

REVIEWED

LEGAL COUNSEL

02/07/2024 Item #12.

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Order Declaring a Local State of Emergency

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ORDER NO. 2024-007

WHEREAS, ORS 401.305 provides authority for Deschutes County to act as an emergency management agency, including authority to establish policies and protocols for defining and directing responsibilities during time of emergency; and

WHEREAS, ORS 401.309, DCC 2.04, and the Deschutes County Emergency Operations Plan (EOP) authorize the county governing body to declare a state of emergency within the county or within a designated portion of the county and to establish procedures to prepare for and carry out activities which are necessary to prevent, minimize, respond to, or recover from an emergency; and

WHEREAS, the following conditions have resulted in the need for a local state of emergency: (a) the continuing presence of fentanyl in Deschutes County; (b) increased fatal and nonfatal overdoses in Deschutes County; and (c) emergency orders (January 30, 2024) from the Governor and representatives of Multnomah County and the City of Portland calling for cross-jurisdiction collaboration and the allocation and focusing of resources to combat fentanyl use and impacts; and

WHEREAS, the presence of fentanyl within Deschutes County constitutes a high threat to public health, to wit, addiction, death, and associated unlawful behaviors; and

WHEREAS, the Centers for Disease Control and Prevention provides that fentanyl (a synthetic opioid) is up to 50 times stronger than heroin and 100 times stronger than morphine, is a major contributor to fatal and nonfatal overdoses in the United States and is often added to other drugs resulting in drugs that are cheaper to purchase, more powerful, more addictive, and more dangerous; now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, hereby ORDERS as follows:

Section 1. Pursuant to ORS 401.309, DCC 2.04 and the Deschutes County EOP, the Board of Commissioners for Deschutes County formally declares a state of emergency for Deschutes County, effective on this 7th day of February, 2024 and continuing for ninety (90) days from the date of this Order, unless extended or terminated earlier by the Board of Commissioners.

Section 2. Upon this declaration of a state of emergency the Board of Commissioners shall be authorized to take and/or direct such actions and issue such orders as are determined to be necessary to protect the public and to efficiently conduct activities that minimize or mitigate the effect of this declared public health emergency as authorized by ORS, DCC and the Deschutes County EOP.

Section 3. The County Administrator, Local Public Health Administrator and Emergency Manager shall take all necessary steps authorized by law to coordinate response to this emergency including where available and feasible, but not limited to, coordinating with the State of Oregon and the federal government in order to qualify Deschutes County for all available state and federal emergency assistance, not limited to use of shared resources, assistance from state and federal agencies, and financial assistance and reimbursements.

Section 4. Emergency procurements of goods and services are authorized pursuant to ORS 279B.080, ORS 279C.335(6), ORS 279.380(4), and Deschutes County contracting rules.

Section 5. With regard to county employees, the Board of Commissioners may authorize modification(s) to relevant personnel leave, payroll processes, and workplace requirements/designations as deemed necessary by the Board of Commissioners to address impacts associated with this declared public health emergency.

Section 6. This Order is effective upon signing.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

Dated this _____ of _____, 2024

PATTI ADAIR, Chair

ANTHONY DeBONE, Vice Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner