

BEFORE THE METRO COUNCIL

RESOLUTION DECLARING A STATE OF)	RESOLUTION NO. 20-5096
EMERGENCY IN THE METRO REGION AS A)	
RESULT OF COVID-19 PANDEMIC AND)	Introduced by Marissa Madrigal, Chief
DELEGATING AUTHORITY TO METRO’S)	Operating Officer in concurrence with
CHIEF OPERATING OFFICER)	Council President Lynn Peterson
)	

WHEREAS, Coronaviruses are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life for individuals with underlying health conditions; and

WHEREAS, on March 8, 2020, Governor Kate Brown issued Executive Order No. 20-03, Declaration of Emergency due to the Coronavirus (COVID-19) outbreak in Oregon, under ORS 401.025(1); and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, on March 12, 2020, Governor Brown issued Executive Order No. 20-05, prohibiting large gatherings due to the COVID-19 outbreak in Oregon; and

WHEREAS, on March 23, 2020, Governor Brown issued Executive Order No. 20-12, Stay Home, Save Lives, ordering, among other things, Oregonians to stay at home; and

WHEREAS, on March 29, 2020, the President of the United States declared that a major disaster exists in the State of Oregon and ordered Federal assistance to supplement State, tribal, and local recovery efforts in the areas affected by the COVID-19 pandemic beginning on January 20, 2020, and continuing; and

WHEREAS, the COVID-19 pandemic requires a significant amount of resources at the local level to keep the public and community informed and as safe as possible; and

WHEREAS, these conditions create a need for a Declaration of Emergency for the Metro region; and

WHEREAS, Metro has broad home rule authority to carry out its functions in any manner that it deems appropriate; and

WHEREAS, the current state prohibitions on group gatherings are necessary to protect public health, but also create challenges for holding public meetings and hearings, which may require the extension of deadlines in the Metro Code in order for Metro to meet its obligations for processing applications, renewing licenses, and providing opportunities for public participation; and

WHEREAS, Metro Code Section 2.20.030 provides that the Metro Chief Operating Officer (COO) is the chief administrative officer of Metro and is responsible for the proper administration of all Metro affairs; and

WHEREAS, Metro Code Section 2.20.050 describes actions the COO may take in the event of circumstances creating a public emergency; and

WHEREAS, on April 2, 2020, the COO issued a Declaration of Emergency in the Metro region as a result of the COVID-19 pandemic, which is attached as Exhibit A; now therefore

BE IT RESOLVED that the Metro Council:

1. The Metro Council hereby ratifies the Declaration of Emergency in the Metro Region issued by the Metro COO on April 2, 2020, which is attached as Exhibit A, and delegates to the COO all authority necessary to respond to the COVID-19 pandemic; and
2. Delegates to the COO authority to suspend, waive, or amend Metro's administrative Rules, standards, and forms, without notice, if such action is necessary to respond to the COVID-19 pandemic and effective only during the emergency period; and
3. Delegates to the COO authority to amend Solid Waste Franchises and Non-Systems Licenses for putrescible waste as needed to respond to the COVID-19 pandemic, and
4. Delegates to the COO authority to suspend the provisions of Metro Code Section 5.01.260 regarding material recovery of non-putrescible waste when necessary to respond to the COVID-19 pandemic; and
5. Delegates to the COO authority to extend any deadline set forth in Metro Code Chapters 5.01, 5.02, 5.03 and 5.05 if strict adherence to the deadline would create an extreme hardship on a regulated entity or Metro due to federal, state or local orders related to the COVID-19 pandemic; and
6. Delegates to the COO authority to extend any deadline set forth in Metro Code Section 3.07.1430 regarding the procedures for processing applications for a major amendment of the Urban Growth Boundary, if strict adherence to the deadlines would unreasonably limit public participation in the hearing process due to ongoing prohibitions on public gatherings.
7. This Declaration remains in effect until the Metro Council determines that the emergency no longer exists, and takes action to terminate the Declaration.

ADOPTED by the Metro Council this 23rd day of April 2020.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney