

RESOLUTION NO. 4893

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA ACKNOWLEDGING AND DEFINING THE CITY MANAGER’S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER’S EXERCISE OF THAT AUTHORITY.

WHEREAS, an epidemic of the Coronavirus Disease (“COVID-19”) has occurred across the United States;

WHEREAS, the World Health Organization has declared COVID-19 a global pandemic that is controllable via precautionary measures to stop the spread of the disease;

WHEREAS, the City faces an imminent threat to life and public health resulting from COVID-19;

WHEREAS, MCA 10-3-402 provides for the principal executive officer of a political subdivision to declare a local emergency or disaster and the City Manager is the principal executive officer for the City of Livingston;

WHEREAS, the City will commit available resources, and will take action to combat and to alleviate the situation, local resources may not be adequate to cope with the situation; and

WHEREAS, it appears the City Manager may declare an emergency in the City of Livingston in the near future.

NOW, THEREFORE, The City Commission resolves and acknowledges:

Section 1. The authority of the City Manager to declare an emergency based on MCA 10-3-402 is reaffirmed.

Section 2. In addition to the authority granted to the City Manager by MCA 10-3-406, the City Manager using all available information from Federal/State/Local Authorities shall

possess and exercise the following powers:

- a. To approve all claims, payroll, and other financial responsibilities “nunc pro tunc” and bring them before the Commission for ratification after the emergency is terminated.
- b. To use the City of Livingston Revolving Loan Fund in any manner reasonable and necessary to support the businesses of the City of Livingston.
- c. To waive the ordinances of the City of Livingston as necessary to effectively address the emergency.
- d. To impose any reasonable restrictions on travel, parking, or congregating as necessary to address the emergency and in accordance with MCA 10-3-406.
- e. To execute all contracts for the City for \$50,000.00 or less, consistent with applicable state law and bid requirements.

PASSED AND ADOPTED, by the City Commission of the City of Livingston, Montana, this _____ day of March, 2020.

DOREL HOGLUND, CHAIR

ATTEST:

APPROVED TO AS FORM:

FAITH KINNICK
Recording Secretary

COURNTEY LAWELLIN
City Attorney

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