RESOLUTION NO. 2021-11

A RESOLUTION of the City Council of Bainbridge Island, Washington, affirming the City Manager’s Proclamation Terminating Emergency Proclamation which terminates the March 9, 2020 Proclamation of Emergency issued by the City Manager.

WHEREAS, the Kitsap Public Health District has been responding to the COVID-19 outbreak since February 3, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee declared a state of emergency in response to the new cases of COVID-19 in Washington State; and

WHEREAS, on March 9, 2020, the situation was sufficiently serious that it was necessary to proclaim an emergency within the City of Bainbridge Island due to the possibility that the spread of COVID-19 may become a pandemic; and

WHEREAS, Chapter 2.44 of the Bainbridge Island Municipal Code ("BIMC") designates the City Manager as the executive head of the City for purposes of emergency management with the authority to proclaim and terminate emergencies; and

WHEREAS, on March 9, 2020, the City Manager issued a Proclamation of Emergency related to the COVID-19 pandemic; and

WHEREAS, on March 10, 2020, the City Council ratified and confirmed the Proclamation of Emergency issued by the City Manager through Resolution No. 2020-06; and

WHEREAS, on June 22, 2021, the City Council considered rescinding the Proclamation of Emergency and authorized the City Manager to rescind or terminate the Proclamation of Emergency issued on March 9, 2020; and

WHEREAS, on July 1, 2021, Governor Inslee issued Proclamation No. 20-25.14, “Washington Ready,” which, in part, recognizes that “data reflect that the number and percent of vaccinated Washington residents continue to increase, while the number of new COVID-19 cases, hospitalizations, and deaths are decreasing,” and the Governor thereby ordered that movement, occupancy, and face-covering restrictions be modified as set forth in Proclamation No. 20-25.14; and

WHEREAS, on July 9, 2021, the City Manager terminated the Proclamation of Emergency via the Proclamation Terminating Emergency Proclamation, attached as Exhibit A.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND DOES RESOLVE AS FOLLOWS:
Section 1. The Emergency Previously Proclaimed No Longer Exists. Based on changing circumstances and improving conditions on Bainbridge Island and more broadly related to the COVID-19 pandemic, the emergency, as defined in Chapter 38.52 RCW, RCW 43.06.010(12), RCW 39.04.280(3), and Chapter 2.44 BIMC, or imminent threat of such an emergency, that existed as described in Resolution No. 2020-06 no longer exists within the City of Bainbridge Island, as set forth in the Proclamation Terminating Emergency Proclamation issued by the City Manager on July 9, 2021, attached as Exhibit A.

Section 2. Termination of the Proclamation of Emergency. The Proclamation of Emergency issued by the City Manager on March 9, 2020, attached as Exhibit B to this resolution, which was ratified and confirmed on March 10, 2020 by the City Council through Resolution No. 2020-06, has been terminated by the City Manager as above described. The City Council hereby affirms the termination of the emergency proclamation.

Section 3. Termination of the Authorization of Emergency Procurements. The City Council also hereby affirms the City Manager’s termination of the authorization for emergency procurements, as set forth in the Proclamation Terminating Emergency Proclamation.

PASSED by the City Council this 13th day of July, 2021.

APPROVED by the Mayor this 13th day of July, 2021.

Rasham Nassar, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK: July 8, 2021
PASSED BY THE CITY COUNCIL: July 13, 2021
RESOLUTION NO. 2021-11

Exhibit A: Proclamation Terminating Emergency Proclamation
Exhibit B: Proclamation of Emergency
PROCLAMATION TERMINATING EMERGENCY PROCLAMATION

A PROCLAMATION, issued in accordance with Chapter 2.44 of the Bainbridge Island Municipal Code, terminating the March 9, 2020 Proclamation of Emergency.

WHEREAS, the Kitsap Public Health District has been responding to the COVID-19 outbreak since February 3, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee declared a state of emergency in response to the new cases of COVID-19 in Washington State; and

WHEREAS, on March 9, 2020, the situation was sufficiently serious that it was necessary to proclaim an emergency within the City of Bainbridge Island due to the possibility that the spread of COVID-19 may become a pandemic; and

WHEREAS, Chapter 2.44 of the Bainbridge Island Municipal Code ("BIMC") designates the City Manager as the executive head of the City for purposes of emergency management with the authority to proclaim and terminate emergencies; and

WHEREAS, on March 9, 2020, the City Manager issued a Proclamation of Emergency related to the COVID-19 pandemic; and

WHEREAS, on March 10, 2020, the City Council ratified and confirmed the Proclamation of Emergency issued by the City Manager through Resolution No. 2020-06; and

WHEREAS, on June 22, 2021, the City Council considered rescinding the Proclamation of Emergency and authorized the City Manager to rescind or terminate the Proclamation of Emergency issued on March 9, 2020; and

WHEREAS, on July 1, 2021, Governor Inslee issued Proclamation No. 20-25.14, "Washington Ready," which, in part, recognizes that "data reflect that the number and percent of vaccinated Washington residents continue to increase, while the number of new COVID-19 cases, hospitalizations, and deaths are decreasing," and the Governor thereby ordered that movement, occupancy, and face-covering restrictions be modified as set forth in Proclamation No. 20-25.14.

NOW, THEREFORE, AS CITY MANAGER OF THE CITY OF BAINBRIDGE ISLAND, I, BLAIR KING, HEREBY PROCLAIM AS FOLLOWS:

Section 1. Emergency Previously Proclaimed No Longer Exists. Based on changing circumstances and improving conditions on Bainbridge Island and more broadly related to the COVID-19 pandemic, the emergency previously proclaimed by the Proclamation of Emergency, as defined in Chapter 38.52 RCW, RCW 43.06.010(12), RCW 39.04.280(3), and Chapter 2.44 BIMC, that was issued by
the City Manager on March 9, 2020 no longer exists within the City of Bainbridge Island.

Section 2. **Termination of the Proclamation of Emergency.** The Proclamation of Emergency issued by the City Manager on March 9, 2020, and ratified and confirmed on March 10, 2020 by the City Council through Resolution No. 2020-06, is hereby terminated and shall no longer be in effect.

Section 3. **Termination of the Authorization of Emergency Procurements.** The authorization for emergency procurements contained in the March 9, 2020 Proclamation of Emergency is hereby terminated and is no longer in effect.

DATED this 9th day of July, 2021

Blair King, City Manager
Exhibit B:

PROCLAMATION OF EMERGENCY

A PROCLAMATION, issued in accordance with Chapter 2.44 of the Bainbridge Island Municipal Code, proclaiming the existence, or imminent threat, of an emergency threatening the public health, safety, and welfare.

WHEREAS, the Kitsap Public Health District has been responding to the COVID-19 outbreak since February 3, 2020, including preparations for a possible outbreak in Kitsap County and assessing possible cases of novel coronavirus; and

WHEREAS, on February 29, 2020, Governor Jay Inslee declared a state of emergency in response to the new cases of COVID-19 in Washington State; and

WHEREAS, on March 2, 2020, the City’s Emergency Operations Center (EOC) was activated and remains in “Standby” mode in response to the COVID-19 outbreak and continues to actively monitor the situation and coordinate with City staff, community partners, the general public, and local, county, regional, and state governmental partners; and

WHEREAS, on March 3, 2020, the Kitsap Public Health District moved to full activation of their Emergency Coordination Center (ECC), is actively testing for COVID-19, and has received significant resource requests from across Kitsap County; and

WHEREAS, on March 8, 2020, the Kitsap Public Health District was notified of the first Kitsap County resident testing positive for COVID-19, an individual residing on Bainbridge Island; and

WHEREAS, the resident of Bainbridge Island who tested positive is in isolation and is receiving medical care; and

WHEREAS, the Kitsap Public Health District has notified a small group of individuals who were identified as having had close contact with the resident who tested positive for COVID-19 and these individuals have been asked to stay home; and

WHEREAS, as of March 9, 2020, Washington State has 136 confirmed cases of COVID-19, and of those cases, there have been 18 fatalities; and

WHEREAS, the City has direct transportation links to areas of Washington State with active COVID-19 outbreaks; and

WHEREAS, the situation is sufficiently serious that it is necessary to proclaim an emergency within the City due to the possibility that the spread of COVID-19 may become a pandemic; and

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WHEREAS, Chapter 2.44 BIMC designates the City Manager as the executive head of the City for purposes of emergency management with the authority to proclaim emergencies.

NOW, THEREFORE, AS CITY MANAGER OF THE CITY OF BAINBRIDGE ISLAND, I, MORGAN SMITH, HEREBY PROCLAIM AS FOLLOWS:

Section 1. An emergency, as defined in Chapter 38.52 RCW, RCW 43.06.010(12), RCW 39.04.280(3), and Chapter 2.44 BIMC, or imminent threat of such an emergency exists within the City of Bainbridge Island.

Section 2. The emergency, or imminent threat of an emergency, warrants the activation of the authority and the commencement of the plans and procedures authorized under Chapter 38.52 RCW and Chapter 2.44 BIMC to preserve and protect the public health, safety, and welfare.

Section 3. Pursuant to RCW 39.04.280 and BIMC 2.44.110, public advertising and competitive bidding and procurement requirements of state law and the City Procurement Policy, excepting mandatory constitutional requirements, are waived with respect to the solicitation and award of all contracts necessary to address the emergency or imminent threat of an emergency.

Section 4. This Proclamation shall continue in force and effect until terminated by the City Manager or rescinded by action of the City Council, whichever occurs first.

DATED this 9th day of March, 2020.

Morgan Smith, City Manager