

**RESOLUTION #20-653  
TOWN OF TWISP**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TWISP, WASHINGTON, AUTHORIZING THE USE OF EMERGENCY PROCUREMENT PROCEDURES CONSISTENT WITH STATE LAW AND TO ADOPT PROCEDURES FOR HOLDING PUBLIC MEETINGS THAT ARE CONSISTENT WITH STATE LAW WHILE REDUCING THE RISK OF EXPOSURE AND SPREAD OF CONTAGIOUS VIRUSES THROUGH SOCIAL INTERACTIONS.**

**WHEREAS**, the Revised Code of Washington (RCW) Chapter 38.52 authorizes the Mayor to exercise emergency powers; and

**WHEREAS**, the novel coronavirus (COVID-19) is a respiratory disease that may result in serious illness or death and is easily transmissible from person to person; and

**WHEREAS**, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

**WHEREAS**, on February 29, 2020, Governor Jay Inslee declared a state of emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the State; and

**WHEREAS**, on March 16, 2020 Governor Jay Inslee issued an additional Emergency Proclamation ordering that events that take place in all counties with more than 50 people are prohibited by the state. The order applies to gatherings for social, spiritual and recreational activities. These include but are not limited to: community, civic, public, leisure, faith-based, or sporting events; parades; concerts; festivals; conventions; fundraisers and similar activities; and

**WHEREAS**, on March 17th, 2020, the Okanogan County Public Health Department issued a memorandum supporting the Governor's Emergency proclamation #20-13 limiting food and beverage service and areas of congregation, requesting that Okanogan County agencies enter into a joint effort to ensure compliance; and

**WHEREAS**, the health, safety and welfare of Town residents, businesses, visitors and staff is of utmost importance to the Town and additional future measures may be needed to protect the community; and

**WHEREAS**, the Town may require additional assistance in the future, and a formal declaration of emergency allows additional resources to flow to the Town in a timely fashion; and

**WHEREAS**, existing conditions related to the COVID-19 warrant the proclamation of emergency, as defined by Revised Code of Washington (RCW) Section 38.52.010; and

**WHEREAS**, RCW 36.40.180, RCW 38.52.070(2), and RCW 39.04.280(3), authorize the waiver of the requirements of competitive bidding and public notice with reference to any contract relating to the

Town's lease or purchase of supplies, equipment, personal services or public works as defined by RCW 39.04.010, or to any contract for the selection and award of professional and/or technical consultant contracts in emergency situations;

**WHEREAS**, there is an emergency present which necessitates the utilization of emergency powers granted pursuant to chapter 38.52 RCW, and other relevant provisions of state and federal law; and

**WHEREAS**, on March 18<sup>th</sup>, 2020 Mayor Ing-Moody signed an Emergency Proclamation declaring a state of emergency exists; and

**WHEREAS**, the Open Public Meetings Act, chapter 42.30 RCW, requires Towns to take action in an open public meeting where members of the public are able to attend such meetings without any conditions placed on attendance; and

**WHEREAS**, due to the multiple declarations of emergency adopted as set forth herein, the public's ability to attend public meetings must be balanced with the need to limit continued exposure, or risk of exposure, through social interaction to the COVID-19 virus;

**WHEREAS**, the Attorney General has issued guidance to public agencies attempting to comply with the OPMA and reducing and limiting the risk of social exposure indicating that using a remote speakerphone available at an agency meeting location (agency office or other designated physical location) where the public can attend to listen to the discussion, using a phone call- in numbers the public can use, or real time streaming of the meeting online, or similar remote means for the public to listen to the discussion would be appropriate under existing Emergency Proclamation(s);

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TWISP, WASHINGTON**

#### **SECTION 1**

That the Emergency Proclamation signed by Mayor Ing-Moody dated March 18<sup>th</sup>, 2020 which among other things waived competitive bidding requirements is hereby ratified and confirmed and all acts consistent with and prior to the adoption of this Resolution are further ratified and confirmed.

#### **SECTION 2**


Town Staff are hereby directed to incorporate procedures for conducting public meetings that are consistent with the Open Public Meetings Act as set forth in chapter 42.30 RCW while balancing the requirement of public viewing and participation with need to limit the social interactions that could increase the risk of exposure to the COVID-19 virus. Such procedures may include using a remote speakerphone available at an agency meeting location (agency office or other designated physical location) where the public can attend to listen to the discussion, using a phone call- in numbers the public can use, or real time audio streaming of the meeting online, or similar remote means for the public to listen to the discussion.

**PASSED BY THE TOWN COUNCIL** this 18<sup>th</sup> Day of March 2020.

**APPROVED:**

  
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Soo Ing-Moody, Mayor

**ATTEST:**

  
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Randy Kilmer, Clerk/Treasurer

