



## AGENDA ITEM #11.5

### REPORT TO CITY COUNCIL

**Report Prepared by: Nancy Malecha**

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**Date:** April 7, 2020

**Subject:** Resolution Extending Mayor-Declared Local Emergency

**Report:** Mayor Tayloe will be executing the attached Declaration 20-01 regarding a Local State of Emergency in response to the COVID-19 pandemic. This Declaration can only continue for a period of not more than three days from the date of execution unless extended by the City Council. Attached is a resolution extending the period of the Mayor-Declared Local Emergency for Council consideration.

**Council Action Requested:** Council motion adopting the resolution enacted pursuant to Minnesota Statutes Section 12.29 extending the period of the Mayor-Declared Local Emergency.

**CITY OF PEQUOT LAKES  
MAYORAL DECLARATION 20-01  
LOCAL STATE OF EMERGENCY**

**WHEREAS**, the virus named COVID-19 is a new strain of coronavirus that has not previously been identified in humans and can easily spread from person to person; and

**WHEREAS**, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

**WHEREAS**, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize all necessary resources to be used in support of the COVID-19 response; and

**WHEREAS**, COVID-19 has been identified by the World Health Organization as a pandemic, and the United States Centers for Disease Control has provided guidance for individuals, healthcare professionals, and businesses to slow the spread of COVID-19; and

**WHEREAS**, on March 25, 2020 Governor Timothy J. Walz issued a stay at home order requiring non-essential employees and public officials to limit interaction with the public; and

**WHEREAS**, on April 6, 2020, the Mayor of the City of Pequot Lakes issued a declaration calling for City meetings to be available by electronic means; and

**WHEREAS**, Minnesota Statutes, section 12.29 authorizes the mayor of a municipality to declare a local emergency for a period of up to three days; and

**WHEREAS**, the Pequot Lakes City Council may consent to an extension of a declaration of local emergency beyond three days; and

**WHEREAS**, Minnesota Statutes, section 12.37 states an 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, but not limited to:

- Arranging for the performance of public work
- Contracting
- Incurring obligations
- Employing temporary workers
- Renting equipment
- Purchasing supplies and materials
- Complying with limitation 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; and

**WHEREAS**, the Mayor finds that the emergency is sudden and could not have been anticipated; and

**WHEREAS**, the Mayor finds that this situation threatens the health, safety, and welfare of the residents of the Pequot Lakes community and threatens the provision and delivery of City services as a result of the Emergency; and

**WHEREAS**, the Mayor finds that the emergency poses the risk of and may cause catastrophic loss of public health, safety, and welfare if not immediately addressed; and

**WHEREAS**, the Mayor finds that traditional sources of relief are not able to repair or prevent the injury and loss.

**NOW, THEREFORE, I, JAMES TAYLOE, MAYOR OF THE CITY OF PEQUOT LAKES, HEREBY PROCLAIM:**

1. A local state of emergency is declared for the City of Pequot Lakes pursuant to Minnesota Statutes, Chapter 12.
2. City Staff is directed to review ordinance and regulatory requirements, operations, civil and legal proceedings, events, and resources to determine whether the foregoing should be adjusted or suspended, and to make recommendations regarding additional emergency regulations to support the employees and residents of the City.
3. All City departments and offices are directed to operate and support the response to this incident, under the direction and coordination of the City Administrator and Emergency Management Directors, including implementing new employee protocols, strategies, and processes to ensure that public services are maintained.
4. The City Administrator and Emergency Management Directors will request and coordinate appropriate aid and resources from surrounding jurisdictions, Crow Wing County, the State of Minnesota, and the Federal government, as needed.
5. Public meetings may be held consistent with the prior declaration of the Mayor pursuant to Minnesota Statutes, section 13D.021.
6. This Declaration shall continue for not more than a period of three days from the date of execution unless extended by the City Council.
7. A meeting of the City Council shall be held on April 7, 2020 at 6:30 p.m. to discuss this Declaration and consider extending the Declaration.

Dated this 6<sup>th</sup> day of April, 2020.

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James Tayloe  
Mayor of the City of Pequot Lakes

**CITY OF PEQUOT LAKES  
RESOLUTION 20- \_\_\_\_**

**RESOLUTION ENACTED PURSUANT TO MINNESOTA STATUTES SECTION 12.29  
EXTENDING THE PERIOD OF A MAYOR-DECLARED LOCAL EMERGENCY**

**WHEREAS**, the Mayor of the City of Pequot Lakes, Minnesota, (“City”) by Mayoral Declaration 20-01 dated April 6, 2020 has declared that a local emergency is in effect in the City; and

**WHEREAS**, the City Council of the City of Pequot Lakes agrees with the Mayor’s determination and further finds that the local emergency will last for more than three days and that immediate action to respond to the local emergency is needed in order to protect the health, safety and welfare of the City and the community; and

**WHEREAS**, the Mayor of the City of Pequot Lakes, Minnesota, by Mayoral Declaration 20-02 dated April 6, 2020 has declared that City meetings may be held by telephone or other electronic means pursuant to Minnesota Statute, section 13D.021; and

**WHEREAS**, the Council finds that this emergency, which involves an outbreak of an infectious disease (COVID-19), is a highly fluid and evolving situation, and in the interest of the public health, a response or action may be needed that requires deviation from standard procedures for procuring goods and services; and

**WHEREAS**, Minnesota Statutes §§ 12.29 and 12.37 authorize the actions taken in this resolution and provide that emergency contracts and agreements are not subject to the normal purchasing and competitive bidding requirements because of the local emergency.

**NOW, THEREFORE, BE IT RESOLVED BY THE PEQUOT LAKES CITY COUNCIL** as follows:

1. The Mayor’s Declaration of a local emergency is continued in effect until further action of the City Council.
2. City staff is authorized to enter into agreements and contracts necessary for the procurement of materials, equipment, and services required to respond to the local emergency.
3. The Mayor and City Administrator are authorized to execute any necessary agreements, contracts, and related documents regarding the local emergency necessary to implement corrective action relative to the local emergency to protect the health, safety and welfare of the City and the community.
4. City staff is authorized to take any appropriate action and to prepare any appropriate documents to facilitate the directives of the Council as set forth in this resolution.

5. The Mayor, City Administrator, City staff, City attorney, and City consultants are authorized and directed to take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this resolution.

Adopted by the City Council of the City of Pequot Lakes this 7<sup>th</sup> day of April, 2020.

ATTEST:

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James Tayloe  
Mayor

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Nancy Malecha  
City Administrator