



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.gov

STAFF REPORT

BOARD MEETING DATE: *December 14, 2021*

DATE: Thursday, December 09, 2021
TO: Board of County Commissioners
FROM: Dave Solaro, Assistant County Manager
775-328-3624, dsolaro@washoecounty.gov
THROUGH: Eric Brown, County Manager
SUBJECT: Discussion and possible termination of the March 16, 2020, Declaration of Emergency Concerning COVID-19 pursuant to Washoe County Code section 65.230.(All Commission Districts) FOR POSSIBLE ACTION

SUMMARY

The board will be presented information to determine if the need for a local Washoe County emergency declaration should be continued.

Washoe County Strategic Objective supported by this item: Fiscal Sustainability

PREVIOUS ACTION

On March 31, 2020, The Board of County Commissioners ratified the Declaration of a State of Emergency declared by the Washoe County Manager on Monday, March 16, 2020, and direct staff to publicize the Declaration as required by WCC 65.320.

BACKGROUND

In March of 2020, with the imminent spread of the COVID-19 virus within Washoe County staff determined that due to the threat of loss of life, injury to person or property, human suffering, or financial loss, which would require extraordinary measures to be taken to protect the public health, safety and welfare, that an emergency as defined at WCC 65.300(4) existed and therefore requested the County Manager declare an emergency. On March 16, 2020, County Manager Eric Brown declared an emergency attached hereto which was publicized as required by WCC 65.320(1). This declaration was ratified by the Board of County Commissioners at a special meeting on March 31, 2020.

In the time since the initial declaration staff from all regional entities have worked in cooperation and collaboration to provide services necessary to protect the public health, safety and welfare of the citizens of Washoe County.

The COVID-19 virus is not gone, and from time to time there will be a need to respond to variants in the virus that may threaten the public health, safety, and welfare of the citizens

AGENDA ITEM # _____

of Washoe County; however, in the 21 months since the initial declaration the need for the control outlined in county code may have passed.

Under Washoe County Code Chapter 65 the declaration of emergency provides for the centralization of control and authority of all departments, divisions, and offices of the county in order to implement the provisions of the code with the County Manager. Specifically, Chapter 65.330 lists the powers allowed by the declaration of emergency:

65.330 - Emergency regulation and control.

1. If a declared state of emergency exists within the county, the board may, if it deems it necessary to maintain peace and protect the public, order and enforce the measures listed in subsection 2. If circumstances prohibit the timely action of the board, the county manager may, under the same circumstances, order the emergency measures listed in subsection 2 and shall report his or her actions to the board at its next regularly scheduled meeting.
2. Subject to the limitations imposed by subsection 1, the board or county manager may:
 - (a) Establish a curfew for the area designated as an emergency area which fixes the hours during which persons other than officially authorized personnel may be upon the public streets or other public places.
 - (b) Prohibit or limit the number of persons who may gather or congregate upon any public street, public place or any outdoor place within the area designated as an emergency area.
 - (c) Barricade streets and roads, as well as access points onto streets and roads, and prohibit or restrict vehicular or pedestrian traffic in the area.
 - (d) Prohibit the sale, distribution or giving away of gasoline or any other flammable or combustible product in any container except a gasoline tank properly affixed to a motor vehicle, or a type of container generally used in connection with normal home use or legitimate commercial use.
 - (e) Order the closing of all or portions of gasoline stations and other establishments which sell, distribute or dispose of liquid flammables or combustible products.
 - (f) Order the closing of retail intoxicating liquor stores.
 - (g) Prohibit the sale of intoxicating liquor.
 - (h) Prohibit the sale, distribution or giving away of firearms or ammunition.
 - (i) Order the closing of any or all establishments or portions thereof which sell, distribute, dispense or give away firearms, ammunition or explosives.
 - (j) Enter into contracts and incur obligations necessary to mitigate, prepare for, respond to or recover from emergencies or disasters.
 - (k) Redirect funds for emergency use.
 - (l) Suspend standard procurement procedures to obtain necessary services or equipment.
 - (m) Commit to mutual aid agreements.

(n) Perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population.

The following factors are important in determining the need for a continuing Washoe County emergency declaration:

- FDA's approval or emergency use authorization of three different vaccines for persons 5 years of age or older.
- Emergency use authorizations for multiple treatment regimens for individuals sick with COVID-19.
- Greater understanding within the medical community about protocols for treatment and isolation of infected patients.
- Numbers of individuals who have been vaccinated within the local community.
- Greater understanding of the nature and risks of the spread of the disease.
- Hospital capacity to treat affected individuals.
- Current infection rates within the county as defined by the metrics relied upon by the CDC, the State of Nevada, and local health authorities.
- Ongoing Governor's Declaration of Emergency and masking directives.

With the factors listed, the ability to react quickly to enter into contracts, redirect funds, suspend procurement procedures, and commit to mutual aid agreements no longer need the suspension of rules. All items listed can be secured through standard county code policies and procedures.

The ending of a declaration of emergency does not mean that COVID-19 is not a threat to our community. With the possible increase in threat due to variants of the COVID-19 virus, if warranted a new declaration of emergency can be initiated to focus efforts on the public health, safety, and welfare.

FISCAL IMPACT

No fiscal impact

RECOMMENDATION

It is recommended that the Board discuss and possibly terminate the March 16, 2020, Declaration of Emergency Concerning COVID-19 pursuant to Washoe Code 65.230.

POSSIBLE MOTION

Possible motion if the Board agrees with the recommendation would be "Move to terminate the March 16, 2020, Declaration of Emergency Concerning COVID-19 pursuant to Washoe County Code 65.230."