



**Franklin City Council Agenda
March 26, 2020
Franklin City Hall Council Chambers
207 West 2nd Avenue
6:00 P.M.**

Because of the infectious nature of COVID–19, this meeting will be conducted by conference call. There will be no quorum of elected officials at Franklin City Hall or public access to the facility.

**Interested citizens may join in the meeting by dialing 1-408-418-9388
Attendee access code: 247 378 63**

**CALL TO ORDER. MAYOR FRANK M. RABIL
ROLL CALL MAYOR FRANK M. RABIL**

1. Consideration of the City of Franklin State of Emergency Declaration declared on March 13, 2020.
2. Consideration of Emergency Ordinance Number 2020 – 01 an Emergency Ordinance for the continuity of operations during the duration of the COVID-19 emergency.
3. **ADJOURNMENT**



DECLARATION OF A LOCAL EMERGENCY ON MARCH 13, 2020 BY THE CITY OF FRANKLIN, VIRGINIA DIRECTOR OF EMERGENCY SERVICES

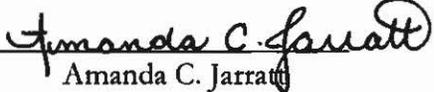
Whereas, the Director of Emergency Services of the City of Franklin, Virginia does hereby find as follows:

1. That due to the spread of COVID-19 also known as the coronavirus throughout the United States of America, the Commonwealth of Virginia, and the Hampton Roads Region, the City of Franklin is facing a condition of extreme peril to the lives, safety, and property of the residents of Franklin.
2. That due to this condition of extreme peril, the Governor of Virginia has declared a state of emergency and a disaster and requested extreme measures be taken by localities to seek to protect the public health;
3. The City of Franklin has pockets of high risk populations and has a moral obligation to play a part in limiting the spread of the coronavirus throughout the region.
4. That as a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.
5. That the emergency will require measures to ensure reasonable continuity of government while taking reasonable measures to protect the public health; such measures may include, but not be limited to, electronic meetings under the authority of Virginia Code section 2.2-3708.2 to address the emergency by taking measures to ensure continuity of government.

Now, therefore, be it proclaimed and ordered that during the existence of this emergency and disaster the powers, functions, and duties of the Director of Emergency Management and the Emergency Services organization and functions of the City of Franklin shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans.

In order to carry out the effect of this resolution, the City Manager Amanda C. Jarratt or the Director of Finance, Tracy Spence and their designees, are hereby authorized to expend funds from the City's unappropriated fund balance to cover the reasonable operations costs of emergency services pending further report to Franklin City Council and such additional appropriations as shall be deemed necessary to cover the expected scope of this emergency and ratified by City Council.

Now, therefore; I, Amanda C. Jarratt Director of Emergency Services, for the City of Franklin, Virginia do hereby proclaim and declare that a local emergency exists in the City of Franklin, Virginia, effective on the 13th day of March 2020.


Amanda C. Jarratt
Director of Emergency Services



ORDINANCE NO. 2020-01

AN ORDINANCE OF THE FRANKLIN CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA, INSTITUTING EMERGENCY PROCEDURES TO ENSURE CONTINUITY OF THE CITY OF FRANKLIN GOVERNMENT IN RESPONSE TO COVID-19 DISASTER.

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to the novel coronavirus or "COVID-19"; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on March 12, 2020, by Executive Order No. 51, Governor Ralph S. Northam declared a state of emergency in the Commonwealth of Virginia due to the spread of the COVID-19 virus, and declared the anticipated effects of COVID-19 to be a disaster within the meaning of Virginia Code Section 44-146.16; and

WHEREAS, on March 13, 2020, the President of the United States found and proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020; and

WHEREAS, on March 13, 2020, the City's Director of Emergency Management issued, pursuant to Virginia Code Section 44-146.14, a Declaration of Emergency in the City of Franklin due to the spread of COVID-19; and

WHEREAS, the Council confirmed or ratified the local Declaration of Emergency on March 26, 2020 and it continues in effect; and

WHEREAS, on March 17, 2020, Governor Northam, jointly with the Virginia State Health Commissioner, declared a continuing public health emergency in Virginia resulting from the spread of COVID-19 virus, and imposed stringent measures to combat the spread of COVID-19, including restricting the number of persons permitted to gather in certain public spaces to 10 persons or less; and

