

RESOLUTION NO. R2020-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AUTHORIZING AND DESIGNATING THE CITY ADMINISTRATOR TO ACT AS THE CITY'S AGENT FOR PUBLIC ASSISTANCE, TO EXECUTE AND FILE APPLICATIONS FOR PUBLIC ASSISTANCE IN THE APPROPRIATE STATE OFFICES, AND TO PROVIDE INFORMATION TO FEDERAL AND STATE AUTHORITIES FOR THE PURPOSE OF OBTAINING DISASTER RELIEF AND EMERGENCY ASSISTANCE DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, the City of Yuma ("City") is responding to the spread of the novel coronavirus known as COVID-19 and working with federal, state and local government authorities and with schools, businesses, non-profits, medical facilities, and faith groups within the City to combat and reduce the spread of the COVID-19 virus and assist the community and its citizens with the effect of COVID-19 pandemic; and,

WHEREAS, on January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern related to the COVID-19 outbreak and on March 11, 2020, the WHO officially declared the COVID-19 outbreak a pandemic; and,

WHEREAS, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak; and,

WHEREAS, on March 11, 2020, Governor Douglas A. Ducey issued a state-wide Declaration of Public Health Emergency in connection with the COVID-19 outbreak, declaring that COVID-19 poses a serious public health threat if precautions recommended by public health officials are not followed and that necessary and appropriate actions are required to ensure the spread of COVID-19 is controlled and that the residents of Arizona remain safe and healthy; and,

WHEREAS, on March 13, 2020, President of the United States, Donald J. Trump proclaimed that the COVID-19 outbreak constitutes a national emergency; and,

WHEREAS, pursuant to Article VII, Section 2(e) of the Yuma City Charter and the City of Yuma Emergency Operations Plan adopted by City Council Resolution No. R2019-034, on March 15, 2020, Mayor Douglas J. Nicholls issued a Proclamation of Emergency, declaring a state of local emergency in connection with the COVID-19 outbreak; and,

WHEREAS, in accordance with section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 ("Disaster Relief Act"), eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed under Category B of the Department of Homeland Security's Federal Emergency Management Agency's ("FEMA's") Public Assistance Program ("Public Assistance"); and,

WHEREAS, state, territorial, tribal, and local government entities and certain private nonprofit organizations are eligible to apply for Public Assistance; and,

WHEREAS, local governments and other eligible applicants will apply for FEMA Public Assistance through their respective state, tribal, or territorial jurisdictions; and,

WHEREAS, as declared in FEMA's March 17, 2020 memorandum, for the duration of the public health emergency, which the United States Department of Health and Human Services determined began on January 27, 2020, the City is authorized to proceed with new and existing noncompetitively procured contracts to protect property and public health and safety, or to lessen or avert the threats created by emergency situations for (i) emergency protective measures under FEMA's Public Assistance Program and (ii) the use of FEMA non-disaster grant funds to respond to or address COVID-19.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma as follows:

SECTION 1: The City Council hereby authorizes and designates the City Administrator to act as the City's Agent for Public Assistance and to execute for and on behalf of the City any applications necessary and to file such applications in the appropriate state offices for the purpose of obtaining certain financial assistance under the Disaster Relief Act or otherwise available from the disaster relief fund for Public Assistance.

SECTION 2: That the City Administrator is authorized as the City's Agent to provide information to state and federal authorities for all matters pertaining to disaster and public assistance.

ADOPTED this _____ day of _____, 2020.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney