

Resolution of the City of Franklin Board of Public Works

Resolution No.: 2020- 03

**A RESOLUTION WAIVING CERTAIN PROCEDURES AND FORMALITIES DURING
DISASTER EMERGENCY PURSUANT TO I.C. 10-14-3-17**

WHEREAS, on March 6th, 2020, the Governor of Indiana declared a public health emergency for Coronavirus Disease 2019 Outbreak ("COVID-19") pursuant to I.C. 10-14-3-12; and

WHEREAS, on March 13th, 2020, the President of the United States declared a national emergency for the same; and

WHEREAS, I.C. 10-14-3-17 gives the City of Franklin the authority to waive procedures and formalities otherwise required by law as a result of the disaster emergency declaration; and

WHEREAS, I.C. 10-14-3-17(j)(5) states, in part, a political subdivision may:

In the event of a national emergency or disaster emergency as provided in section 12 (I.C.10-14-3-12) of this chapter, waive procedures and formalities otherwise required by law pertaining to:

- A. the performance of public work;
- B. the entering into of contracts;
- C. the incurring of obligations;
- D. the employment of permanent and temporary workers;
- E. the use of volunteer workers;
- F. the rental of equipment;
- G. the purchase and distribution of supplies, materials and facilities; and
- H. the appropriation and expenditure of public funds.

WHEREAS, the Board of Public Works and Safety is the purchasing agent for the City of Franklin; and

WHEREAS, the Board of Public Works and Safety is the board with the authority to approve payroll for City employees and pays certain claims presented to the City; and

WHEREAS, the Board of Public Works and Safety for the City of Franklin desires to avoid the disruption of City government and essential City services that COVID-19 may create; and

WHEREAS, the Board of Public Works and Safety for the City of Franklin recognizes concern for public health due to COVID-19 may prevent the board from meeting to conduct its business and affairs including the approval of payroll and claims and other duties required by law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety for the City of Franklin, Indiana, that those procedures required by law pertaining to those functions set forth in I.C. 10-14-3-17(j)(5) under the jurisdiction of the board shall be waived in the event the Mayor, as the City's Executive and Board President, determines that the board is unable to hold a meeting due to public health concerns arising out of COVID-19 at which time the Mayor shall have the authority to approve the same that would otherwise have been presented at the meeting.

IT IS FURTHER RESOLVED by the Board of Public Works and Safety for the City of Franklin, Indiana, that this Resolution is null and void upon the expiration of the declared public health emergency or any subsequent declared national emergency related to COVID-19.

SO RESOLVED on the ____ day of _____, 2020.

PASSED AND ADOPTED (Resolution No. 2020-1) by the Board of Public Works and Safety of the City of Franklin, Indiana on the ____ day of _____, 2020.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Voting Opposed:

Mayor Steve Barnett

Mayor Steve Barnett

Melissa Jones, Member

Melissa Jones, Member

Robert Swinehamer, Member

Robert Swinehamer, Member

Attest:

Jayne Rhoades, Clerk Treasurer

Prepared by: Lynnette Gray
Attorney No.: 11567-41