

RESOLUTION 2020-28

**A RESOLUTION PROCLAIMING THE SECOND EXTENSION OF THE
DECLARATION OF EMERGENCY IN THE CITY OF TOPPENISH,
WASHINGTON 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 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, on March 16, 2020, the City Council of the City of Toppenish issued a Declaration of Emergency through April 27, 2020, and on April 27, 2020, issued a First Extension of the Declaration of Emergency through May 26, 2020, and

WHEREAS, on March 22, 2020, the Yakima Health District issued a Stay at Home Order for all Yakima County residents, with the intent to take immediate action to slow the spread of COVID-19, and

WHEREAS, on March 23, 2020, Governor Inslee issued a Proclamation directing all Washington residents to “Stay Home, Stay Healthy” until April 8, 2020, restricting public gatherings and travel except to buy food and supplies or to obtain medical care and medicine, and all in-person work activity not related to essential critical infrastructure, and which was extended until May 4, 2020, and further extended until the termination of the State of Emergency May 31, 2020, and

WHEREAS, on March 24, 2020, Governor Inslee issued a Proclamation temporarily suspending portions of the Open Public Meetings Act and prohibiting state and local government entities from holding in-person public meetings through April 23, 2020, and which was extended until May 4, 2020, in writing by the leadership of the State Senate and the House of Representatives on April 22, 2020, and which was further extended until May 31, 2020, per extension in writing by the leadership of the State Senate and the House of Representatives on May 11, 2020,

WHEREAS, COVID-19 is a highly infectious disease that can result in serious respiratory illness, organ damage, and death, and more than 2,600 COVID-19 cases have now been confirmed in Yakima County, which makes Yakima County the highest per capita rate of confirmed COVID-19 cases in Washington State, and disruption of important services, damage to life, or damage to property is occurring in local municipalities, including the City of Toppenish, from the above conditions, and

WHEREAS, the City Council has determined that it is in the best interests of the City of Toppenish to authorize the Second Extension of the Declaration of Emergency shall follow the same schedule as Governor Inslee's issued Proclamations, and all amendments thereto, for the "Stay Home, Stay Healthy" Executive Order and the temporary suspension of certain provisions of the Open Public Meetings Act, in addition to following the same schedule of the Yakima Health District issued Stay Home Order for all Yakima County residents,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOPPENISH AS FOLLOWS:

1. The City Council of the City of Toppenish issues a Second Extension of the Declaration of Emergency on May 26, 2020, attached hereto, and incorporated herein, and takes the following action:
 - Authorizes all City Council meetings to be conducted remotely and to not accept in-person public comments as required by Governor Inslee's issued Proclamation, and all amendments thereto, temporarily suspending portions of the Open Public Meetings Act and prohibiting state and local government entities from holding in-person public meetings until May 31, 2020, per extension in writing by the leadership of the State Senate and the House of Representatives on May 11, 2020,
 - Closure of all City buildings, to include City Hall, Fire Department, Police Department, to the public and occupancy use limits in compliance as imposed by local, state, and federal regulations.
 - Authorizes the suspension of online service charges to utility customers while this Second Extension of the Declaration of Emergency is in effect.
 - 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.
 - The City Manager may take whatever measures the City Manager 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.
2. The duration of the attached Second Extension of the Declaration of Emergency shall follow the same schedule as Governor Inslee's issued Proclamations, and all amendments thereto, for the "Stay Home, Stay Healthy" Executive Order and the temporary suspension of certain provisions of the Open Public Meetings Act, in addition to following the same schedule of the Yakima Health District issued Stay Home Order for all Yakima County residents.

This resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the Toppenish City Council at its regular meeting held on May 26, 2020.



MARK OAKS, Mayor

ATTEST:



HEIDI RIOJAS, CMC, City Clerk

**SECOND EXTENSION OF
DECLARATION OF EMERGENCY**

**City of Toppenish, Washington
May 26, 2020**

WHEREAS, on March 12, 2020, the first confirmed cases of Novel Coronavirus (COVID-19) were detected in Yakima County, and

WHEREAS, COVID-19 is an infectious respiratory disease that can result in serious illness or death and that can easily spread from person to person, and

WHEREAS, international, federal, and state government public health authorities have issued warnings regarding the impacts and severity of the COVID-19 pandemic, and

WHEREAS, the Governor of the State of Washington proclaimed that a State of Emergency related to COVID-19 exists in all counties in the state of Washington, and

WHEREAS, on March 12, 2020, Yakima County, and the City of Yakima both declared an Emergency related to COVID-19, and

WHEREAS, on March 16, 2020, the City Council of the City of Toppenish issued a Declaration of Emergency through April 27, 2020, and on April 27, 2020, issued a First Extension of the Declaration of Emergency through May 26, 2020, and

WHEREAS, on March 22, 2020, the Yakima Health District issued a Stay at Home Order for all Yakima County residents, with the intent to take immediate action to slow the spread of COVID-19, and

WHEREAS, on March 23, 2020, Governor Inslee issued a Proclamation directing all Washington residents to “Stay Home, Stay Healthy” until April 8, 2020, restricting public gatherings and travel except to buy food and supplies or to obtain medical care and medicine, and all in-person work activity not related to essential critical infrastructure, and which was extended until May 4, 2020, and further extended until the termination of the State of Emergency May 31, 2020, and

WHEREAS, on March 24, 2020, Governor Inslee issued a Proclamation temporarily suspending portions of the Open Public Meetings Act and prohibiting state and local government entities from holding in-person public meetings through April 23, 2020, and which was extended until May 4, 2020, in writing by the leadership of the State Senate and the House of Representatives on April 22, 2020, and which was further extended until May 31, 2020, per the extension in writing by the leadership of the State Senate and the House of Representatives on May 11, 2020,

WHEREAS, one or more COVID-19 events have now occurred in Yakima County, and disruption of important services, damage to life, or damage to property can be expected in local municipalities, including the City of Toppenish, from the above conditions, and

WHEREAS, measures must be taken to protect the public health, safety and welfare within the City of Toppenish and City resources related to disease prevention, continuity of operations, public information, and related public services and funding are expected to be severely affected and/or exhausted, and

WHEREAS, the Yakima Valley Office of Emergency Management and the Yakima County Health District have declared a local health emergency and have recommended that Cities in Yakima County likewise declare an emergency to manage the impacts of COVID-19,

NOW, THEREFORE, IT IS HEREBY DECLARED BY THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON AS FOLLOWS:

1. **Emergency Declaration:** A State of Emergency, pursuant to Chapter 38.52 RCW, exists within the City of Toppenish to respond to the impacts of COVID-19.
2. **Emergency Powers:** All emergency powers and authority granted in Chapter 38.52 RCW and in RCW 39.04.280, which allows streamlined processes for purchasing goods and services, are hereby invoked. Each City department is authorized to exercise the powers vested under this declaration to take emergency actions and provide emergency services to protect the health and safety of persons and property.
3. **State and Federal Assistance:** The City Manager is authorized to seek State and Federal assistance and potential reimbursement for local funds spent on COVID-19 response.
4. **Limitations:** This declaration is not intended as a finding of "public danger" under RCW 35A.13.030.

Dated this 26th day of May, 2020.

CITY OF TOPPENISH



Mark Oaks, Mayor