

PROPOSED RESOLUTION

Suggested Resolution

Resolution #2020-04-

Moved by

Seconded by

WHEREAS, On March 11, 2020, Michigan Governor Gretchen Whitmer declared a State of Emergency (Executive Order 2020-4), and has issued several orders implementing measures in the State of Michigan that are designed to help prevent the rapid spread of the COVID-19 virus, a respiratory disease that can result in serious illness or death, based on a validated exponential spread of the virus, which will detrimentally impact our medical community; and,

WHEREAS, On March 11, 2020, Oakland County Executive David Coulter also declared a County Emergency, and activated the Oakland County Emergency Control Center, based on the same concerns of the COVID-19 virus; and,

WHEREAS, On March 13, 2020, President Donald J. Trump declared a National Emergency, based on the detrimental impact of the spread of the COVID-19 virus to our community, as recommended by the Center for Disease Control and Prevention (CDC); and,

WHEREAS, On March 23, 2020, Governor Gretchen Whitmer Issued Executive Order 2020-21, which temporarily suspended all activities not necessary to sustain or protect life, which is commonly referred to as the Stay Home/Stay Safe Order. This Order is required to be construed broadly to prohibit any in person work that is not necessary to sustain or protect life, and expressly exempts essential workers who are necessary to protect life; and,

WHEREAS, The City of Troy has complied with the National and State Directives and Orders, and although some measures have been implemented to minimize exposure and transmission of COVID-19, Troy's public safety workers (including but not limited to police, fire, and public works) are continuing to report for in-person work, and Troy's remaining full time staff has been technologically equipped to continue to work from home; and,

WHEREAS, The COVID-19 pandemic is a national issue, and Congress has responded by enacting several pieces of legislation to address the negative impacts, and on March 29, 2020, President Trump extended the nationwide social distancing requirements until April 30, 2020; and,

WHEREAS, On April 1, 2020, Governor Gretchen Whitmer issued Executive Order 2020-33, which superseded Executive Order 2020-04, and Declared a State of Disaster in addition to the previously declared State of Emergency; and,

WHEREAS, Since the pandemic has been prolonged, and the total amount of confirmed cases and deaths in the State of Michigan continues to escalate, on April 7, 2020, the Michigan Legislature passed Senate Concurrent Resolution 0024 of 2020, extending the Emergency and Disaster Order (2020-33) beyond the 28 day time limitation otherwise allotted for a Governor's declaration, and as a result, the Declared Emergency and Disaster Order is extended to April 30, 2020; and,

WHEREAS, On April 8, 2020, Governor Gretchen Whitmer issued Executive Order 2020-42, expanding the Stay Home, Stay Safe Order until April 30, 2020; and,

WHEREAS, These proactive responsive actions are authorized under existing laws in times of emergencies, and facilitate broad based communication to the public. Some of these proactive measures may also result in some financial reimbursement for governmental measures that were required to be performed to respond to the emergency; and,

WHEREAS, Although the City of Troy is relegated to a coordinating role, and must cede to the emergency authority of the State and County and Federal government on several public health issues, on March 11, 2020, the City of Troy administratively activated the City of Troy's Emergency Operations Plan, and based on recommendations from the CDC and the State of Michigan Department of Health and Human Services and Oakland County Health Division, the Troy Community Center and Troy Public Library were closed to the public on March 13, 2020, Troy City Hall and Department of Public Works and the Troy Nature Center were closed to the public on March 16, 2020, and closed on March 24, 2020; and,

WHEREAS, The Troy City Council and Troy City Administration have been actively monitoring legislation and executive orders and directives issued as a result of the pandemic, and the City's Emergency Operations Center has continued its coordination with other disaster relief efforts, and continues to facilitate communication of the directives and orders of other governmental entities to the public; and,

WHEREAS, On March 16, 2020, the Troy City Council declared an emergency under Troy's City Charter and State Law, specifically the Emergency Management Act, MCL 30.401, which allowed for communication to the public about health risks and regulations, allowed the cancellation of meetings when necessary, and allows the City to recoup any available reimbursement incurred by Troy employees during the emergency, as well as the request of additional financial aid; and,

WHEREAS, In light of all of the developments that have occurred since March 16, 2020, City Council's affirmation of the City's continued state of emergency is prudent;

NOW THEREFORE,

IT IS HEREBY ORDERED, That the Troy City Council hereby **ACKNOWLEDGES** that a "state of emergency" continues to exist in the City of Troy, due to the known transmission

of COVID-19 within Oakland County and the concern of sickness and potential loss of life. The situation is worsening and impacting the whole community and local economy.

BE IT FURTHER RESOLVED, That as a result of this Emergency Declaration, the City **MAY CONTINUE TO TAKE ADDITIONAL MEASURES** to limit further exposure, including but not limited to the continued closure of public facilities, the postponement of public meetings and public hearings, the extension of time to respond to Freedom of Information Act requests, the transition to electronic meetings, which necessarily amends the available methods for public comment, the publication of orders and directives and clarifications, as well as the ability for law enforcement to enforce orders, including but not limited to the Stay at Home/ Stay Safe orders and the minimum six foot social distancing requirements that are applicable to everyone.

BE IT FINALLY RESOLVED, That this Emergency Declaration **SHALL TERMINATE** automatically after all State of Michigan Emergency and Disaster Declaration and/or the National Declarations resulting from the COVID-19 pandemic are terminated; but **CAN ALSO BE TERMINATED** through affirmative action of the City of Troy City Council.

Yes:

No: