



# Kittitas Reclamation District

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## RESOLUTION 2020-05

### RESOLUTION AUTHORIZING THE SECRETARY-MANAGER TO TAKE ACTION TO ENSURE THE HEALTH AND SAFETY OF EMPLOYEES AND THE PUBLIC; AND DECLARING AN EMERGENCY UNDER RCW 39.04.280

#### THE BOARD OF DIRECTORS OF THE KITTITAS RECLAMATION DISTRICT

- WHEREAS, on January 31, 2020 the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) commencing January 27, 2020; and
- WHEREAS, on February 29, 2020 Governor Jay Inslee signed a Proclamation declaring a State of Emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 and directed that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented; and
- WHEREAS, on March 6, 2020, in Resolution No. 2020-042, the Kittitas County Board of County Commissioners declared a county-wide state of emergency related to the significant health threat caused by COVID-19; and
- WHEREAS, on March 9, 2020, in Resolution No. 2020-005, the City Council of Ellensburg declared a city-wide state of emergency related to the significant health threat caused by COVID-19; and
- WHEREAS, on March 22, 2020, United States President Donald J. Trump approved a major disaster declaration for Washington State making federal funding available to state, tribal and local governments for emergency protective measures related to the significant health threat caused by COVID-19; and
- WHEREAS, on March 23, 2020 the state of Washington and Kittitas County issued emergency orders requiring all residents to remain in their homes, except for limited circumstances which allows employers and employees engaged in providing essential services to continue to provide those essential services; and
- WHEREAS, water deliveries and the production of agricultural commodities, under the County and State Orders, are essential services; and
- WHEREAS, the Kittitas Reclamation District (KRD) provides irrigation water to approximately 59,122.00 acres of agricultural land in Kittitas County and

agriculture is an essential sector of the local economy that is critical to public health and safety and is therefore an essential public service; and

WHEREAS, the KRD's employees are its most important asset and KRD is not able to perform its essential public service without employees who are ready and available to perform their job duties.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Directors of the Kittitas Reclamation District that, effective immediately, the Secretary-Manager is hereby authorized to take any appropriate and legal action to ensure the health and safety of KRD employees and the public; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Secretary-Manager is authorized to declare that an emergency exists as defined by RCW 39.04.280 (3), waive competitive bidding requirements, and award necessary contracts in order to purchase goods and services necessary to address the COVID-19 emergency as it impacts KRD operations; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Secretary-Manager may, within applicable legal requirements: (1) Require any or all KRD employees to be sent home and not allowed to return to work until directed by the Secretary-Manager or his designee, except those employees necessary to maintain critical functions of the KRD, including but not limited to the maintenance of the canal system and the delivery of irrigation water; and (2) Establish a limited duration supplemental leave program, over and above existing paid leave programs, to ensure employees and their families are cared for and that critical knowledge and skills are retained for the benefit of the KRD and the public; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Secretary-Manager is authorized to take any and all actions necessary to ensure that the KRD is able to deliver irrigation water to KRD water users commencing on or about April 1, 2020, including, but not limited to, such actions as are necessary to ensure all ongoing construction projects are completed in time to allow water delivers to commence; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Secretary-Manager is authorized to act in concert with federal, state, and local governments to ensure that the critical functions of the KRD are fulfilled to the extent possible and that the health, safety, and welfare of KRD employees and the public is protected to the extent possible.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the foregoing authority extends for the duration of the emergency, or until the Board withdraws such authority; and the Board requests regular updates regarding the state of the emergency, no less frequently than monthly.

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ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020 at a Special Meeting of the Board of Directors.

BOARD OF DIRECTORS  
KITITITAS RECLAMATION DISTRICT

\_\_\_\_\_  
\_\_\_\_\_, Chairman

\_\_\_\_\_  
\_\_\_\_\_, Vice Chairman

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ATTEST:

SECRETARY OF THE BOARD

\_\_\_\_\_  
Urban B. Eberhart

APPROVED AS TO FORM:

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Jeff Slothower, WSBA #14526