

City of Blaine
Request for Council Action
Meeting Date: June 22, 2020

Subject: Resolution 1821-20, Emergency Order Waiving the Use of Public Plaza Restrictions

Department: City Manager

Prepared By: _____
(Digital Signature)

Agenda Location: Consent Agenda Council Action Unfinished Business

Attachments:

1. Resolution 1821-20, Emergency Order Waiving the Use of Public Plaza Restrictions.
2. Emergency Order EO20-08

Background/Summary:

On March 13, 2020, the City Manager issued a Proclamation of Local Emergency regarding COVID-19. The proclamation was subsequently confirmed by City Council via resolution (Resolution 1800-20) at the March 16, 2020, Special City Council meeting. Per Resolution 1800-20, if the City Manager exercises any powers or authorities pursuant to the Proclamation confirmed and authorized under Resolution 1800-20, the City Manager shall report such exercise to the City Council at the next regular City Council meeting with explanation as to why it was necessary to take such action to meet the emergency situation articulated herein.

Since the May 26, 2020, City Council meeting, the City Manager has issued Emergency Order EO20-08. This emergency order temporarily waives the Blaine Municipal Code limitations on the exclusive use of public plazas. The waiver is in place until December 31, 2020. The actions in the emergency order allow the City Manager to approve park special use permits to businesses thereby allowing them to set up dining and retail space on H Street Plaza and/or G Street Plaza. This action is an effort to support the reopening of businesses in the reduced occupancy limits of the COVID-19 management effort.

Budget Implications: Current Budget New Budget Request Non-Budgetary

This action has no budget impacts.

Recommendation:

The City Manager recommends City Council approve Resolution 1821-20, Confirming Emergency Order EO20-08, Emergency Order Waiving the Use of Public Plaza Restrictions. Alternatively, City Council may choose to modify or reject and rescind Emergency Order EO20-08.

Reviewed By:

City Manager _____ Finance Director _____ City Clerk _____
(Digital Signature) (Digital Signature) (Digital Signature)

**CITY OF BLAINE
RESOLUTION NO. 1821-20**

**A RESOLUTION CONFIRMING EMERGENCY ORDER EO20-08 ISSUED BY THE CITY MANAGER
AS IDENTIFIED HEREIN**

WHEREAS, on March 13, 2020, the Blaine City Manager issued a Proclamation of Local Emergency regarding COVID-19; and,

WHEREAS, on March 16, 2020, the City Council of Blaine, Washington, adopted Resolution No. 1800-20 confirming the City Manager's Proclamation of Local Emergency regarding COVID-19; and,

WHEREAS, this Resolution confirms the underlying facts and basis included in Resolution No. 1800-20; and,

WHEREAS, since the adoption of those documents, the President of the United States has declared a national emergency due to COVID-19 and Washington State Governor Inslee has issued additional emergency decrees related to COVID-19 to protect and preserve public health and safety, including closing schools, restaurants, bars, entertainment and recreational facilities statewide; and,

WHEREAS, the public health emergency regarding COVID-19 and the facts underlying the actions taken on the federal, state and local level continues on the date hereof, thereby necessitating the action taken herein to protect and preserve public health, safety, life and property; and,

WHEREAS, the Blaine Municipal Code, Chapter 2.24, including BMC 2.24.030, authorizes the City Manager to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by the emergency provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council; and,

WHEREAS, the City Council finds its actions taken herein where done at the earliest practicable time thereby satisfying the Blaine Municipal Code requirement.

NOW THEREFORE, be it resolved by the City Council of the City of Blaine, Washington, as follows:

Section 1: The foregoing Recitals are expressly adopted herein.

Section 2: Emergency Order No. EO20-08 waived certain limitations in the Blaine Municipal Code Title 17 related to the exclusive use of public plazas until December 31, 2020.

Section 2: Emergency Order No. EO20-08 allowed the City Manager to issue park special use permits to businesses for the exclusive use of plaza space to set up eating, drinking, and retail space.

Section 4: Emergency Order EO20-08 as issued by the City Manager on June 9, 2020, is hereby confirmed and ratified.

ADOPTED by the City Council for the City of Blaine at a regular meeting held this 22nd day of June, 2020.

CITY OF BLAINE, WASHINGTON

Bonnie Onyon, Mayor

ATTEST/AUTHENTICATE:

Samuel Crawford, City Clerk