



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

### FCD Resolution

**Proposed No.** FCD2020-08.1

**Sponsors**

1                   A RESOLUTION of the Board of Supervisors of the King  
2                   County Flood Control District, King County, Washington,  
3                   Declaring an Emergency Related to the COVID-19 Virus,  
4                   Authorizing Action Consistent with this Declaration, and  
5                   Ratifying the Finding of Emergency by the Chair.

6                   WHEREAS, as a result of the global pandemic caused by the spread of the novel  
7 coronavirus known as COVID-19, the President of the United States, Governor Jay  
8 Inslee, and the King County Executive Dow Constantine have declared a state of  
9 emergency in King County, to aid state and local health departments' efforts to curb the  
10 spread of the novel coronavirus known as COVID-19, and

11                   WHEREAS, in response to the above referenced proclamations of emergency, the  
12 Chair of the King County Flood Control Zone District (the "District") entered a finding  
13 of an emergency for the District on March 19, 2020, pursuant to FCD Resolution No.  
14 2009-06.2, attached hereto as Exhibit A and adopted herein by this reference, and

15                   WHEREAS, consistent with that finding, the Chair authorized the Executive  
16 Director and staff of the District to take actions necessary to ensure the operation of the  
17 District during this crisis in furtherance of the public health and welfare, and

18                   WHEREAS, the District provides critical flood prevention services to the  
19 residents of King County, which serves are essential for public health and safety, and

20 WHEREAS, the District Board of Supervisors desires to formally declare an  
21 emergency so appropriate measures may be taken as determined appropriate by the  
22 District to protect the health, safety and welfare of the District's employees and the  
23 general public residing within King County, and

24 WHEREAS, the District Board of Supervisors desires to ratify the Chair's finding  
25 of an emergency dated March 19, 2020, and the actions authorized by the Chair pursuant  
26 to that finding;

27 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE KING  
28 COUNTY FLOOD CONTROL ZONE DISTRICT:

29 SECTION 1. The Board of Supervisors for the King County Flood Control Zone  
30 District hereby declares that a local emergency now exists due to the COVID-19 virus.  
31 The District's Executive Director and staff, in consultation with the Chair, may take such  
32 actions as are deemed appropriate to respond to the emergency, including but not limited  
33 to developing and implementing mitigation measures for staff related to COVID-19. The  
34 Executive Director or designee is directed to provide regular reports regarding actions  
35 taken during this declared emergency to the Chair and Executive Committee, and at each  
36 special and regular meeting of the Board, throughout the duration of this emergency.

37 SECTION 2. The Board of Supervisors ratifies the Chair's finding of an  
38 emergency for the District, dated March 19, 2020. Pursuant to that finding and Chapter  
39 38.52 RCW and RCW 39.04.280, the Executive Director is authorized to waive the  
40 competitive bidding requirements for the purchase of essential materials, supplies and  
41 services to operate the District during this crisis. All contracts entered into pursuant to  
42 this authorization shall be submitted to the Chair, Executive Committee or Board,

pursuant to the District's procurement policies, for ratification when practicable.

SECTION 3. The Board of Supervisors ratifies the following actions taken by the Chair and Executive Director in accordance with the finding of an emergency:

A. Authorization of four Special District Journal Entry Form authorizing payment to King County in the amount of \$16,611,445.30 for services rendered, dated March 25, 2020;

B. Authorization of four Warrants authorizing payment to Parametrix, Lund Consulting, Bill Clarke, Attorney at Law & Government Affairs, and the Washington State Auditor in the aggregate amount of \$61,872.45; and

C. Execution of a Letter of Intent to Bind Coverage as of April 1, 2020, dated March 30, 2020, stating the District's intent to contract with Enduris for property and liability insurance.

SECTION 4. This declaration shall remain in effect until rescinded by action of the Board.

SECTION 5. If any section, subsection, paragraph, sentence, clause, or phrase of

58 this resolution is declared unconstitutional or invalid for any reason, such decision shall  
59 not affect the validity of the remaining parts of this resolution.

60

FCD Resolution FCD2020-08 was introduced on and passed by the King County Flood Control District on 4/14/2020, by the following vote:

Yes: 9 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles, Ms. Balducci and Mr. Zahilay

KING COUNTY FLOOD CONTROL ZONE  
DISTRICT  
KING COUNTY, WASHINGTON

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Dave Upthegrove, Chair

ATTEST:



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Melani Pedroza, Clerk of the District

**Attachments:** A. Proclamation of Emergency E-Signed 03/24/20



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[www.kingcountyfloodcontrol.org](http://www.kingcountyfloodcontrol.org)

**FINDING OF AN EMERGENCY BY THE CHAIR OF  
THE KING COUNTY FLOOD CONTROL ZONE  
DISTRICT FOR KING COUNTY, WASHINGTON,  
PERTAINING TO AN EMERGENCY RELATING TO  
THE COVID-19 VIRUS**

**WHEREAS**, on January 31, 2020, the Secretary of the United States Department of Public Health and Human Services, Alex Azar, declared a public health emergency to aid state health departments' efforts to curb the spread of the novel coronavirus known as COVID-19; and

**WHEREAS**, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring that a state of emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the State, and directed that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented; and

**WHEREAS**, on March 1, 2020, King County Executive Dow Constantine signed a Proclamation of Emergency due to the number of confirmed cases of COVID-19 in King County, thereby enabling the government of King County to take extraordinary measures in response to the presence of COVID-19 in King County; and

**WHEREAS**, the District provides critical flood prevention infrastructure and services to the residents of King County, which are essential for public health and safety; and

**WHEREAS**, pursuant to the District's Procurement Policies, FCD Resolution No. 2009-06.2, at Section 6, the District's Chair desires to formally find an emergency exists so appropriate measures may be taken as determined appropriate by the District's Executive Director to protect the health, safety and welfare of the general public residing within King County.

**NOW, THEREFORE, BE IT RESOLVED:**

1. **Finding of Emergency.** The District's Chair hereby finds that, as of March 1, 2020, a local emergency exists due to the COVID-19 virus. The District Executive Director and staff shall take such actions as are deemed appropriate in consultation with the District's Chair.

2. **Additional Powers and Authority.** In light of the evolving nature of the COVID-19 outbreak, and pursuant to the authority granted by Chapter 86.15 RCW, RCW 38.52.070, the District's Executive Director is authorized to exercise the powers vested

under this Declaration of Emergency without regard to time consuming procedures and the formalities prescribed by law (excepting mandatory constitutional requirements), including not limited to budget law limitations, requirements for competitive bidding and publication of notices, provisions pertaining to the performance of public work, entering into contracts, the incurring of obligations, the rental of equipment, the purchase of supplies and materials, and the appropriation and expenditure of public funds.

This Finding and all contracts executed and policies implemented pursuant to this Finding shall be brought back to the Executive Committee or Board of Supervisors, depending on the value of the contract, for formal ratification after the conclusion of this emergency.

ADOPTED BY THE CHAIR of King County Flood Control Zone District, King County, Washington, this 24<sup>th</sup> day of March 2020.

KING COUNTY FLOOD CONTROL  
ZONE DISTRICT, CHAIR

A handwritten signature in black ink, appearing to read "Dave Upthegrove", is written over a horizontal line.

Dave Upthegrove