WHEREAS, the Council understands and acknowledges that the public health threat posed by COVID-19 constitutes a real and substantial danger to persons in the City of Franklin; that the limitations on physical assembly of persons are urgently necessary to protect the public health; and that the Council and other City boards, commissions, committees, authorities and other public bodies must conduct themselves accordingly; and

WHEREAS, compliance with the limitations on physical assembly occasioned by the COVID-19 public health crisis makes it difficult or impossible for the Council and other public bodies to

safely physically assemble to conduct meetings and hold public hearings in accordance with ordinarily applicable procedures; and

WHEREAS, Virginia Code Section 15.2-1413 authorizes any locality, by ordinance, to provide for methods to assure continuity in its government in the event of a disaster such as that created by the spread of COVID-19.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Franklin, Virginia:

1. That, in accordance with Virginia Code Section 15.2-1413, the following emergency procedures are hereby instituted to ensure continuity of government during the pendency of the COVID-19 disaster:
 - a. Any process, procedure, matter or transaction which typically allows for the physical presence of the public in a city building that has been declared or in the future is declared to be closed to the public during the pendency of the Emergency Declaration is hereby suspended unless conducted in accordance with this ordinance or other provision of law.
 - b. The City Manager is authorized to take actions objectively reasonable and necessary in the public interest to alter schedules, arrange for alternative procedures consistent with this ordinance, provide programming and services, pay bills, engage contractors, hire employees, set and manage a succession plan effective in the event of unavailability of staff, adjust administrative processes and procedures in light of the disaster, all in keeping with the U.S. Centers for Disease Control and Virginia Department of Health guidance/directives, and consistent with State and Local Declarations of Emergency and other directives and law.
 - c. Meetings required, and agenda items scheduled or proposed to be considered by the Council and other city boards, commissions, committees, authorities and other public bodies, for the duration of the local COVID-19 emergency but not to exceed six (6) months, are deemed continued and extensions therefor are hereby ordered if the body does not meet as permitted herein or in other applicable law and take action during that time, including those items for which applicable law requires an affirmative action to be taken within a particular time and failure to act is deemed approval.
 - d. Meetings of the Council and other City boards, commissions, committees, authorities and other public bodies may be held through electronic communication means with a quorum of members participating but without a need for a quorum of members physically present in a single location, in accordance with the provisions of Virginia Code Section 2.2-3708.2(A)(3), including the public notice requirements, and at such a meeting may consider any item of business which the public body deems essential or is appropriate for the continuity of the work of the public body.
 - e. Such meetings may be held without permitting members of the public to be physically present in a single location or in the same physical location as any of the public body members, so long as alternative arrangements for public access to such meetings are made. Such alternative public access may be electronic, including but not limited to audio, telephonic, or video broadcast.

- f. For any matter considered by the Council or other City public body during the pendency of the local emergency which typically require open doors, public attendance, or public participation by law, such requirements are hereby altered and may be met by electronic, telephonic, and/or written means by the body, which may meet electronically or in person or in some combination thereof as circumstances may permit.
 - g. For any matter so considered also requiring public comment or hearing, such will be allowed, solicited or received by the body by electronic, telephonic, and/or written means prior to the vote on such matter. All such comments will be heard by or provided to the members of the body and made a part of the record of such meeting.
 - h. Notices of meetings will be provided by email directly to those who have elected in writing in the previous calendar year to receive such notices, and if practicable, will also be provided on the City website and by other means selected by the City Manager. To the extent practicable, notices will also be provided as provided by general law or the City charter. City ordinances may be adopted utilizing the provisions of Virginia Code § 15.2-1427 normally applicable to counties.
2. That the provisions in Section 1 of this Ordinance shall be in effect until repealed by this Council or expiration of a period not exceeding six months from the adoption hereof, whichever comes first. This Ordinance may be amended as provided herein or by general law or the City Charter. Upon repeal or expiration of this Ordinance, the matters referenced herein shall resume operation in accordance with normal practices and procedures.
 3. This ordinance shall be effective upon adoption.

ADOPTED by the Council of the City of Franklin, this _____ day of March 2020.

Frank M. Rabil, Mayor

Amanda C. Jarratt, Clerk of Council