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**CITY OF FIRCREST  
RESOLUTION NO. 1651**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF FIRCREST, WASHINGTON, CERTIFYING THE  
EXISTENCE OF AN EMERGENCY RELATIVE TO COVID-  
19**

**WHEREAS**, on April 14, 2020, pursuant to Fircrest City Council Rules of Procedures and the authority conferred by state law, the City Manager, in consultation with other governmental agencies and non-governmental partners certified the existence of an emergency relative to COVID-19; and

**WHEREAS**, the City Council has separately reviewed the situation and verified the existence of the emergency described herein, and the necessity for the City to take immediate, extraordinary action as outlined in this Resolution; and

**WHEREAS**, the aforesaid situation and its effects, which continue to impact the life and health of the residents of the City of Fircrest, as well as the property, utilities and transportation infrastructure of the City of Fircrest, all of which affect life, health, property, or the public peace, and therefore constitute a public emergency demanding immediate action; and

**WHEREAS**, the aforesaid conditions constitute an “emergency” within the meaning of FMC 2.08, state competitive bidding laws, RCW 39.04.280(3), and the State’s emergency management code, chapter 38.52 RCW, among other laws, inasmuch as the conditions described are likely to result in loss of life or health, or material loss or damage to property, etc. if immediate action was not taken; and

**WHEREAS**, for City staff to have complied with the usual procedure would have jeopardized the proper, appropriate and adequate response of the City of Fircrest. Now, Therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FIRCREST:**

**Section 1.** Certification of Existence of Emergency. Pursuant to RCW 39.04.280(2), RCW 38.52, and FMC 2.08, the Council confirms and certifies the existence of an emergency necessitating the utilization of emergency powers granted under the above said provisions under the direction of the City Manager. The City Manager is authorized to do the following under this declaration:

1. Enter into contracts and incur obligations necessary to combat such emergency to the extent necessary to the protect the health and safety of person and property; and
2. Provide appropriate emergency assistance; and
3. Utilize the emergency contracting authority provided by state law, including but not limited to RCW 39.80.060 and RCW 39.04.280, and waive the competitive bidding and/or selection procedures otherwise required for the City’s procurement of vital resources and public work; and
4. Take other actions as appropriate and reasonably necessary to address the emergency and protect the public health, safety and welfare of the Fircrest

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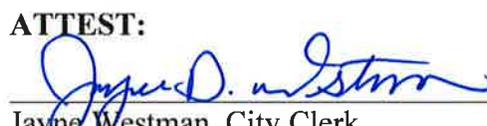
**Section 2. Ratification of Actions Taken.** The actions taken and expenditures made by the City Manager and his/her designees in responding to the emergency generally fall within their authority and where processes were not followed, it was in the interest of responding timely to the emergency. As such, any and all actions taken to date by the City Manager or City staff in response to the emergency, including any rules and regulations issued under FMC 2.08 are hereby ratified, confirmed and approved.

**Section 3. Severability.** If any section, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property, or circumstance.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon its adoption and shall be in effect until rescinded by the City Council.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON,** at a regular meeting thereof this 14<sup>th</sup> day of April 2020.

**APPROVED:**  
  
\_\_\_\_\_  
Hunter T. George, Mayor

**ATTEST:**  
  
\_\_\_\_\_  
Jayne Westman, City Clerk

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
Michael B. Smith, City Attorney