

## RESOLUTION NO. 20-141

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, DECLARING AN EMERGENCY AND DELEGATING AUTHORITY TO THE TOWN MANAGER RELATING TO BUSINESS OPERATIONS, INCLUDING TOWN HALL STAFFING, HOURS OF OPERATION AND ESSENTIAL FUNCTIONS AND SERVICES; AUTHORIZING THE TOWN MANAGER TO CALL SPECIAL MEETINGS OF THE TOWN COUNCIL AS REQUIRED TO CONTINUE BUSINESS OPERATIONS OR AS RELATES TO THE TOWN'S RESPONSE TO THE COVID-19 OUTBREAK OR TO CANCEL ANY REGULARLY-SCHEDULED MEETING OF THE TOWN COUNCIL DUE TO THE COVID-19 OUTBREAK; TEMPORARILY SUSPENDING TOWN COUNCIL POLICY 12-01, TELEPHONIC ATTENDANCE, AND ADMINISTRATIVE REGULATIONS NO. 08-03, FLEX-TIME WORK SCHEDULING, NO. 09-01, PURCHASING PROCEDURE, NO. 15-02, UNPAID MEDICAL LEAVE OF ABSENCE, NO. 17-01, EMPLOYEE SICK LEAVE, AND NO. 17-02, OFFICE HOURS AND NON-TRADITIONAL WORK SCHEDULE; AUTHORIZING THE TOWN MANAGER TO MAKE PROCUREMENTS RELATED TO THE COVID-19 OUTBREAK, PROVIDING RELIEF TO TOWN RESIDENTS OR THAT ARE NECESSARY FOR THE CONTINUITY OF TOWN OPERATIONS; AUTHORIZING THE TOWN MANAGER TO SEEK AND OBTAIN FINANCIAL AND OTHER FORMS OF AID, RELIEF AND ASSISTANCE FROM FEDERAL, STATE AND COUNTY AUTHORITIES IN RESPONSE TO THE COVID-19 OUTBREAK OR TO IMPLEMENT THE EMERGENCY OPERATIONS PLAN; TEMPORARILY SUSPENDING PUBLIC COMMENTS ON AGENDIZED AND NON-AGENDIZED ITEMS AT COUNCIL MEETINGS; AND, DECLARING AN EMERGENCY**

WHEREAS, the Town of Dewey-Humboldt (the "Town") is responding to the spread of the coronavirus 2019 ("COVID-19") and working with federal, state, and local governmental authorities and with schools, businesses, non-profits, medical facilities, and faith groups within the Town to combat and reduce the spread of the COVID-19 outbreak and to assist the community and its citizens with the effects of the COVID-19 outbreak; and,

WHEREAS, the World Health Organization declared a Public Health Emergency of International Concern on January 30, 2020, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020, and the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020; and,

WHEREAS, the Governor of the State of Arizona, Douglas A. Ducey, on March 11, 2020, declared that a State of Emergency exists in Arizona due to the COVID-19 outbreak and determined that the COVID-

19 outbreak presents conditions that are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of any single county, city, or town, and which requires the combined efforts of the State of Arizona and the political subdivisions; and,

WHEREAS, the President of the United States of America, Donald J. Trump, on March 13, 2020 found and proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency; and,

WHEREAS, the Centers for Disease Control and Prevention, President Donald J. Trump, and the Arizona Department of Health Services have issued multiple recommendations to combat or reduce the spread of the COVID-19 outbreak, which include recommendations on avoiding social gatherings and the postponement of certain in-person events; and,

WHEREAS, Governor Ducey on March 30, 2020, issued Executive Order No. 2020-18, Stay Home, Stay Healthy, Stay Connected, in which all Arizonans are authorized to leave their place of residence only for Essential Activities, to participate in or receive Essential Government Functions, or to participate in or fulfill Essential Functions, all of which are defined in various Executive Orders issued by Governor Ducey; and,

WHEREAS, the Dewey-Humboldt Town Council, pursuant to A.R.S. §26-307 declares a state of emergency from the coronavirus (COVID-19) and desires to grant authority to the Town Manager to take actions necessary to ensure essential services, as defined in Governor Ducey's Executive Orders, are provided while at the same time protecting the health and safety of the community and staff ; and,

