when the virus is rapidly spreading, and that the language of each statutory provision specified below is hereby waived and suspended as provided herein until midnight on April 23, 2020:

- RCW 42.30.030 – the following words only:
 - “and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter”
- RCW 42.30.040 – in its entirety; however, agencies are strongly encouraged to utilize a remote meeting option that complies, to the greatest extent possible, with this statute
- RCW 42.30.050 – as to the following word only: “room” in the first sentence
- RCW 42.30.070 – as to the following word only: the first usage of “site” - in the fourth sentence
- RCW 42.30.075 – as to the following words only:
 - “Notice of any change from such meeting schedule shall be published in the state register for distribution at least twenty days prior to the rescheduled meeting date.”
- RCW 42.30.080(2)(c) – as to the following words only:
 - “Prominently displayed at the main entrance of the agency's principal location and the meeting site if it is not held at the agency's principal location.”

- RCW 42.30.090 – as to the following words only:
 - “on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held.”

FURTHERMORE, based on the above noted situation and under the provisions of RCW 43.06.220(2)(g), I find that RCW 42.56, as applied to all public agencies statewide involves the conduct of state business and I also find that strict compliance with the following statutory and regulatory obligations or limitations will prevent, hinder, or delay necessary action for coping with the COVID-19 State of Emergency in responding to public records requests by bringing people in contact with one another at a time when the virus is rapidly spreading, and that the language of each statutory provision specified below is hereby waived and suspended as provided herein until midnight on April 23, 2020:

- RCW 42.56.080(2), as to the following words only:
 - “Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency.”
 - “in person during an agency's normal office hours, or”
- RCW 42.56.090, as to the first sentence only
- RCW 42.56.100, as to the following word only in the first sentence: “full”
- RCW 42.56.520(1), as to the following words only in the second sentence: “Within five business days of receiving a public records request,”

Violators of this of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

Signed and sealed with the official seal of the state of Washington on this 24th day of March, A.D., Two Thousand and Twenty at Olympia, Washington.

By:

_____/s/
Jay Inslee, Governor

BY THE GOVERNOR:

_____/s/
Secretary of State

RESOLUTION NO. R-2020-040

A RESOLUTION extending the Mayor's Proclamation of Civil Emergency and Order regarding a state of emergency in the City of Yakima due to the coronavirus disease 2019 ("COVID-19").

WHEREAS, on February 29, 2020, the Governor of the State of Washington issued a Proclamation declaring a state of emergency due to the number of confirmed cases of the novel coronavirus which has been named "coronavirus disease 2019" (abbreviated "COVID-19") in the State of Washington and the serious nature of the effects of COVID-19 on the population; and

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a pandemic, and

WHEREAS, on March 12, 2020, the Yakima County Commissioners declared a state of emergency in Yakima County as a result of confirmed cases of COVID-19 in Yakima County, thus enabling Yakima County to take extraordinary measures to address the threat of the novel coronavirus (COVID-19) to the public health and safety; and

WHEREAS, as a result of confirmed cases of COVID-19 affecting residents in Yakima County, the Proclamations and Orders issued by the Governor of the State of Washington and the Yakima County Commissioners, and to provide for the best opportunity for the City of Yakima to address immediate responses to the threat of COVID-19 in the City of Yakima and reduce the opportunities for exposure to the disease, the Mayor issued a Proclamation of Civil Emergency and Order on March 12, 2020, which was ratified and confirmed by the City Council on March 13, 2020, and

WHEREAS, 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, Governor Jay Inslee signed subsequent amendatory Proclamations since February 29, 2020; and

WHEREAS, pursuant to Yakima Municipal Code 6 06.030, the City Council is required to ratify and confirm the Mayor's Proclamation of an Extension of Civil Emergency and Order, within 72 hours of the Proclamation and Order being issued, and

