



## Legislation Details (With Text)

**File #:** 20-132      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Agenda Ready  
**File created:** 3/16/2020      **In control:** Town Council  
**On agenda:** 3/12/2020      **Final action:**  
**Title:** Adoption of Resolution Number 2020-08; Authorizing Public Meeting Action Plan

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 2020-08 Public Meeting Action Plan, 2. Proclamation of Emergency by Jerry Bien-Willner (03 17 2020 Final), 3. Attorney General Opinion re Covid-OML

Date	Ver.	Action By	Action	Result
3/17/2020	1	Town Council	Adopted	Pass

**TO:** Mayor and Town Council

**FROM:** Jill Keimach, Town Manager  
Andrew Miller, Town Attorney

**DATE:** March 17, 2020

**CONTACT:**

### **AGENDA TITLE:**

**Resolution No. 2020-08; Authorization for Public Meeting Action Plan**

### **BACKGROUND:**

On March 11, 2020 the World Health Organization officially declared a pandemic due to the COVID-19 outbreak, which has also affected Arizona with infections now being documented here. On March 11, 2020 Governor Doug Ducey declared that a State of Emergency exists in Arizona due to the COVID-19 outbreak in Arizona. The Centers for Disease Control and Prevention is now urging a nationwide halt to gatherings of people for the next eight weeks, citing the risk of the spread of COVID-19.

It is necessary and appropriate for the Town of Paradise Valley to follow the recommendations of the public health agencies and take actions to ensure that the spread of COVID-19 is controlled and that the residents of Arizona remain safe and healthy. Given this need to curtail exposure to COVID-19 to the extent possible the Town should conduct its meetings by remote access and electronic means while still providing for the electronic accessibility of public meetings of the public bodies by electronic access, or other means, that will still include public participation and engagement while limiting potential COVID-19 exposure to the public. The access for the public will be consistent with the guidance provided by the Attorney General (see attached AG Opinion re COVID-19 and OML).

The Town Manager, Town Attorney, and Town Clerk should prepare means and methods of ensuring

that remote public participation by members of the public and members of the public bodies can be enacted and publicized so that the public is aware of the alternate means of remote or electronic participation available for public meetings until such time that public health officials advise that the need to avoid large gatherings is no longer recommended.

Additionally, based on recommendations from the Centers for Disease Control and Prevention, Congress, or the State of Arizona the Town Manager should encourage Town employees to work remotely whenever possible and provide special leave provisions for certain staff members during this current COVID-19 situation.

Because of the imminent public health risks at issue an emergency exists such that Resolution No. 2020-08 should take effect immediately upon its adoption.

### **NEXT STEPS**

Until otherwise advised by public health agencies, the Town Manager, Town Attorney, and Town Clerk should prepare means and methods of:

1. Ensuring that remote public participation by members of the public and members of the Town's public bodies can be enacted and publicized so that the public is aware of the alternate means of remote or electronic participation available for public meetings.

2. Arrange for any and all public meetings to be held remotely, including having a quorum of the public body attend remotely, as deemed necessary in order to avoid the outbreak of COVID-19 or for other public health reasons.

3. The Town should continue to follow the recommendations of the Centers for Disease Control and Prevention, the Arizona Department of Health Services, and other public health agencies regarding limiting public gatherings until such time as the risk of spreading COVID-19 is deemed unnecessary.

4. Consistent with the recommendations from the CDC, the United States Congress, and the State of Arizona, the Town Manager should implement remote working provisions for employees of the Town whose in-person workplace attendance is not essential to the ongoing conduct of essential Town services and the Personnel Handbook should be amended to provide for limited Public Emergency Health Leave for those situations where the Town Manager deems such leave necessary based on CDC or Congressional input.

Concomitant with the adoption of Resolution No. 2020-08, the Mayor has asked that a Proclamation be prepared so that, among other things, the Town can adopt emergency measures as are deemed necessary for public health and safety and so that county, state, and federal assistance can be actively pursued. A copy of the Mayor's draft proclamation is also attached at the request of the Mayor.

It is recommended that the Council approve Resolution No. 2020-08 and establish the Public Meeting Action Plan.

### **ATTACHMENTS:**

Resolution No. 2020-08

Mayor's Proclamation

AG Opinion re COVID-19 and OML