

RESOLUTION NO. 4698

A RESOLUTION RATIFYING A DECLARATION OF A STATE OF EMERGENCY DUE TO COVID-19

**Whereas**, section 2.1 of the Beaverton Charter of 2021 provides that the city shall have all powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow the city, as fully as though this charter specifically enumerated each of those powers; and

**Whereas** ORS chapter 401 additionally authorizes the governing body of a city to declare by resolution that a state of emergency exists within the city; and

**Whereas**, the City of Beaverton has enacted a local ordinance, Beaverton Municipal Code Chapter 2.01, that provides direction for the city, its officials, and others if an emergency exists within the city, and which provides for executive responsibility in times of emergency and specifically delegates authority to declare a state of emergency to the City Manager; and

**Whereas**, a novel coronavirus identified as SARS-CoV-2 causes a disease known as COVID-19, which is a respiratory disease with the potential to cause serious illness or loss of life and is a threat to public health and safety; and

**Whereas**, over 80 million cases of COVID-19 have been detected worldwide and over 332,246 people in the United States have died of COVID-19; and

**Whereas**, the President of the United States has proclaimed a national emergency concerning COVID-19 in the United States; and

**Whereas**, the Governor of the State of Oregon has declared a statewide public health state of emergency due to the outbreak of COVID-19 in Oregon; and

**Whereas**, the Washington County Board of Commissioners has declared a state of emergency relating to COVID-19 in Washington County, Oregon; and

**Whereas**, the city's former mayor declared a state of emergency relating to COVID-19, which declaration the city council ratified and authorized the mayor to renew without modification for so long as there remains an ongoing need for the emergency order; and

**Whereas**, with the change in the city's form of government and the expiration on January 1, 2021, of the former mayor's declaration of a state of emergency, it is necessary to again declare a state of emergency relating to COVID-19 to ensure the City of Beaverton has the resources and authority needed to respond to the disease; now therefore

**BE IT RESOLVED BY THE CITY COUNCIL OF BEAVERTON, OREGON:**

**Section 1.** The Beaverton City Council hereby ratifies the declaration of a state of emergency issued by the City Manager effective January 1, 2021, which declaration is attached as an exhibit to this resolution.

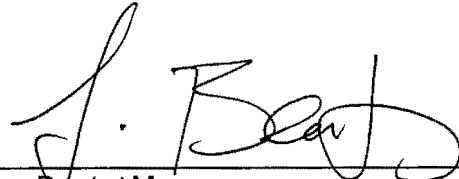
**Section 2.** The Beaverton City Council authorizes the City Manager to extend without further council ratification the duration of the January 1, 2021, Declaration of a State of Emergency due to COVID-19 in increments not to exceed 60 days for so long as there remains an ongoing need; provided however that if the terms of the declaration other than its effective dates are changed, the modified declaration must be ratified by the City Council, and further recognizing that at any time the Beaverton City Council on its own motion may modify or terminate the declaration.

Adopted by the City Council this 5<sup>th</sup> day of January, 2021.

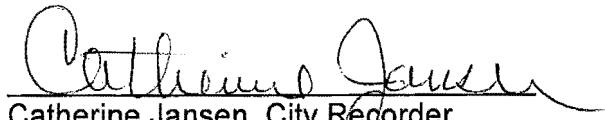
Signed by the Mayor this 6<sup>th</sup> day of January, 2021.

Ayes: 6

Nays: 0

  
\_\_\_\_\_  
Lacey Beaty, Mayor

Attest:

  
\_\_\_\_\_  
Catherine Jansen, City Recorder

**CITY OF BEAVERTON  
DECLARATION OF A STATE OF EMERGENCY  
DUE TO COVID-19**

**Whereas**, a novel coronavirus identified as SARS-CoV-2 causes a disease known as COVID-19, which is respiratory disease with the potential to cause serious illness or loss of life and is a threat to public health and safety; and

**Whereas**, reliable sources report that over 80 million cases of COVID-19 have been detected worldwide and over 332,246 people in the United States have died of COVID-19; and

**Whereas**, the President of the United States has proclaimed a national emergency concerning COVID-19 in the United States; and

**Whereas**, the Governor of the State of Oregon has declared by executive order a statewide public health state of emergency due to the outbreak of COVID-19 in Oregon; and

**Whereas**, the Washington County Board of Commissioners has declared a state of emergency relating to COVID-19 in Washington County, Oregon; and

**Whereas**, Mayor Doyle declared a state of emergency relating to COVID-19, which declaration the city council ratified and authorized the mayor to renew without modification for so long as there remains an ongoing need for the emergency order; and

**Whereas**, with the change in the city's form of government and the expiration of the mayor's last renewal of the declaration of emergency set to expire on January 1, 2021, it is necessary to again declare a state of emergency relating to COVID-19 to ensure the City of Beaverton has the resources and authority needed to respond to the disease; and

**Whereas**, Beaverton Code (BC) section 2.01.040 empowers the City Manager to make emergency and disaster declarations, and BC section 2.01.045 provides that the city council must convene as soon as practical thereafter to consider whether to ratify, modify, or reject such declarations; now therefore

**I, KURT WILSON, AS CITY MANAGER OF THE CITY OF BEAVERTON, DECLARE:**

**Section 1.** A local public health state of emergency due to COVID-19 exists within the territorial limits of the City of Beaverton.

**Section 2.** This declaration is effective January 1, 2021, and shall remain in effect to and including February 26, 2021.

**Section 3.** To protect the health of City employees, the Human Resources Department may issue emergency rules or guidance on the use of sick leave, telework, remote work, or other policies that shall be in effect only for the duration of the emergency.

**Section 4.** The City and its officials are authorized to take such actions and issue such orders as described in Beaverton Code Chapter 2.01 (the Emergency Management Code) as are determined to be necessary to protect lives and property and to efficiently conduct activities that minimize or mitigate the effect of the emergency.

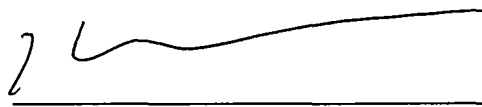
**Section 5.** The emergency procurement of goods and services are authorized pursuant to the Oregon Public Contracting Code and applicable rules of the Beaverton Purchasing Code.

**Section 6.** The City's Emergency Management Program Manager shall 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 Washington County.

**Section 7.** The directives set forth in this declaration are temporary, with a limited scope and duration. They address the immediate needs identified above, pursuant to my emergency powers, but do not otherwise undermine contractual bargains, interfere with parties' reasonable expectations, or prevent parties from safeguarding or reinstating their rights. The directives of this declaration are appropriate, necessary, and reasonable means by which to implement the significant and legitimate public purpose of responding to the declaration of a state of emergency for COVID-19.

Dated January 1, 2021.

**City of Beaverton, Oregon**

By:   
Kurt Wilson, City Manager