

**CITY OF FLORENCE
RESOLUTION NO. 13, SERIES 2021**

**A Resolution Declaring a Temporary State of Emergency within the Boundaries of
the City and Delegating Authority to the City Manager, and repealing Resolution
No. 2, Series 2021.**

RECITALS:

1. 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. Since this date there have been several extensions of the State's Emergency order with the current one expiring March 3, 2021.
2. On March 17, 2020, the Lane County Board of Commissioners adopted Order 20-03-17-06, declaring a local emergency as a result of public health response to COVID-19.
3. ORS Chapter 401.309 grants the City additional authority to declare a State of Emergency within the City.
4. On March 20, 2020 the City of Florence and the West Lane Emergency Operations Group partner agencies activated the West Lane Emergency Operations Center.
5. On March 23, 2020, the Governor of the State of Oregon issued Executive Order 20-12 "Stay Home, Save Lives".
6. Also, on March 23, 2020, the Florence City Council declared a temporary State of Emergency within the Boundaries of the City as they found 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.
7. Since the initial State of Emergency was declared and the Stay Home, Save Lives Executive Order was put in place, Governor of the State of Oregon has issued several more executive orders with corresponding guidance.
8. On May 14, 2020, the Governor of the State of Oregon issued Executive Order 20-25 "A Safe and Strong Oregon" implementing a phased approach for reopening Oregon's Economy. This initial Framework was in place through December 2, 2020.

9. Effective December 3, 2020, the Governor of the State of Oregon issued Executive Order 20-66: Risk and Safety Framework: *County-By-County Metrics-Based Approach to Controlling COVID-19 Transmission to Conserve Hospital Capacity and Protect Human Health and Human Lives*. This replaced Executive Order 20-25.
10. Since December 3, 2020, Lane County has had the risk categorizations of Extreme, High, Moderate, and Low Risk as defined by Executive Order 20-66: Risk and Safety Framework. Currently, Lane County is categorized as Low Risk.
11. The current Risk and Safety Framework, continued community spread, and the initial vaccination stage all are necessitating factors in the consideration of a fourth extension of the City of Florence Emergency Declaration.
12. The City Council finds that with this updated information and guidelines from the State that we will be in an emergency state responding and recovering simultaneous to the COVID-19 crisis.
13. The City Council finds that 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, recovery efforts, and services.
14. These emergency circumstances require focused and coordinated municipal and community responses and recovery efforts 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.
15. Originally, this emergency situation for the City of Florence began on March 23, 2020. The first, second, and third extensions of the Emergency Declaration were enacted at the June 8, 2020, September 21, 2020, and January 25, 2021 meetings of the City Council. After further review and consideration of the current situation, it has been determined that the City is still in an emergency response and recovery mode.
16. The City Manager acting on authority granted by Resolution No. 2, Series 2021, extended for the fourth time the Emergency Declaration before it expired on March 31, 2021. By this Resolution, the City Council ratifies this decision due to the anticipated continued operations within the COVID-19 Virus emergency, response, and recovery for at least another 10 weeks or until June 8, 2021.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE RESOLVES AS FOLLOWS:

1. **City Wide State of Emergency.** A City-wide State of Emergency hereby exists and continues to exist within the City of Florence, which includes all areas within the city boundaries.
2. **City Authority.** During this continued 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, fees, resources, and staff; entering into contracts for services and 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.
 - b. The City may suspend enforcement of billing department rules, regulations and code provisions, in the City Manager's discretion under the provisions of this declaration.
 - c. The City Manager, or designee, is hereby authorized to utilize the digital signature of the Mayor, or City Council presiding officer, as a method of original signature on actions of the City Council, should such actions be approved by the Mayor, or City Council presiding officer, either verbally or in writing.
3. **Staff Designation.** The City Manager is directed to identify two additional 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.
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, participate in recovery efforts, apply for stimulus and recovery funding, 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 or physical 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 or physical distancing measures within the City.
5. **Effective Date and Duration.** This Resolution shall become effective immediately upon adoption and shall remain in effect until June 8, 2021, at 11:59 p.m., unless further extended by the City Manager or designee, or the City Council.
6. **Establishing an Emergency.** It is hereby adjudged and declared that existing conditions are such that this Declaration extension continues to be necessary for the immediate preservation of the public peace, health and safety of the City of Florence, 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.

ADOPTION:

This Resolution is passed and adopted on the 5th day of April, 2021.



Joe Henry, Mayor

Attest:



Kelli Weese, City Recorder