

CIVIL EMERGENCY ORDER

CITY OF SEATTLE

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CITY OF SEATTLE

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CITY CLERK

EMERGENCY CHILDCARE SERVICES FOR FRONT-LINE ESSENTIAL WORKERS

WHEREAS, in my capacity as Mayor, I proclaimed a civil emergency exists in the City of Seattle in the Mayoral Proclamation of Civil Emergency dated March 3, 2020; and

WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to: the Charter of the City of Seattle, Article V, Section 2; Seattle Municipal Code (SMC) Chapter 10.02; and chapter 38.52 RCW; and

WHEREAS, the facts stated in that proclamation continue to exist, as well as the following additional facts:

WHEREAS, the World Health Organization (WHO) has declared that COVID-19 disease is a global pandemic, which is particularly severe in high risk populations such as people with underlying medical conditions and the elderly, and the WHO has raised the health emergency to the highest level requiring dramatic interventions to disrupt the spread of this disease; and

WHEREAS, as of March 27, 2020, Public Health – Seattle & King County announced a total of 1,711 cases of COVID-19 in King County residents, including 126 deaths; and

WHEREAS, national public health experts believe the lack of testing has masked the true spread of COVID-19 virus, which is spread from person to person contact, and the number of cases is significantly more and could double every six days; and

WHEREAS, on March 23, 2020, the Governor of Washington state issued a proclamation to “Stay Home – Stay Healthy” ordering all people from leaving their homes or participating in social, spiritual, and recreational gatherings of any kind regardless of the number of participants, and closing all non-essential businesses in Washington state; and

WHEREAS, the Governor’s “Stay Home – Stay Healthy” proclamation identifies healthcare, public health, emergency services, and food sectors as essential businesses, services and their employees as essential workers; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency to allow the government to marshal additional resources to combat the virus; and

WHEREAS, on March 12, 2020, the Governor of Washington state issued an order closing schools in King, Snohomish, and Pierce counties then the following day expanded his order to require the statewide closure of K-12 public and private schools until April 24, 2020; and

WHEREAS, the closure of schools created an increased need for childcare for first responders, healthcare workers and other essential front-line employees to combat the COVID-19 emergency; and

WHEREAS, a recent letter from the Washington State Hospital Association indicated that a significant number of irreplaceable healthcare providers will be pulled off the front lines because of school closures unless childcare services are available; and

WHEREAS, it is critical to combating this public health emergency for medical, healthcare workers, first responders, pharmacy workers, grocery store workers, and other essential workers to continue to work and provide essential services during this civil emergency; and

WHEREAS, access to quality childcare is severely limited during this civil emergency and has been directly impacted by the Governor’s proclamations and the Local Health Officer of Public Health – Seattle & King County’s orders to close schools and prohibit gatherings of people to prevent the spread of the disease; and

WHEREAS, the City can no longer wait to offer its emergency healthcare, first responders, grocery store workers, and other essential workers a safe and viable childcare option; and

WHEREAS, the Governor has directed the Office of Superintendent of Public Instruction (OSPI) to provide guidance to school districts and convey the expectation that school districts are to provide childcare to healthcare workers, first responders, pharmacy workers, and grocery store workers; and

WHEREAS, the City has existing contracts with Seattle Public Schools (SPS) and other providers for preschool services under the Families, Education, Preschool and Promise (FEPP) Levy that providers are not currently able to perform given the school closures imposed by Governor Inslee’s order of March 12, 2020; and

WHEREAS, the City would like to contract with SPS and other providers to allow for limited use of FEPP Levy funding to assist in providing emergency childcare to healthcare workers, first responders, pharmacy workers and grocery store workers; and

WHEREAS, providing emergency childcare services that include developmentally appropriate activities and opportunities for learning support is consistent with the purpose of the FEPP Levy to provide Educational Support Services and to mitigate impacts to Seattle students during school closures; and

WHEREAS, the Levy Oversight committee’s mission is to advise and make recommendations to the Mayor and City Council on programs and activities supported by the Families, Education, Preschool and Promise Levy revenue, and the City continues to engage the committee on these issues; and

WHEREAS, the Charter of the City of Seattle, Article V, Section 2, gives the Mayor authority to protect and maintain public peace and order in the city under a declared civil emergency and perform such other duties and exercise such other authority as may be prescribed by law; and

WHEREAS, SMC 10.02.030 authorizes the Mayor to enter into contracts and incur obligations necessary to combat such emergency and such powers shall be exercised in light of the exigencies of the situation without regard to time-consuming procedures and formalities prescribed by ordinance, statute, rules or regulation (except mandatory constitutional requirements) to protect the public peace, safety and welfare; NOW, THEREFORE,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE THAT:

I, **JENNY A. DURKAN**, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTION 10.02.030, AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED MARCH 3, 2020, HEREBY ORDER:

SECTION 1:

A. Effective immediately, I hereby authorize the Director of the Department of Education and Early Learning (“DEEL”) or designee to enter into one or more contracts with Seattle Public Schools (SPS) and other qualified providers to provide childcare services consistent with the guidance from Seattle-King County Public Health on the implementation of appropriate childcare services operations during COVID-19. If the need for services exceeds capacity, services shall be prioritized for children of front-line essential workers (as defined in subsection 1.B); and

B. Front-line essential workers whose children are prioritized for emergency childcare services shall be consistent with the March 23, 2020 OSPI Bulletin 025-20, which identifies workers in the following essential sectors to be prioritized: healthcare workers, first responders (as defined in RCW 70.54.430), pharmacy workers, and grocery store workers; and

C. The Director of DEEL shall limit the total expenditures authorized by this order to not exceed the amount allocated for the Seattle Preschool Program in the Implementation and Evaluation Plan for an initial 30 days. Each contract shall be limited to an initial term of 30 days, which may be extended by DEEL for up to two additional terms, but in no event longer than 90 days; and

D. Additionally, I order that the childcare services shall be paid for by using funds collected only under the Families, Education, Preschool and Promise Levy program authorized by Ordinance 125604. The childcare services authorized by this order shall be added to the Implementation and Evaluation Plan adopted by Ordinance 125807; and

E. Pursuant to Section 5.B of Resolution 31937, DEEL shall submit a report to City Council information on the contracts, including the amount of each contract, provider information, and the services contracted for under this order.

SECTION 2:

All mayoral proclamations and orders presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this proclamation, then the provision of this proclamation shall control.

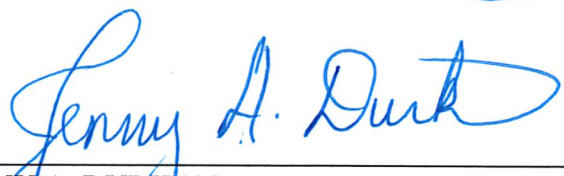
SECTION 3:

A copy of this Civil Emergency Order shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Civil Emergency Order shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Civil Emergency Order to the public, as many other available means as may be practical shall be used, including but not limited to posting on public facilities and public address systems pursuant to SMC 10.02.100.

SECTION 4:

This Civil Emergency Order shall immediately, or as soon as practical, be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected this Civil Emergency Order shall be void. If the City Council modifies the order, such modification shall be effective only if it is agreed to by the ordered or contracting party. If the ordered or contracting party refuses to accept the modification, the order shall be deemed to be rejected by the City Council. If the City Council rejects this Civil Emergency Order, such rejection shall be prospective only, and shall not affect any actions taken prior to the rejection of this Civil Emergency Order, including the City's responsibility for the actual costs incurred by those who were ordered by or entered into contracts with the City, as set forth in Seattle Municipal Code subsection 10.02.020.B.

DATED this 27th day of March, 2020, at 4:35 am/pm.



JENNY A. DURKAN
MAYOR OF THE CITY OF SEATTLE