



CITY OF BEND

UPDATED ADMINISTRATIVE ORDER DATED MARCH 16, 2020
of the
City Manager of the City of Bend, Oregon

DECLARING A LOCAL STATE OF EMERGENCY IN THE CITY OF BEND AS A RESULT OF COVID-19 PANDEMIC

The City Manager of the City of Bend finds that:

- A. The following conditions have resulted in the need for a state of emergency declaration.
- B. COVID-19 (novel coronavirus) was declared a pandemic by the World Health Organization on March 11, 2020.
- C. Coronaviruses are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life. Current indications suggest that individuals who are elderly and/or have underlying health conditions are most at risk from COVID-19.
- D. COVID-19 requires a significant amount of resources at the local level to keep the public and community informed and as safe as possible.
- E. On March 8, 2020, Governor Kate Brown declared a state of emergency due to the COVID-19 outbreak in Oregon (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1). Governor Brown also issued guidance regarding group gatherings and social distancing to minimize potential opportunities for the COVID-19 to spread (Executive Order No. 20-05).
- F. The COVID-19 pandemic will create significant financial and other impacts to the community of unknown duration.
- G. I have been in regular contact with local agency leaders and public health experts, including the Deschutes County Health Services Director for countywide information and updates. The City has been closely monitoring updated information for the state through the Oregon Health Authority (OHA), and the Centers for Disease Control (CDC) for U.S. updates. The primary focus at the City is to restrict the spread of COVID-19 and to maintain the health of our workforce and the community so the City can continue to provide crucial City services.

H. Pursuant to ORS 401.309(1), the governing body of a city may declare, by ordinance or resolution, that a state of emergency exists within the city.

I. Pursuant to Bend Municipal Code (BMC) Chapter 1.60, if the City Manager determines that a state of emergency exists, the City may declare a state of emergency when "the health, safety or welfare of the City" is "threatened by a potential or actual natural disaster, accident, act of war or terrorism, disease, or other event or ongoing occurrence that results in an immediate and substantial threat to life, health or property." Section 1.60.010 sets out the actions the City can take, which include the ability to close or limit access to public places, other actions, and also broad authorization: "Any other action for the protection of safety, health, life or property."

J. I have made reasonable efforts to inform the City Council of the need to declare an emergency. Pursuant to BMC Code Section 1.60.015, the City Council shall consider ratification of the Declaration of a State of Emergency at its next council meeting. The next meeting of the City Council is scheduled for March 18, 2020. The Declaration will also be submitted to the Emergency Manager for County Commissioner approval.

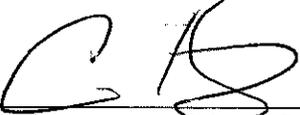
Now, therefore, based on the above findings, THE CITY MANAGER OF THE CITY OF BEND ORDERS THAT:

1. A Local State of Emergency is declared to exist throughout the City of Bend.
2. This Declaration of Local State of Emergency is effective immediately and will remain in effect until April 15, 2020, but may be extended in two-week increments so long as COVID-19 continues to pose an ongoing, immediate, and substantial threat to life, safety, health, or property in the City of Bend. By the ratification below, the City Council is asked to give the City Manager authority to extend this Declaration of Local State of Emergency, to be ratified by Council at subsequent regularly scheduled Council meetings.
3. To protect the health and safety of City employees, with input from the City Human Resource department, IT, legal and other City department heads, I have and will continue to develop emergency policies and guidance on the use of sick leave, vacation leave, telecommuting, meeting protocol, social distancing, identification of essential and non-essential staff for ongoing presence at City facilities, and other policies that will be in effect for the duration of the emergency. This may include limiting City staff interaction with the public and restricting access to City facilities, while seeking to preserve the continuation essential public services.
4. To eliminate exposure to and spread of COVID-19, and in support of state and federal guidelines for social distancing, the City of Bend is cancelling public project-based and standing committee meetings and open houses through April 8, at which time the City will review the information from the CDC and Deschutes County Health for updated decisions.
 - All project-based public meetings and/or open houses are cancelled.

- All standing advisory committee meetings and activities are cancelled.
 - At this time, the next scheduled City Council meeting will occur, but with social distancing modifications including reduced meeting length, increased spaced between chairs and encouragement of livestreaming options. The City will continue to monitor and consider federal, state and local public health recommendations carefully in determining whether to cancel or continue future Council meetings during this emergency.
 - Public hearings necessary to meet state-mandated land use review timelines may be held with the social distancing modifications described in the previous bullet point.
5. The City will not send shut-off notices or shut off water for non-payment of unpaid water bills while this emergency is in place, and may suspend enforcement of other utility billing department rules, regulations and code provisions, in the City's discretion.
6. To respond to the COVID-19 Pandemic, the City may procure needed goods and services in accordance with ORS 279B.080 and without compliance with normal procurement procedures, redirect any necessary City funds for emergency purposes, and take any other actions set forth in Section 1.60.010 of the (BMC), including any actions necessary for the protection of health and safety.
7. All permitted special events of more than 250 persons are cancelled during this emergency. This number may be reduced if so ordered by state or federal authorities.
8. To respond to the crisis, and to particularly ease burdens on businesses and service sector workers, the City may relax or adjust enforcement of City codes, including but not limited to parking restrictions downtown and elsewhere in the City, sign code (e.g., allow sandwich boards signs without permits), and other Bend Code or Development Code provisions.
9. The City may adjust, waive, or defer permit fees, business registration fees, and adjust land use permitting processes (as legally allowed) to facilitate services during this emergency. Altered structures/uses may be required to be restored to their original configuration once this emergency is over. The City may also adjust, waive, or defer permit fees for building modifications or for other purposes for businesses, agencies and entities that are seeking to respond to this crisis.
10. The City may set up a small business stabilization fund, with eligibility criteria, for loss of income due to COVID-19. The program is anticipated to be available to all businesses based in Bend; federal regulations require that businesses provide proof of loss of revenue due to a destabilizing event. Subject to City Council approval, the program will establish the eligibility criteria, amounts available, and what the grant can be used for (generally operating expenses).
11. The City will take all necessary steps authorized by law to coordinate the

response and recovery of this emergency, including but not limited to, requesting assistance from the State of Oregon and Deschutes County.

Dated this 16th day of March 2020



City Manager, City of Bend

Ratified by City Council action on March 18, 2020

Attest:

City Recorder, City of Bend