

RESOLUTION NO. 2276-20

A RESOLUTION OF THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, DECLARING A LOCAL EMERGENCY AND DELEGATION OF AUTHORITY IN RESPONSE TO COVID-19

WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death and can easily spread from person to person is currently a global pandemic; and

WHEREAS, the U.S. Center for Disease Control and Prevention (CDC) and the Washington State Department of Health has determined that social distancing will significantly reduce the risk of exposure and infection to residents; and

WHEREAS, the U.S. Department of Health and Human Services declared a public health emergency for COVID-19 on January 31, 2020; and,

WHEREAS, Washington State Governor Jay Inslee proclaimed a public health emergency for COVID-19 on February 29, 2020; and,

WHEREAS, the Skagit County Department of Public Health issued a declaration of emergency for COVID-19 on March 10, 2020, and recently confirmed that community transmission of the virus is occurring in Skagit County; and

WHEREAS, United States President Donald Trump declared a national emergency to combat COVID-19 on March 13, 2020; and

WHEREAS, several cases of COVID-19 already exist in Skagit County, and the extreme risk of person-to-person transmission may significantly impact the life and health of our people, as well as our economy, and is a public health disaster that threatens life, health, property or the public peace; and

NOW, THEREFORE, BE IT RESOLVED, that on the basis of the foregoing facts, the Board of Commissioners of Public Utility District No. 1 of Skagit County, Washington, declares an emergency caused by COVID-19; and

BE IT FURTHER RESOLVED, the Board authorizes the General Manager to exercise such emergency powers as may be lawful and necessary under applicable laws, regulations, ordinances, or the District's policies, including by way of example and not limitation: RCW 54.16.100 (PUD General Manager Powers), RCW 54.16.190 (General Resolutions), RCW 39.04.280(3) for emergency procurement, and Chapter 39.28 RCW (Emergency Public Works); and

BE IT FURTHER RESOLVED, the General Manager is authorized during this emergency to exercise such lawful authority through the use and direction of District personnel, services, equipment and such additional acts as the General Manager may find necessary in his sole discretion to properly and safely manage this emergency which may include but is not limited to: make necessary rules and regulations reasonably related to the emergency, obtain supplies, equipment, personal property, professional, procured or technical services, etc. (including selecting and awarding such contracts as necessary), such public works as defined by RCW 39.04.010, to waive competitive biddings requirements as necessary, to adjust work schedules for staff, to authorize overtime and/or extended leave for personnel, to determine and assign essential personnel to maintain the District's necessary functions, obtain emergency funding and permitting through federal, state and local agencies, and take such other lawful acts as may be necessary and reasonably related to the emergency situation declared hereunder; and

BE IT FURTHER RESOLVED, the Board authorizes an increase to the General Manager's spending limit authority during this emergency from \$35,000 to \$100,000 without prior approval in order to make necessary purchases and to enter into contracts and incur obligations in order to combat the emergency. As soon as practicable, the General Manager will advise the Board of any obligations that have been entered into under the authority of this resolution; and

BE IT FURTHER RESOLVED, the District staff has been authorized to work with our customers who are experiencing extreme financial hardship due to COVID-19 related layoffs or reductions in pay; and

BE IT FURTHER RESOLVED, this Resolution shall continue in full force and effect until terminated by law or until the Board withdraws such authority; and shall be reviewed as a regular agenda item at the Board's meetings until such time as this Resolution is terminated; and

BE IT FURTHER RESOLVED, this Resolution is not intended to establish a precedent for how similar emergency situations will be addressed in the future.

ADOPTED by the Commission of Public Utility District No. 1 of Skagit County, Washington, at an open public meeting held this 24th day of March 2020.


Eron Berg (Mar 25, 2020)

Eron Berg, President


Al Littlefield (Mar 26, 2020)

Al Littlefield, Vice President

ATTEST


Joe Lindquist (Mar 26, 2020)

Joe Lindquist, Secretary