

CITY OF HOPKINS, MINNESOTA

RESOLUTION 2020-014

**A 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 Hopkins, Minnesota by Mayoral Declaration No. 2020-1 has declared that a local emergency is in effect in the City as of 7:45 p.m. on March 16, 2020; and

WHEREAS, the City Council of the City of Hopkins 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 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 Sections 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 HOPKINS 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 Manager are authorized to execute any 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 Manager, 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 this 16th day of March, 2020.



Jason Gadd, Mayor

Attest:



Amy Domeier, City Clerk

CITY OF HOPKINS, MINNESOTA
MAYORAL DECLARATION NO. 2020-1

WHEREAS, the Mayor of the City of Hopkins, Minnesota ("Mayor") finds that the following local emergency ("Emergency") exists in the City of Hopkins, Minnesota ("City"):

1. On March 11, 2020, the World Health Organization determined that the COVID-19 outbreak constitutes a pandemic. On March 13, 2020, President Trump declared a national state of emergency as a result of the pandemic.
2. On March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01 declaring a state of peacetime emergency to address the COVID-19 pandemic in Minnesota. The Governor's Executive Order along with this Declaration triggers activation of the City's emergency management plan and enables the City to exercise its emergency powers.
3. The spread of COVID-19 in the United States and Minnesota has raised serious public health concerns and resulted in a great deal of uncertainty. Much remains unknown about the virus and how it spreads.

WHEREAS, Minnesota Statutes, Section 12.29 authorizes the Mayor to declare the existence of the Emergency, to invoke any necessary portions of any emergency operations/management plans and pandemic response plans, and to authorize aid and services in accordance with interjurisdictional agreements; and

WHEREAS, Minnesota Statutes, Section 12.37 authorizes the City, acting through its governing body, to: (1) enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property and by providing emergency assistance to the victims of the disaster; and (2) exercise the powers vested by that section in the light of the exigencies of the disaster without compliance with time-consuming procedures and formalities otherwise prescribed by law; 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 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.

NOW, THEREFORE, as the Mayor of the City of Hopkins, Minnesota, I declare that a Local Emergency exists effective at 7:45 p.m. on March 16, 2020 in the City of Hopkins, Minnesota.

This declaration of a local emergency will invoke any and all emergency operations/management plans and pandemic response plans of the city. The portions that are necessary for response to and recovery from the Emergency are authorized, including but not limited to all appropriate community containment and mitigation strategies. To the extent normal state laws and city policies and procedures impede an efficient response or compliance with federal and state directives and recommendations, the City Manager, Emergency Manager, and their designees are authorized to suspend compliance with those laws, policies, and procedures and to take those actions necessary to protect the public health, safety, and welfare.

Dated: March 16, 2020.



Jason Gadd, Mayor
City of Hopkins, Minnesota

**Mayor Jason Gadd's Statement and Determination
Regarding Conducting Meetings by Telephone or Other Electronic Means**

As the Mayor of the City of Hopkins, Minnesota I find as follows:

- a. The spread of COVID-19 in the United States and Minnesota has raised serious public health concerns and resulted in a great deal of uncertainty. Much remains unknown about the virus, how it spreads and the likely extent of infection.
- b. On March 11, 2020, the World Health Organization determined that the COVID-19 outbreak constitutes a pandemic. On March 13, 2020, President Trump declared a national state of emergency as a result of the pandemic.
- c. On March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01 declaring a state of peacetime emergency to address the COVID-19 pandemic in Minnesota.
- d. The Minnesota Department of Health has provided specific guidance encouraging postponement or cancelation of events that do not allow social distancing of at least six feet per person, which is generally not practical to achieve in the City Council chambers or in the other rooms where the City's boards and commissions may meet.
- e. Minnesota Statutes, section 13D.021 authorizes cities to meet by telephone or other electronic means if the presiding officer, chief legal counsel, or chief administrative officer determines that meeting in person or by interactive television is not practical or prudent because of the existence of a declared health pandemic or emergency. I have consulted with the city manager and city attorney in making this determination.

Based on the above findings, I determine as follows:

1. Until further notice, all meetings of City bodies governed by Minnesota Statutes, Chapter 13D, including but not limited to City Council meetings, and meetings of all boards, committees, and commissions of the City, shall be conducted by telephone or other electronic means because it is not practical or prudent to hold those meetings in person or by interactive television. All such meetings must comply with the requirements in Minnesota Statutes, Section 13D.021.
2. Attendance by members of the public and the presence of at least one council member, the city manager or city attorney at the City Council chambers for such meetings is not feasible due to the health pandemic and the emergency declaration.

Dated: March 16, 2020.



Jason Gadd, Mayor
City of Hopkins, Minnesota