

RESOLUTION 23- 2020

A RESOLUTION DECLARING A LOCAL EMERGENCY – COVID 19

WHEREAS, the virus named “SARS-CoV-2,” is a new strain of coronavirus that has not previously been identified in humans and can easily spread from person to person and which causes a disease named “coronavirus disease 2019,” commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death; and

WHEREAS, on January 21, 2020 the first case of COVID-19 was detected in the United States; on March 6, 2020 the first case of COVID-19 was detected in the State of Minnesota; and as of March 16, 2020, there are sixty known cases of COVID-19 in Minnesota, including cases in Hennepin County; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, to begin retroactively on January 27, 2020; on March 11, 2020, the World Health Organization declared COVID-19 a world-wide pandemic; on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize and all necessary resources to be used in support of the COVID-19 response; and

WHEREAS, the World Health Organization and the United States Centers for Disease Control have provided guidance for individuals, healthcare professionals, and businesses to slow the spread of COVID-19, which include cancelling or postponing in-person events that involve more than ten people for eight weeks; and

WHEREAS, the need for social distancing, school closings, and quarantine methods to stop the spread of COVID-19 is expected to cause significant challenges; and

WHEREAS, the City Administrator and Police Chief/Emergency Manager find that this situation threatens the health, safety, and welfare of the staff and residents of the City of Dayton and will cause a significant impact on the ability of public safety personnel to address any immediate dangers to the public as a result of COVID-19; and

WHEREAS, the City Administrator and Police Chief/Emergency Manager find that traditional sources of financial aid, assistance and relief will not be able to compensate for the potential impact of COVID-19, and have determined that the necessary resources to respond to and recover from this pandemic will exceed those resources available within the City of Dayton, and additional resources will be needed from Hennepin County and state and federal sources; and

WHEREAS, Minnesota Statutes, section 12.29 authorizes the Mayor to declare the existence of a local emergency, invoke necessary portions of the City's Emergency

Operations Plans and authorize aid and services in accordance with interjurisdictional agreements, such as mutual aid agreements; and

WHEREAS, under Minnesota Statutes, section 12.37 this emergency declaration authorizes the City to enter into contracts and perform other duties without following many of the time-consuming legal procedures normally required, including:

- Arranging for the performance of public work
- Contracting
- Incurring obligations
- Employing temporary workers
- Renting equipment
- Purchasing supplies and materials
- Complying with limitations on tax levies
- Appropriating and expending public funds, including publication of ordinances and resolutions, advertisement for bids, provisions of civil service laws and rules, competitive bidding, and budget requirements

NOW, THEREFORE, MAYOR TIMOTHY MCNEIL OF THE CITY OF DAYTON PROCLAIMS, AND DECLARES

1. Under the authority given by Minnesota Statutes, Section 12.29, declares that a local emergency exists within the City of Dayton, effective March 17, 2020, with all the powers and responsibilities attending thereto as provided by Minnesota Statutes, chapter 12.
2. Grants City Administrator and Police Chief/Emergency Manager or designee's approval to bypass regular purchasing policy procedures.
3. Grants City Administrator and Police Chief/Emergency Manager or designee's authority to cancel any events or meetings using city parks, and city facilities.
4. Grants City Administrator and Police Chief/Emergency Manager or designee's authority to follow the City of Dayton's COVID-19/Pandemic response plan including discretionary closures of City Hall, and City Facilities.

- a. Declares, under Minnesota Statutes, Section 13D.021, that in-person meetings of the City Council, Planning Commission, and other advisory commissions of the City of Dayton may not be practical or prudent due to the COVID-19 health pandemic and the peacetime emergency declared by Governor Walz pursuant to Minnesota Statutes, chapter 1223, and hereby: Grants the City Administrator and Police Chief/Emergency Manager or designee's authority to require City Council Meetings to be conducted by telephone or other electronic means
- b. Grants the City Administrator and Police Chief/Emergency Manager or designee's authority to cancel Planning Commission and Parks Commission meetings or conduct meetings by telephone or other electronic means if important items need to be addressed.
- c. City Staff shall take such action as may be necessary to enable such meetings to occur via telephone or other electronic means pursuant to Minnesota Statutes, section 13D.021, until such time as it is no longer impractical or imprudent for the City Council, Planning Commission, Parks Commission, and other advisory commission to resume in-person meetings.

6. This emergency declaration shall continue for a period of three (3) days from its effective date of March 17, 2020, unless further extended by or with the consent of the City Council pursuant to Minnesota Statutes, Section 12.29, subd. 1.

7. Orders that this declaration be given prompt and general publicity and that it be filed promptly by the City Clerk.

Adopted by the City Council of the City of Dayton, Minnesota this 17th day of March 2020.

Motion made by Councilmember O'Brien, seconded by Councilmember Fisher.
Motion carried unanimously



Mayor – Tim McNeill



City Clerk – Amy Benting