

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 shall possess the following powers:

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- 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 reasonable any 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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