

**SALT LAKE COUNTY
RESOLUTION**

**EXTENSION OF THE PUBLIC HEALTH EMERGENCY
DECLARED BY THE SALT LAKE COUNTY MAYOR
AND THE EXECUTIVE DIRECTOR OF THE
SALT LAKE COUNTY HEALTH DEPARTMENT
COVID-19 PANDEMIC**

RESOLUTION NO. _____

September 27, 2022

A RESOLUTION OF THE COUNTY COUNCIL OF SALT LAKE COUNTY,

BE IT KNOWN AND REMEMBERED:

THAT, the County Council of Salt Lake County, State of Utah, met in regular session on the 27th day of September, 2022.

WITNESS:

WHEREAS, a pandemic of the COVID-19 Virus (COVID-19) swept the world in 2020, continued through 2021, is continuing into 2022, and necessitated declarations of emergency by the President of the United States and the Governor of the State of Utah; and

WHEREAS, Utah Code Sections 53-2a-205 and -208 grant the Mayor of Salt Lake County the authority to declare a state of emergency for Salt Lake County; and

WHEREAS, Section 2.86.030, Salt Lake County Code of Ordinances, 2001, authorizes the Mayor to declare a state of emergency for Salt Lake County and to invoke certain powers in aid of responding to and mitigating such emergency; and

WHEREAS, Section 2.86.050.E, Salt Lake County Code of Ordinances, 2001, authorizes the Mayor, in the event of a public health emergency and at the request of the Executive Director of the Salt Lake County Health Department (the Director), to declare an emergency to prevent or contain the outbreak and spread of a communicable or infectious disease; and

WHEREAS, the Mayor issued a Proclamation Declaring a State of Emergency and Invoking Emergency Powers in Salt Lake County based upon the imminent danger created by the threat of COVID-19 on March 6, 2020; and

WHEREAS, COVID-19 caused the Salt Lake County Health Department to quarantine individuals and to take other steps within its authority to mitigate the potential spread of the disease; and

WHEREAS, Salt Lake County continues to respond to the public health aspects of COVID-19; and

WHEREAS, Salt Lake County has been instrumental in the distribution and administration of vaccines designed to prevent COVID-19; and

WHEREAS, Salt Lake County continues to utilize personnel and resources necessary to mitigate the spread of COVID-19 and to distribute and administer vaccines, is spending a hundreds of thousands of dollars per month for such purposes and will continue to seek reimbursement from the United States government for these and other emergency expenses; and

WHEREAS, Salt Lake County's outbreak of COVID-19 is still impacting every citizen of Salt Lake County's municipalities, metro townships, and unincorporated areas of Salt Lake County; and

WHEREAS, the Director requested the Mayor declare a public health emergency; and

WHEREAS, these conditions have created a "Public Health State of Emergency" according to the laws of the State of Utah and ordinances of Salt Lake County; and

WHEREAS, State law and County Ordinance permit the Mayor's declaration of a public health emergency to be effective for a period not to exceed 30 days, unless the emergency declaration is continued or renewed with the consent of the County Council; and,

WHEREAS, Utah Code Sections 26A-1-130(5) and 53-2a-218(5) provide that notwithstanding the termination of state and local emergency powers pertaining to COVID-19 upon certain established threshold conditions established by state law, a declared public health emergency issued in response to COVID-19 or the COVID-19 emergency may remain in effect; and,

WHEREAS, the County Council has previously continued the Mayor's declaration of an emergency in recognition of the ongoing pandemic; and,

WHEREAS, when the County Council last continued the Mayor's declaration of an emergency, the County Council resolved that absent new circumstances related to the federal government's reimbursement process, the County Council did not intend to extend the state of emergency; and,

WHEREAS, on September 16, 2022, the Director requested in writing that the County Council continue the declaration of a public health emergency to maximize the County's reimbursement from the United States government; and,

WHEREAS, the County Council agrees that the declaration of a public health emergency should be continued for the limited purpose of seeking federal reimbursement of costs incurred by the County in responding to COVID-19.

RESOLUTION:

NOW, THEREFORE, THE FOLLOWING IS RESOLVED:

1. The County Council of Salt Lake County hereby finds that a Public Health State of Emergency continues to exist in and for Salt Lake County due to COVID-19.
2. The County Council acknowledges and supports the invoking of the emergency

powers and operations of the County by the Mayor to address the impacts of COVID-19.

3. The County Council supports the County's utilization of its personnel and resources, as ordered and authorized by the Mayor, to perform all functions specified in County Ordinance 2.86.050 and in other applicable provisions of law.
4. The County Council retains its authority to act as the legislative body for Salt Lake County government and to perform all functions specified in County Ordinance 2.86.060 and in other applicable provisions of law, including fiduciary responsibility for the County's various budgets and funds.
5. With the exception of any order or regulation terminated or rescinded by the County Council, the County Council supports and approves all orders and regulations issued thus far by the Mayor and the Director regarding the state of emergency, copies of which have been duly filed with the Salt Lake County Clerk and previously disseminated to the County Council. The County Council requests that any new orders or regulations issued by the Mayor and Director regarding the state of emergency be promptly disseminated to the County Council, and that the Mayor review all orders and regulations issued thus far and rescind any that are no longer necessary to respond to the state of emergency.
6. The County Council requests that the Mayor continue to provide regular updates to the County Council concerning the state of emergency pursuant to County Ordinance 2.86.050.D, including timely updates about the County's vaccination efforts and federal reimbursement process so that the County Council might best evaluate when the state of emergency can reasonably be concluded.
7. The County Council requests that the Mayor promptly notify the Council Chair

of any new or modified public health orders issued pursuant to County Ordinance 2.86.050.E, particularly if those orders deviate from public health orders issued by the Governor of Utah or the Utah Department of Health. Such notice should be provided as soon as practical, but no later than five calendar days after such orders have been issued. The County Council also requests that the Director consult with the County Council prior to issuing any orders of constraint as defined by Utah Code, and that the Director notify the County Council of any newly issued orders of constraint contemporaneously with any notice that is provided to the Mayor pursuant to Utah Code Section 26A-1-114(7)(a).

8. The County Council encourages the Mayor to procure goods and services necessary to respond to the declared state of emergency through the regular, non-emergency purchasing procedures outlined in Chapter 3.20 of County Ordinance. The County Council requests that the Mayor promptly notify the Council Chair of any new or extended emergency procurements related to the declared state of emergency made under the authority of County Ordinance 2.86.050.A or 3.20.040 and this declaration. Such notice should be provided as soon as practical, but no later than five calendar days after such procurements have been authorized.
9. This Resolution shall take effect immediately and be declared to be ongoing and continuing until the earlier of midnight, January 3, 2023, or upon expiration of the County's eligibility to seek reimbursement from the federal government's Public Assistance Program, unless the facts supporting the Public Health State of Emergency no longer exist as determined by the Mayor and Director.
10. The County Council further provides notice to the Director and Mayor that the County Council does not intend to extend the state of emergency for any longer

than is necessary for the limited purpose of seeking full reimbursement of the County's expenses from the federal government. The County Council encourages the Director and Mayor to make appropriate preparations for Salt Lake County's continuing, non-emergency response to endemic COVID-19.

11. This Resolution shall be provided to the State of Utah, the Mayor, and the Director and shall be filed immediately with the Salt Lake County Clerk and published by general dissemination as appropriate.

APPROVED AND ADOPTED in Salt Lake City, Salt Lake County, Utah this 27th day of September, 2022.

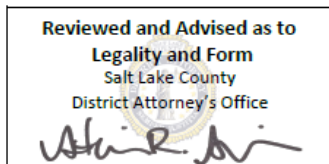
SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

REVIEWED AS TO LEGALITY AND FORM



Council Member Alvord voting _____
Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member DeBry voting _____
Council Member Granato voting _____
Council Member Snelgrove voting _____
Council Member Stringham voting _____
Council Member Theodore voting _____
Council Member Winder Newton voting _____