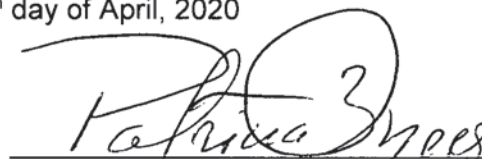
WHEREAS, the City Council has determined that it is in the best interests of the City of Yakima to ratify and confirm the Mayor's Proclamation of an Extension of Civil Emergency and Order, and to authorize the Proclamation of an Extension of Civil Emergency and Order on the state of emergency to continue for the next thirty days unless rescinded sooner or extended by the City Council, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:


- 1 The City Council of the City of Yakima ratifies and confirms the Mayoral Proclamation of an Extension of Civil Emergency and Order issued on April 7, 2020

- 2 The City Manager is authorized to request any state or federal assistance needed to meet the demands of the emergency that exists, as the City may be in need of economic assistance from available state and federal sources for expenses associated with the response to the COVID-19 threat and the costs associated therewith
- 3 The Mayor may take whatever measures the Mayor deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents during this state of civil emergency
- 4 The Proclamation of an Extension of Civil Emergency and Order shall be in effect for thirty days after this ratification and confirmation of it until May 7, 2020, unless rescinded sooner or extended by the City Council

ADOPTED BY THE CITY COUNCIL this 7th day of April, 2020


Patricia Byers, Mayor

ATTEST


Sonya Claar Tee, City Clerk



MAYORAL PROCLAMATION OF AN EXTENSION OF CIVIL EMERGENCY AND ORDER

**City of Yakima, Washington
April 7, 2020**

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the novel coronavirus which has been named "coronavirus disease 2019" (abbreviated "COVID-19"), and

WHEREAS, on February 29, 2020, Governor Jay Inslee signed Proclamation 20-06 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 Management Plan be implemented; and

WHEREAS, 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, Governor Jay Inslee signed subsequent amendatory Proclamation 20-06 on March 9, 2020, Proclamation 20-07 on March 11, 2020, and subsequent amendatory Proclamations 20-08, 20-09, 20-10, 20-11, 20-12, 20-13, 20-14, 20-15, 20-16, 20-17, 20-18, 20-19, 20-20, 20-21, 20-22, 20-23, 20-24, 20-25, 20-26, 20-27, 20-28, 20-29, 20-30, 20-31, 20-32, 20-33 and 20-34, and

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a pandemic, and

WHEREAS, on March 12, 2020, the Yakima County Commissioners signed an Emergency Declaration due to the number of confirmed cases of COVID-19 in Yakima County, thus enabling Yakima County government to take extraordinary measures, and

WHEREAS, the Executive Director of the Yakima County Department of Health for Yakima County has reported to the Mayor and/or the City Manager and the public that there are a number of confirmed cases of COVID-19 in Yakima County and that that number will likely increase; and

WHEREAS, the City of Yakima believes that the significant likelihood of additional confirmed cases of COVID-19 constitutes a civil emergency as defined in Yakima Municipal Code Chapter 6.06 entitled "Emergency Powers of Mayor, City Council and City Manager" and necessitates the utilization of emergency powers granted under RCW 38.52.070, and

WHEREAS, the Proclamation and Order by the Mayor of the City of Yakima dated March 12, 2020 declared a state of emergency in the City of Yakima (the "City") due to the novel coronavirus (COVID-19) in the City of Yakima in Yakima County, Washington, establishes and orders measures to protect public health and safety, including the potential for a general curfew in a certain specified area should such a measure become necessary, and the numbers of COVID-19 cases have increased since that time and the proclamation of a state of emergency needs to continue, and

WHEREAS, the novel coronavirus (COVID-19) is occurring in Yakima County and is having an impact within the city limits of the City of Yakima, Washington, and

Proclamation Extending Civil Emergency and Order – 1

WHEREAS, since the Mayoral Proclamation of Emergency and Order was issued on March 12, 2020 and ratified and confirmed by the City Council on March 13, 2020, there have been a number of Proclamations and Orders issued by federal, state and local authorities regarding COVID-19, and the number of COVID-19 cases has continued to increase in the United States, the State of Washington, and in Yakima County; and

