

RESOLUTION NO. 1003

**DECLARING A TEMPORARY STATE OF EMERGENCY WITHIN THE BOUNDARIES OF THE CITY
AND DELEGATING AUTHORITY TO THE CITY MANAGER**

WHEREAS, on March 8, 2020, the Governor of the State of Oregon issued Executive Order 20-03 declaring a statewide State of Emergency under ORS 401.025(1) due to the serious public health and safety threat posed by the spread of the COVID-19 virus within our state;

WHEREAS, the City of Stayton (“the City”) has enacted SMC 2.44.1070 , which pertains to the declaration and administration of a City-wide State of Emergency within City boundaries;

WHEREAS, the City Council finds that the detection of multiple cases of Coronavirus (COVID-19) within the state and the Governor’s Declaration present circumstances constituting a present threat of imminent widespread or severe damage, significant injury to persons or property, increased human suffering, loss of life, and financial loss within the City’s boundaries;

WHEREAS, the City Council finds that during this State of Emergency, it is prudent and responsible to delegate certain powers and responsibilities to the City Manager in order to more efficiently expedite City responses and services;

WHEREAS, these emergency circumstances require focused and coordinated municipal and community responses beyond that which occur routinely and such coordinated responses cannot be achieved without temporarily amending some of the City’s regular business, emergency, employment, and intergovernmental practices; and

WHEREAS, these emergency circumstances are anticipated to remain in effect until at least April 30th, 2020.

NOW, THEREFORE, IT IS DECLARED THAT:

Section 1. City-wide State of Emergency. A City-wide State of Emergency hereby exists within the City of Stayton, which includes all of the area within the city boundaries. This State of Emergency in Stayton was declared on March 13th, 2020, was extended on March 30th, 2020, and shall continue until April 30th, 2020 unless further extended or rescinded by the City pursuant to this formal Declaration.

Section 2. City Authority. During this State of Emergency, the City may take any legal and necessary steps to respond and recover from the emergency, including but not limited to: requesting assistance, funds, and reimbursement from the State of Oregon and federal agencies; adopting temporary rules and policies regarding City facilities, funds, resources, and staff; entering into contracts for services or aid agreements with other governmental or private entities; and cancelling non-essential City meetings and events.

- a. Emergency procurement of goods, services, and public improvements is hereby authorized pursuant to ORS 279B.080, ORS 279C.320, ORS 279C.380(4), and all other applicable statutes, ordinances, and rules.

Section 3. Staff Designation. The City Manager was directed to identify two additional City staff members who are designated and authorized to serve as the “acting in

capacity" City Manager (City Manager AIC) in the City Manager's absence during this State of Emergency. The City Manager or designee(s) shall regularly document and report to the Council regarding any actions or orders taken pursuant to this Declaration. The City Manager has identified the designated staff members as the Chief of Police and then the Administrative Services Manager.

Section 4. City Manager Delegation. During this State of Emergency, the Council hereby delegates to the City Manager (and to City Manager designees in the case of the City Manager's absence), the authority to take actions and issue orders necessary and reasonable to protect health, safety and welfare of the City and the public and to conduct activities that minimize or mitigate the effect of the emergency, as long as such actions, orders, and activities are in compliance with City, state and federal law.

- a. Notwithstanding the immediately preceding, if the City Manager desires to issue a municipal order limiting or banning public gatherings, establishing curfews, closing or limiting businesses, or implementing other social distancing measures *beyond that ordered by the State of Oregon*, the City Manager shall first consult with the City Council. This provision does not prevent the City Manager from publishing recommendations regarding such social distancing measures within the City.

Section 5. Effective Date and Duration. This Declaration shall be effective on the date adopted by the City Council and shall remain in effect until rescinded by the City Council.

Section 6. Establishing an Emergency. It is hereby adjudged and declared that existing conditions are such that this Declaration is necessary for the immediate preservation of the public peace, health and safety of the City of Stayton, and an emergency is hereby declared to exist and this Resolution, and all provisions modifying the Resolution referred to herein, shall take effect in full force and effect when signed by the Mayor.

This Resolution shall become effective upon its adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 6TH DAY OF APRIL, 2020.

Signed: 4/7/ 2020

CITY OF STAYTON
By: Henry A. Porter
Henry A. Porter, Mayor

Signed: 4/6/ 2020

ATTEST: Keith D. Campbell
Keith D. Campbell, City Manager