WHEREAS, the Dewey-Humboldt Town Council is desirous to temporarily suspend certain policies, procedures and codes in order to ensure that the Town Manager is able to promptly take certain actions in response to the continually evolving COVID-19 outbreak; and,

WHEREAS, the Dewey Humboldt Town Council wishes to clarify what the Dewey Humboldt Town Code, regulations, and policies grant to the Town Manager in his management of the Town and the Town staff as well as temporarily granting him additional authority to properly respond to the continually evolving COVID-19 outbreak with efficient and timely actions to protect Town citizens, staff, and facilities;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section 1. That should the need arise due to the COVID-19 outbreak, the Town Manager is hereby authorized to designate essential Town services, suspend non-essential Town services, restrict access to or close Town facilities to the public, and take other actions relating to Town staffing in order to protect the health and welfare of the public and Town staff.

Section 2. That the Town Manager is authorized to allow Town staff to work from home or take extended time off as may be necessary due to the COVID-19 outbreak.

Section 3. That notwithstanding any other Town Code provision or Town Council policy, the Town Manager is authorized to call Special Meetings of the Town Council as required to continue business operations or as relates to the Town's response to the COVID-19 outbreak.

Section 4. That notwithstanding any other Town Code provision or Town Council policy, the Town Manager is authorized to cancel any regularly-scheduled meeting of the Town Council or any Town boards or commissions throughout the COVID-19 outbreak.

Section 5. That the Town hereby temporarily suspends Town Council Policy PG TC12-01, Telephonic Attendance, to allow Councilmembers to attend meetings of the Town Council telephonically, in accordance with state Open Meeting Law, throughout the COVID-19 outbreak.

Section 6. That in order to effectuate this Resolution and continue business operations, the following Administrative Regulations are temporarily suspended, in whole or in part in accordance with the Town Manager's discretion, throughout the COVID-19 outbreak: AR No. 08-03, Flex-Time Work Scheduling; AR No. 15-02, Unpaid Medical Leave of Absence; AR No. 17-01, Employee Sick Leave; and, AR No. 17-02, Office Hours and Non-Traditional Work Schedule.

Section 7. That the Town Manager is hereby expressly authorized to suspend AR No. 09-01, Purchasing Procedure, and any Town adopted fiscal management policy, in whole or in part in accordance with his discretion, and make procurements related to mitigating the effects or spread of COVID-19, related to assisting the Town and its residents with the effects of COVID-19, or that are necessary for the continuity of Town operations.

Section 8. That the Town Manager is authorized to seek and obtain or participate in financial and other forms of aid, relief and assistance from federal, state, and county authorities to respond to the COVID-19 outbreak and to provide necessary assistance in executing the Town of Dewey-Humboldt Emergency Operations Plan to the extent required by the COVID-19 outbreak.

Section 9. That notwithstanding any other Town Code provision or Town Council policy, public comments including "Public Comment on Non-Agendized Items," at all types of Council Meetings are temporarily suspended but public may submit comments about agendized or non-agendized items in emails addressed to Town Clerk (according to Town website) until 3:30 p.m. on the date of any public meeting and such comments shall be distributed to Mayor and Councilmembers before the meeting. Such emailed public comments shall clearly identify, in the subject line of the email, the date of the public meeting, the assigned agenda item number, or that it is a public comment on a non-agendized matter.

Section 10. This resolution shall be in full force and effect until such time as the Governor of the State of Arizona lifts all Executive Orders related to the COVID-19 outbreak or until otherwise terminated by the Mayor and Councilmembers.

Section 11. It is necessary for the preservation of the peace, health and safety of the Town of Dewey-Humboldt, Arizona, an emergency is declared to exist, and this resolution shall become immediately operative and in force upon the signing of it.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this \_\_\_\_\_ day of April, 2020.

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Terry Nolan, Mayor

ATTEST:

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Timothy A. Mattix, Town Clerk

APPROVED AS TO FORM:

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Bigelow Law Offices, PLC  
Town Attorney, By: Kay Bigelow

NOT ADOPTED