WHEREAS, some of the of the Orders and Proclamations that have been issued since March 12, 2020 because of the COVID-19 pandemic include but are not limited to the following on March 23 2020, the President of the United States declared a national emergency; on March 23, 2020, State of Washington Governor Jay Inslee issued an Executive Order directing all residents immediately to heed current State public health directives to stay home, except as needed to maintain continuity of operations of essential critical infrastructure sectors and as additional sectors as the State Public Health Officer may designate as critical to protect health and well-being of all Washingtonians, and on or about March 22, 2020, the Yakima Health District Health Officer issued a Stay at Home Order for Yakima County residents, and

WHEREAS, the coronavirus (COVID-19) threatens the health and safety of persons and property within Yakima, and

WHEREAS, a civil emergency exists requiring me to exercise the emergency powers vested in me as Mayor by Yakima Municipal Code ("YMC") Chapter 6 06 entitled "Emergency Powers of Mayor, City Council and City Manager", and

WHEREAS, I have reviewed the situation, consulted with the Interim City Manager and some of the City Department Heads and verified the existence of the emergency cited below, and the necessity for me to take immediate, extraordinary action as outlined in this Proclamation and Order; and

WHEREAS, in the judgment of the Mayor, extraordinary measures are necessary to protect the public peace, safety and welfare, and

WHEREAS, the Mayor is authorized by Yakima Municipal Code ("YMC") Chapter 6.06 entitled "Emergency Powers of Mayor, City Council and City Manager" to take certain actions necessary to protect persons and property in the event of an emergency; and

WHEREAS, the area impacted or endangered by the current situation is described below; and

WHEREAS, the current situation involving COVID-19 qualifies as a civil emergency; and

WHEREAS, response to the COVID-19 emergency situation requires decisive action to protect the health and safety of persons and property; and

WHEREAS, RCW 38 52 070(2) on emergency powers and YMC 6 06 030D authorize the City to enter into contracts and incur obligations necessary to combat a civil emergency, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such civil emergency if needed, and

WHEREAS, upon the proclamation of a civil emergency by the Mayor and during the existence of such emergency, the Mayor may make and proclaim various actions and orders pursuant to YMC 6.06.030(D) in order to address an emergency situation, and

Proclamation Extending Civil Emergency and Order – 2

WHEREAS, pursuant to YMC 6 06 030, civil emergency orders by the Mayor "shall, at the earliest practicable time but in no event more than seventy-two (72) hours after the proclamation of the respective order(s), be presented to the City Council for ratification and confirmation, and if not so ratified and confirmed shall be void", and

WHEREAS, pursuant to YMC 6 06 040 regarding delivery of the proclamation to the news media, the Mayor shall cause any proclamation issued pursuant to YMC Chapter 6 06 "to be delivered to all news media within the City and shall utilize such other available means, including public address systems, as shall be necessary in his or her judgment, to give notice of such proclamation to the public", and

WHEREAS, the Mayor finds it to be in the best interest of the City of Yakima to continue and extend a proclamation of a state of emergency for the City of Yakima, to establish measures to protect public health and safety, and to define the geographical area within the City limits to which this Proclamation and Order applies, now, therefore,

IT IS HEREBY PROCLAIMED AND ORDERED:

1. **Determination of Emergency** A state of emergency currently exists and continues to exist in the City of Yakima as a result of

An outbreak and increase of the coronavirus disease (COVID-19) in the United States and confirmed person-to-person spread of COVID-19 in Washington State, including in Yakima County

As a result of the occurrence of this outbreak and the emergency that exists, I authorize the City of Yakima to exercise all actions necessary during the state of emergency to protect the safety, health and well-being of the residents of the City, to include but not be limited to

a ordering areas of quarantine as may be necessary and appropriate to preserve health and safety;

b postponing meetings of City committees, commissions and boards as may be determined appropriate;

c altering the schedule means, methods and occurrence of City Council meetings to accommodate health concerns and preservation of public safety;

d authorizing the City to enter into contracts and obligations necessary to respond to the declared emergency to protect the health, welfare and property of the City's residents and to provide emergency assistance as required, and to otherwise suspend requirements for bidding processes and formalities otherwise required by law unless mandated by Constitutional requirements in order to respond to the emergency that exists, and

e authorizing the City to utilize alternative methods of conducting all formal bid openings, and waiving the requirements of Yakima Municipal Code Chapter 1 80 020 for public bid openings while the declared emergency is in effect. Bid tabulations shall be made available to all bidders, or upon request, within a reasonable amount of time after bid openings

