



CITY OF SCOTTSDALE – OFFICE OF THE MAYOR
Proclamation
and
Declaration of Emergency
No. 01-12-2021

WHEREAS, pursuant to Article 2, Section 6 of the Scottsdale City Charter and Scottsdale Revised Code (S.R.C.) Chapter 10, and Chapter 2 of Title 26, Arizona Revised Statutes (A.R.S), the Mayor of the City of Scottsdale, Arizona governs the City by proclamation during times of great danger; and

WHEREAS, A.R.S. § 26-311(A) provides that the Mayor may by proclamation declare an emergency or local emergency to exist due to any natural or man-made calamity or disaster, or by reason of threats or occurrences of riots, routs, affrays, or other acts of civil disobedience which endanger life or property within the City; and

WHEREAS, on January 31, 2020, 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, the World Health Organization declared the spread of COVID-19 to constitute a pandemic; and

WHEREAS, on March 11, 2020, the Governor of the State of Arizona declared that a state of emergency exists in Arizona due to the COVID-19 outbreak; and

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

WHEREAS, on March 18, 2020, Mayor Lane of the City of Scottsdale issued a proclamation declaring a state of emergency within the City of Scottsdale due to the COVID-19 outbreak and the City Council unanimously voted on March 24, 2020, to continue the proclamation, which is in place until Mayor David D. Ortega issues a new Declaration of Emergency Proclamation; and

WHEREAS, on January 12, 2021, Mayor Lane's term of office ended and he was succeeded by Mayor David D. Ortega; and

WHEREAS, the undersigned, Mayor David D. Ortega of the City of Scottsdale, Maricopa County, Arizona, has determined that an emergency or local emergency continues to exist within the City limits of the City of Scottsdale due to COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) and the Arizona Department of Health Services (ADHS) have issued multiple recommendations to combat or reduce the spread of the COVID-19 outbreak, which include recommendations on avoiding social gatherings and the postponement of certain in person events including requiring approval by municipalities and counties of public events involving fifty (50) or more people; and

WHEREAS, local hospitals within the City of Scottsdale have been significantly impacted by the COVID-19 outbreak and their resources, including ICU beds, are reaching capacity; and

WHEREAS, members of the public may visit the ADHS website for up to date statistical information on the COVID-19 outbreak within Arizona including information on the number of cases by zip code at: <https://azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/covid-19/dashboards/index.php>; and

WHEREAS, members of the public may visit the Mayo Clinic website for COVID-19 trend information in Arizona at: <https://www.mayoclinic.org/coronavirus-covid-19/map/arizona>; and

WHEREAS, emergency management measures are required to reduce the severity of the local emergency, including the impact to local hospitals, and mitigate the spread of COVID-19; and to protect the health, safety and welfare of the people and property located in the City of Scottsdale; and to pursue and receive available aid; and

WHEREAS, pursuant to A.R.S. § 26-311, the Scottsdale City Charter and S.R.C. § 10-3, the Mayor of the City of Scottsdale hereby determines that there is the existence of conditions of disaster or of extreme peril to the safety of persons or property within the City caused by epidemic or other natural or man-made causes, which are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single county, city or town, and which require the combined efforts of the state and its political subdivisions; and therefore there exists a State of Emergency, and an Emergency and Local Emergency, as those terms are defined and/or used in A.R.S. § 26-301 and A.R.S. § 26-311(A) (collectively referred to as an "Emergency" or "State of Emergency") within the City that endangers life or property.

NOW, THEREFORE, AS MAYOR OF THE CITY OF SCOTTSDALE, COUNTY OF MARICOPA, STATE OF ARIZONA, PURSUANT TO A.R.S. § 26-301, ET. SEQ., THE SCOTTSDALE CITY CHARTER AND S.R.C. § 10-3, IT IS PROCLAIMED AND ORDERED, EFFECTIVE IMMEDIATELY, AS FOLLOWS:

SECTION 1. I, David D. Ortega, Mayor of the City of Scottsdale, Arizona, do hereby declare, pursuant to Article 2, Section 6 of the Scottsdale City Charter and Scottsdale Revised Code Chapter 10, and Chapter 2 of Title 26, Arizona Revised Statutes, an emergency or local emergency to exist.

SECTION 2. Authorize the City Manager, or his designee, to declare that procurements related to mitigating the effects or spread of COVID-19 or related to assisting the City and its residents with the effects of COVID-19 to be emergency procurements and authorize the suspension of procurement rules and policies for such procurements subject to the City Council's subsequent review.

SECTION 3. Authorize the City Manager, or his designee, to take all lawful actions necessary to respond to this emergency and to take all appropriate action to mitigate the effects and spread of COVID-19 and assist the City and its residents with the effects of the COVID-19 outbreak by restricting or closing City public buildings and places that reasonably may be closed; limiting hours of operation of City public buildings and places; cancelling or postponing City events, programs, and classes; or imposing reasonable screenings for access to, or to remain in, City public buildings or places. Further, the City Manager, or his designee, may revoke, postpone, or suspend issuance of any special event license that may reasonably endanger the health, safety, or general welfare of the public as determined by the City Manager, or his designee.

SECTION 4. The City Hall Kiva Council Chambers continue to be closed to physical public attendance during all Council meetings in order to protect public health and safety. The public continues to be invited to attend all Council meetings virtually and remotely. All public meetings are available for public listening or viewing by way of electronic means. With these modified Council meeting formats, citizens remain unable to appear before the City Council during regular meetings to present written petitions. However, citizens continue to have the ability to contact the City Council through telephone and electronic mail at times other than during regular Council meetings to ask questions, make requests, and express concerns. As a result, the presentation and receipt of citizen petitions at regular City Council meetings remains temporarily suspended. The City Manager is authorized to impose similar reasonably necessary limitations on physical in-person attendance at all other City board and commission public hearings, provided such restrictions remain in compliance with Arizona's Open Meeting Law. However, all temporary public meeting restrictions and limitations shall only remain in effect as long as absolutely necessary to help prevent the spread of COVID-19; shall be reviewed periodically; and shall be repealed or modified as soon as it is reasonably safe to do so.

SECTION 5. That the City of Scottsdale continues to request immediate assistance from other public agencies and jurisdictions, to include any federal or state funding that might be made available in connection with the COVID-19 response.

SECTION 6. The City of Scottsdale Emergency Operations Plan and Continuity of Operations Plans shall continue to be implemented to meet the needs of the community.

SECTION 7. The orders in this Proclamation are effective immediately and shall remain in effect as provided above or until such time that the Mayor terminates or modifies them or issues a proclamation determining that an emergency no longer exists, whichever occurs first.


SECTION 8. Pursuant to A.R.S. § 26-317 and S.R.C. § 10-13, a person who violates any of the above prohibitions shall be guilty of a Class 1 misdemeanor. Any violation that is continuing in nature shall constitute a separate offense on each successive date the violation continues, unless otherwise provided.

SECTION 9. Pursuant to A.R.S. § 26-311(B), additional proclamations under this Emergency Declaration may be issued in the future to impose additional and necessary regulations to preserve the peace and order of the City. This Emergency Declaration shall be effective immediately and shall remain in effect until terminated.

IN WITNESS THEREOF, I have hereunto set my hand and caused the seal of the City of Scottsdale, Arizona to be affixed this 12th day of January, 2021.

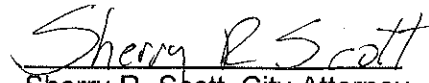
CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:


Carolyn Jagger, City Clerk


David D. Ortega, Mayor

APPROVED AS TO FORM:


Sherry R. Scott, City Attorney