



EMERGENCY ORDER
IN AND FOR THE CITY OF SEQUIM, WASHINGTON

No. 2020-19

Repealing Section 3 of the City of Sequim’s Emergency Order 2020-18 regarding the definition of “existing” construction; implementing a Small Business Rapid Relief Program; authorizing the use of \$250,000 from the City’s Rainy Day Fund to be used to assist small businesses within the Sequim city limits.

Policy/Budget (Council) **City Clerk use only:** Presented to Council 5/11/20
Administrative (City Manager)

On March 16, 2020, at a special meeting of the City Council of the City of Sequim, the City Council issued a Proclamation of Civil Emergency due to the novel corona virus (COVID-19) outbreak that was identified as a pandemic by the World Health Organization on March 11, 2020.

The Proclamation of Civil Emergency was issued pursuant to Sequim Municipal Code 2.60, RCW 35A.38.010, and RCW 38.52.070(2) based on the public health threat posed by COVID-19, and is consistent with concurrent emergency declarations issued by the President of the United States and the Governor of the State of Washington.

On March 23, 2020 Governor Inslee issued Proclamation 20-25 – “Stay Home Stay Healthy”, which ordered everyone to shelter in place until April 6, 2020 unless 1) performing essential activities and/or 2) working in essential business services. “Essential activities” are limited to: 1) getting necessary supplies and services for family/household members, 2) engaging in activities essential to public health/safety for family/household members, 3) caring for family members, friends, etc., and 4) engaging in outdoor exercise **if** appropriate social distancing was followed. People who are in unsafe housing situations, such as domestic violence, or who are experiencing homelessness are exempt from the Proclamation.

On April 2, 2020 the Governor extended his emergency Proclamation (20-05) and his “Stay Home, Stay Healthy” Proclamation (20-25) until May 4, 2020 at 11:59 p.m.

On April 24, 2020 Governor Inslee issued an addendum to Proclamation 20-25 that implemented a “Phase 1 Construction Restart.” In response, on April 27, 2020 the City of Sequim issued Emergency Order 2020-18, adopting the Governor’s Phase 1 job-site requirements and guidance.

On April 29, 2020 the Governor issued additional guidance defining what “existing” construction means under the terms of his 20-25 Proclamation. This information required an amendment to the definition of “existing” projects that appeared in the City’s order, EO 2020-18.

In April 2020, the Clallam County Economic Development Council provided emergency funding for several east Clallam County businesses, but the needed funding would not be available for several



weeks, and many businesses might not have the financial ability to remain open until the funding is transferred to them or were not awarded any grant funding.

At its April 27th City Council meeting, the Sequim City Council authorized the concept of the Small Business Rapid Relief Program, allocating \$250,000 from the City's Rainy Day Fund to support the program, if the Program could quickly get funding out to local businesses. The Council expressed support for contracting with the Sequim Chamber of Commerce to administer the Program.

NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

Section 1. Repeal Section 3 of Emergency Order 2020-18. Section 3 of Emergency Order 2020-18 is repealed and replaced in its entirety with the following:

“In existence” means construction activity that is a) needed to fulfill an obligation under a contract effective prior to March 23, 2020, or b) authorized by a government-issued permit obtained prior to March 23, 2020. The City further interprets this to mean that general contractors under a contractual obligation to perform construction activities even though a permit may not have been issued prior to March 23, 2020 are authorized to proceed.

Section 2. Authorization to Withdraw Funding from Rainy Day Fund. The City will seed the Small Business Rapid Relief Program with \$250,000 from the City's Rainy Day Fund. Transfer of funds will proceed in accordance with normal City processes.

Section 3. Contractual Agreements. The City will enter into agreements with the Sequim Chamber of Commerce, the Small Business Development Center, or any other agencies it deems appropriate to execute the Small Business Rapid Relief Program. The focus of this Program is to provide short-term economic stability for brick and mortar businesses within the city limits. Key contractual elements include the ability to make decisions and distribute awarded funds quickly; to use best efforts to direct funding to viable businesses; and to minimize the amount of private financial data coming into the City's possession. City staff have flexibility to determine the specific provisions for any contract developed under this Order and to amend the contract and/or Program as deemed fit by the City Manager. The City Manager is authorized to execute these agreements and any amendments, regardless of dollar amount.

Section 4. Presentation, Ratification, Termination. Emergency Orders issued under the March 16, 2020 Proclamation of Civil Emergency will be filed with the Legal Department and presented by the City Clerk as soon as practicable to the City Council for ratification and confirmation, modification, or rejection, if applicable.

Rejected orders will be void after the Council vote rejecting them.

Until such time as Council acts, Emergency Orders will be considered in full force and effect.



Section 5. Duration. Unless modified, extended, or terminated by the Sequim City Council or Sequim City Manager as applicable, this Emergency Order is effective immediately and remains in effect until such date and time as the Governor's Proclamations and amendments are lifted.

SIGNED this 30th day of April, 2020, at _____ hours.

CITY OF SEQUIM

A handwritten signature in cursive script, reading "Charles P. Bush", written over a horizontal line.

Charles P. Bush, City Manager

Approved as to form:

A handwritten signature in cursive script, reading "Kristina Nelson-Gross", written over a horizontal line.

Kristina Nelson-Gross, City Attorney

Attest:

A handwritten signature in cursive script, reading "Sara McMillon", written over a horizontal line.

Sara McMillon, City Clerk