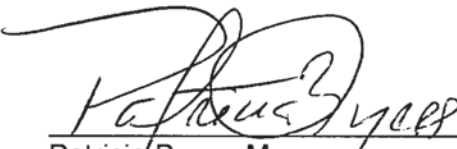
2. Violation—Penalty Pursuant to YMC 6 06.050 on “Violation—Penalty,” “it is unlawful for any person to fail or refuse to obey any such Order proclaimed by the Mayor or the City Council” issued pursuant to YMC Chapter 6.06, and any person convicted of a violation of YMC Chapter 6.06 shall be guilty of a misdemeanor and may be punished by a fine of not more than Five Hundred Dollars or by imprisonment in jail for not more than ninety days, or by both such fine and imprisonment.

3. Subsequent Orders The Mayor is authorized to issue subsequent Orders which are additionally necessary to address the present situation, pursuant to and in accordance with YMC 6 06 030 and subject to approval of the City Council within seventy-two hours of their issuance

4 Circulation A copy of this Proclamation and Order shall be sent to the Governor of the State of Washington and to the County Commissioners of Yakima County To the extent practicable, notices of this Proclamation and Order shall be made available to all news media within the City of Yakima pursuant to YMC 6 06 040 and to the general public

5 Presentation, Ratification, Termination This Proclamation and Order shall at the earliest practicable time pursuant to YMC 6.06 030 be presented to the City Council for ratification and confirmation, modification, or rejection, but in no event more than seventy-two (72) hours after the proclamation of this Order, and if rejected, shall be void This Proclamation and Order shall remain in effect until such time as it is removed by a subsequent City Proclamation, Order or Resolution when it is determined that the extraordinary measures are no longer required for the protection of the public peace, and safety and welfare, or until the 7th day of May, 2020, when the City Council shall either modify, renew or discontinue this Proclamation and Order; whichever occurs first.

DATED this 7th day of April, 2020



Patricia Byers, Mayor
of the City of Yakima

RESOLUTION NO. R-2020-025

A RESOLUTION ratifying and confirming the Mayor's Proclamation of Emergency and Order regarding a state of emergency in the City of Yakima due to the coronavirus disease 2019 ("COVID-19")

WHEREAS, on January 31, 2020, the Governor of the State of Washington issued a Proclamation declaring a state of emergency due to the number of confirmed cases of the novel coronavirus which has been named "coronavirus disease 2019" (abbreviated "COVID-19") in the State of Washington and the serious nature of the effects of COVID-19 on the population, and

WHEREAS, on March 12, 2020, the Yakima County Commissioners declared a state of emergency in Yakima County as a result of confirmed cases of COVID-19 in Yakima County, thus enabling Yakima County to take extraordinary measures to address the threat of the novel coronavirus (COVID-19) to the public health and safety, and

WHEREAS, as a result of confirmed cases of COVID-19 affecting residents in Yakima County, the Proclamations and Orders issued by the Governor and the Yakima County Commissioners, and to provide for the best opportunity for the City of Yakima to address immediate responses to the threat of COVID-19 in the City of Yakima and reduce the opportunities for exposure to the disease, the Mayor issued a Proclamation of Civil Emergency and Order on March 12, 2020, attached hereto and incorporated herein, in accordance with City Ordinance and State statute; and

WHEREAS, pursuant to Yakima Municipal Code 6 06 030, the City Council is required to ratify and confirm the Mayor's Proclamation of Emergency and Order within 72 hours of the Proclamation and Order being issued, and

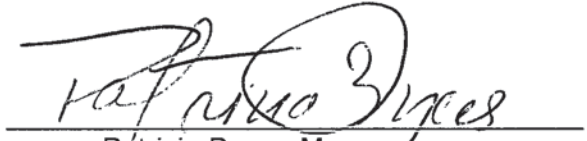
WHEREAS, the City Council has determined that it is in the best interests of the City of Yakima to ratify and confirm the Mayor's Proclamation of Civil Emergency and Order, and to authorize the Proclamation of Civil Emergency and Order on the state of emergency to continue for the next thirty days unless rescinded sooner or extended by the City Council, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

- 1 The City Council of the City of Yakima ratifies and confirms the Mayoral Proclamation of Civil Emergency and Order issued on March 12, 2020
- 2 The City Manager is authorized to request any state or federal assistance needed to meet the demands of the emergency that exists, as the City may be in need of economic assistance from available state and federal sources for expenses associated with the response to the COVID-19 threat and the costs associated therewith
- 3 The Mayor may take whatever measures the Mayor deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents during this state of civil emergency.

- 4 The Proclamation of Civil Emergency and Order shall be in effect for thirty days after the date of ratification below unless rescinded sooner or extended by the City Council

ADOPTED BY THE CITY COUNCIL this 13th day of March, 2020



Patricia Byers, Mayor

ATTEST



Sonya Claar Tee, City Clerk



**MAYORAL PROCLAMATION OF CIVIL EMERGENCY
AND ORDER**

**City of Yakima, Washington
March 12, 2020**

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the novel coronavirus which has been named "coronavirus disease 2019" (abbreviated "COVID-19"); 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 Management Plan be implemented; and

WHEREAS, Governor Jay Inslee signed subsequent Proclamation 20-06 on March 9, 2020 and Proclamation 20-07 on March 11, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a pandemic; and

WHEREAS, on March 12, 2020, Yakima County Commissioners signed an Emergency Declaration due to the number of confirmed cases of COVID-19 in Yakima County thus enabling Yakima County government to take extraordinary measures; and

WHEREAS, the Executive Director of the Yakima County Department of Health for Yakima County has reported to the Mayor and/or the City Manager that there are a number of confirmed cases of COVID-19 in Yakima County and that that number will likely increase; and

WHEREAS, the City of Yakima believes that the significant likelihood of additional confirmed cases of COVID-19 constitutes a civil emergency as defined in Yakima Municipal Code Chapter 6.06 entitled "Emergency Powers of Mayor, City Council and City Manager" and necessitates the utilization of emergency powers granted under RCW 38.52.070; and

WHEREAS, this Proclamation and Order by the Mayor of the City of Yakima declares a state of emergency in the City of Yakima (the "City") due to the novel coronavirus (COVID-19) in the City of Yakima in Yakima, County, Washington, establishes and orders measures to protect public health and safety, including the potential for a general curfew in a certain specified area should such a measure become necessary; and

WHEREAS, as of March 12, 2020, the novel coronavirus (COVID-19) is occurring and has had or will have an impact within the city limits of the City of Yakima, Washington; and

WHEREAS, the coronavirus (COVID-19) threatens the health and safety of persons and property within Yakima; and

WHEREAS, a civil emergency exists requiring me to exercise the emergency powers vested in me as Mayor by Yakima Municipal Code ("YMC") Chapter 6.06 entitled "Emergency Powers of Mayor, City Council and City Manager"; and

WHEREAS, I have reviewed the situation, consulted with some of the City Department Heads and verified the existence of the emergency cited below, and the necessity for me to take immediate, extraordinary action as outlined in this Proclamation and Order; and

WHEREAS, in the judgment of the Mayor, extraordinary measures are necessary to protect the public peace, safety and welfare; and

WHEREAS, the Mayor is authorized by Yakima Municipal Code ("YMC") Chapter 6.06 entitled "Emergency Powers of Mayor, City Council and City Manager" to take certain actions necessary to protect persons and property in the event of an emergency; and

WHEREAS, the area impacted or endangered by the current situation is described below; and

WHEREAS, the current situation involving COVID-19 qualifies as a civil emergency; and

WHEREAS, response to the COVID-19 emergency situation requires decisive action to protect the health and safety of persons and property; and

