

1 When recorded, return to:
2 Paradise Valley Town Attorney
3 6401 East Lincoln Drive
4 Paradise Valley, Arizona 85253
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7 **RESOLUTION NUMBER 2020-08**
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10 **A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE**
11 **TOWN OF PARADISE VALLEY, ARIZONA, AUTHORIZING A**
12 **PUBLIC MEETING ACTION PLAN**
13

14 **NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL**
15 **OF THE TOWN OF PARADISE VALLEY, ARIZONA AS FOLLOWS:**

16 WHEREAS, on March 11, 2020 the World Health Organization officially declared a
17 pandemic due to the COVID-19 outbreak; and

18 WHEREAS, COVID-19 infections have been confirmed in Arizona; and,

19 WHEREAS, on March 11, 2020 Governor Doug Ducey declared that a State of
20 Emergency exists in Arizona due to the COVID-19 outbreak in Arizona;

21 WHEREAS, it is necessary and appropriate to take actions to ensure that the spread
22 of COVID-19 is slowed throughout the United States, Arizona, and Paradise Valley, and
23 that the illness is prevented from spreading as much as practicable; and

24 WHEREAS, the Centers for Disease Control and Prevention ("CDC") has
25 increasingly recommended smaller group gatherings and has most recently urged a
26 nationwide halt to gatherings of more than 50 people for the next eight weeks, citing the risk
27 of the spread of COVID-19, and as of March 16, 2020, the President of the United States of
28 America has urged groups of no more than 10 in close proximity; and

29 WHEREAS, given the current need to curtail exposure to COVID-19 to the extent
30 possible the Town should provide for the provisions of electronically accessible public
31 meetings of the public bodies of the Town so that measures can be put in place to provide

1 for the public and the members of the Town's public bodies to attend public meetings by
2 remote access, electronic access, or other means that will still include public participation
3 and engagement while limiting potential COVID-19 exposure to the public; and

4 WHEREAS, the Town Manager, Town Attorney, and Town Clerk should prepare
5 means and methods of ensuring that remote public participation by members of the public
6 and members of the public bodies can be enacted and publicized so that the public is aware
7 of the alternate means of remote or electronic participation available for public meetings
8 until such time that public health officials advise that the need to avoid public gatherings is
9 no longer recommended; and

10 WHEREAS, the Town Manager should implement means of having essential
11 personnel and others as needed working at Town Hall and other Town facilities within
12 healthy guidelines as recommended by CDC, Congress, the State of Arizona and/or other
13 governmental bodies with expertise in and knowledge of the COVID-19 outbreak, and
14 encourage employees to work remotely whenever possible and provide special leave
15 provisions for certain staff members during this current COVID-19 situation; and

16 WHEREAS, given the public health concerns noted above this resolution should take
17 effect immediately upon its adoption.

18 NOW, THEREFORE, BE IT RESOLVED that:

19 1. Until otherwise advised by the CDC and other public health agencies, the
20 Town Manager, Town Attorney, and Town Clerk should prepare means and methods, to the
21 extent practicable, of ensuring that remote public participation by members of the public and
22 members of the Town's public bodies can be enacted and publicized so that the public is
23 made aware of the alternate means of remote or electronic participation available for public
24 meetings.

25 2. Until otherwise advised by the CDC and other public health agencies, any

1 and all public meetings that can be arranged to be held remotely, including having a quorum
2 of the public body attend remotely, may, at the direction of the Mayor, or in the Mayor's
3 absence the Vice-Mayor, be postponed or continued, as deemed necessary in order to reduce
4 opportunities for spread of COVID-19 or for other public health reasons.

5 3. Due to the public health emergency that has been declared by the State of
6 Arizona and pursuant to Town Code Section 3-7-3 which relates to the Town's and Mayor's
7 emergency powers, the Town and persons within the Town should continue to follow the
8 recommendations of the CDC, the Arizona Department of Health Services, and other public
9 health agencies regarding limiting public gatherings and other health guidance that may
10 emerge until such time as is deemed unnecessary in relation to COVID-19. This may
11 include the temporary closing or limitation of use of Town or other facilities as deemed
12 necessary and appropriate by the Mayor upon consultation with relevant authorities and to
13 the full extent allowed by the authority vested in Town Code 3-7-3(2).

14 4. Consistent with the recommendations from the CDC and/or the United States
15 Congress and/or the State of Arizona or other relevant governmental bodies, the Town
16 Manager is authorized to implement remote working provisions for employees of the Town
17 whose in-person workplace attendance is not essential to the ongoing conduct of essential
18 Town services and the Personnel Handbook is hereby amended to provide for managerial
19 authority to add limited Public Emergency Health Leave for those situations where the
20 Town Manager deems such leave necessary based on CDC or Congressional input.

21 5. An emergency is hereby declared to exist such that this resolution shall take
22 effect immediately upon its adoption.

23 **PASSED AND ADOPTED** by the Mayor and Council of the TOWN OF
24

1 PARADISE VALLEY, Arizona, this 17th day of March, 2020.

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6 Jerry Bien-Willner, Mayor
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8 ATTEST:
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11 Duncan Miller, Town Clerk
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16 APPROVED AS TO FORM:
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19 Andrew M. Miller, Town Attorney
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