CITY OF PHOENIX
PHOENIX, OREGON

RESOLUTION NO. 1054

A RESOLUTION OF THE CITY OF PHOENIX DECLARING A LOCAL STATE OF EMERGENCY IN THE CITY OF PHOENIX AS A RESULT OF COVID-19 PANDEMIC

WHEREAS, Chapter II. Section 4 of the City of Phoenix 2015 Phoenix Charter provides:

> Powers. The city has all powers that the constitutions, statutes, and common law of the United States and of this state now or hereafter expressly or impliedly grant or allow the city, as fully as though this charter specifically enumerated each of those powers.

WHEREAS, the following conditions have resulted in the need for a local state of emergency declaration.

> COVID-19 (novel corona virus) was declared a pandemic by the World Health Organization on March 11, 2020.
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> Corona virus are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life for individuals with underlying health conditions.
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> COVID-19 requires a significant amount of resources at the local level to keep the public and community informed and as safe as possible.
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> On March 8, 2020, Governor Kate Brown declared a state of emergency due to the COVID-19 outbreak in Oregon (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1). Governor Brown also issued guidance regarding group gatherings and social distancing to minimize potential opportunities for the COVID-19 to spread (Executive Order No. 20-05).
>
> The unknown duration of the COVID-19 pandemic will have significant financial impact to the community.
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> The office of the city manager of the City of Phoenix has been closely monitoring updated information for the state through the Oregon Health Authority (OHA), and the Centers for Disease Control (CDC) for U.S. updates. The primary focus at the City is to restrict the spread of COVID-19 and to maintain the health of our workforce so the City can continue to provide crucial City services.
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> Pursuant to ORS 401.309(1), the governing body of a city may declare, by ordinance or resolution, that a state of emergency exists within the city. The City Council has further

adopted an Emergency Operations Plan (August 2013) (the "EOP") in coordination with the state, county and other local governments within Jackson County.

Pursuant to the 2015 Phoenix Charter, Chapter IV, the City Council may exercise its administrative authority through adoption of resolution.

The City Council and its Mayor, through this resolution have determined that a state of emergency exists that requires a "coordinated response of all government levels to save the lives and protect the property of a large portion of the population" EOP 1.6.1.

NOW, THEREFORE, THE CITY OF PHOENIX RESOLVES AS FOLLOWS:

SECTION 1. Findings. The City Council hereby adopts as findings and conclusions the foregoing recitals.

1. The mayor and City Council declare that a Local State of Emergency exists throughout the City of Phoenix.

SECTION 2. Order. This Declaration of Local State of Emergency is effective immediately and shall remain in effect until August 3, 2020, so long as COVID-19 continues to pose an ongoing, immediate, and substantial threat to life, safety, health, or property in the City of Phoenix.

1. The declaration by the City Council states the emergency:

(a) The nature of the emergency is as defined in the recitals;
(b) The geographical boundaries of the area subject to the emergency procedures are within the boundaries of the City of Phoenix more specifically defined by Figure 2-1 in the EOP;
(c) The duration of time during which the area so designated shall remain an emergency area is as provided above in this Order; and
(d) Any special regulations imposed as a result of the state of emergency are as provided herein and as future needs require and all will be made based rationally upon specific need as clearly apparent by the circumstances presented.
(e) The city manager or his designee is authorized to institute special regulations as specifically needed and provided herein, such special regulation to be ratified by the City Council at the next legally scheduled meeting thereafter.

2. To protect the health and safety of City employees, with input from the City Human Resource department, IT, legal and other city department heads, City Council directs the city manager or his designee to have and continue to develop emergency policies and guidance on the use of sick leave, vacation leave, tele-commuting, meeting protocol, identification of essential and non-essential staff for ongoing presence at City facilities, and other policies that will be in effect for the duration of the emergency.

3. To eliminate exposure to and spread of COVID-19, and in support of state and federal

guidelines for social distancing, the City of Phoenix is cancelling a number of programs and public meetings through August 3, 2020, at which time the City will review the information from the CDC and Jackson County Health for updated decisions.

- At this time, scheduled City Council meetings will continue to occur, but with modifications including reduced meeting length and encouragement of live streaming options.

4. To respond to the COVID-19 Pandemic, the City may procure needed goods and services in accordance with ORS 279B.080 and without compliance with normal procurement procedures, redirect any necessary City funds for emergency purposes, and take any other action set forth in PMC 3.04, including any actions necessary for the protection of health and safety.

6. Sign ordinances will be suspended during this emergency.

7. The City will take all necessary steps authorized by law to coordinate the response and recovery of this emergency, including but not limited to, requesting assistance from the State of Oregon and Jackson County.

PASSED AND ADOPTED by the City Council and signed by me in authentication thereof on this 13th day of May, 2020.

Mayor

ATTEST:

Bonnie Pickett, City Recorder

Approved as to form:

City Attorney
Douglas M McGeary, OSB 880793