WHEREAS, RCW 38.52.070(2) on emergency powers and YMC 6.06.030D authorize the City to enter into contracts and incur obligations necessary to combat a civil emergency, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such civil emergency if needed; and

WHEREAS, upon the proclamation of a civil emergency by the Mayor and during the existence of such emergency, the Mayor may make and proclaim various actions and orders pursuant to YMC 6.06.030(D) in order to address an emergency situation; and

WHEREAS, pursuant to YMC 6.06.030, civil emergency orders by the Mayor "shall, at the earliest practicable time but in no event more than seventy-two (72) hours after the proclamation of the respective order(s), be presented to the City Council for ratification and confirmation, and if not so ratified and confirmed shall be void"; and

WHEREAS, pursuant to YMC 6.06.040 regarding delivery of the proclamation to the news media, the Mayor shall cause any proclamation issued pursuant to YMC Chapter 6.06 "to be delivered to all news media within the City and shall utilize such other available means, including public address systems, as shall be necessary in his or her judgment, to give notice of such proclamation to the public"; and

WHEREAS, the Mayor finds it to be in the best interest of the City of Yakima to proclaim a state of emergency for the City of Yakima, to establish measures to protect public health and safety, and to define the geographical area within the City limits to which this Proclamation and Order applies; now, therefore,

IT IS HEREBY PROCLAIMED AND ORDERED:

1. **Determination of Emergency.** A state of emergency currently exists in the City of Yakima as a result of:

Proclamation of Civil Emergency and Order – 2

An outbreak of the coronavirus disease (COVID-19) in the United States and confirmed person-to-person spread of COVID-19 in Washington State.

As a result of the occurrence of this outbreak and the emergency that exists I authorize the City of Yakima to exercise all actions necessary during the state of emergency to protect the safety, health and well-being of the Residents of the City, to include but not be limited to:

- a. ordering areas of quarantine as may be necessary and appropriate to preserve health and safety;
- b. postponing meetings of City committees, commissions and boards as may be determined appropriate;
- c. altering the schedule means, methods and occurrence of City Council meetings to accommodate health concerns and preservation of public safety;
- d. authorizing the City to enter into contracts and obligations necessary to respond to the declared emergency to protect the health, welfare and property of the City's residents and to provide emergency assistance as required, and to otherwise suspend requirements for bidding processes and formalities otherwise required by law unless mandated by Constitutional requirements in order to respond to the emergency that exists;

2. Violation—Penalty. Pursuant to YMC 6.06.050 on "Violation—Penalty," "it is unlawful for any person to fail or refuse to obey any such Order proclaimed by the Mayor or the City Council" issued pursuant to YMC Chapter 6.06; and any person convicted of a violation of YMC Chapter 6.06 shall be guilty of a misdemeanor and may be punished by a fine of not more than Five Hundred Dollars or by imprisonment in jail for not more than ninety days, or by both such fine and imprisonment.


3. Subsequent Orders. The Mayor is authorized to issue subsequent Orders which are additionally necessary to address the present situation, pursuant to and in accordance with YMC 6.06.030 and subject to approval of the City Council within seventy-two hours of their issuance.

4. Circulation. A copy of this Proclamation and Order shall be sent to the Governor of the State of Washington and to the County Commissioners of Yakima County. To the extent practicable, notices of this Proclamation and Order shall be made available to all news media within the City of Yakima pursuant to YMC 6.06.040 and to the general public.

5. Presentation, Ratification, Termination. This Proclamation and Order shall at the earliest practicable time pursuant to YMC 6.06.030 be presented to the City Council for ratification and confirmation, modification, or rejection, but in no event more than seventy-two (72) hours after the proclamation of this Order, and if rejected, shall be void. This Proclamation and Order shall remain in effect until such time as it is removed by a subsequent City Proclamation, Order or Resolution when it is determined that the extraordinary measures are no longer required for the protection of the public peace, and safety and welfare, or until the 1/16 day of

April, 2020, when the City Council shall either modify, renew or discontinue this Proclamation and Order; whichever occurs first.

DATED this 12th day of March, 2020.


Patricia Byers, Mayor
of the City of Yakima