

Statement and Determination of the Chair of the Housing and Redevelopment Authority in and for the City of Bloomington Regarding Conducting Meetings by Telephone or Other Electronic Means

As Chair of the Housing and Redevelopment Authority in and for the City of Bloomington (the “Authority”), I find as follows:

a. The spread of COVID-19 in the United States and Minnesota has raised serious public health concerns and resulted in a great deal of uncertainty. Much remains unknown about the virus and how it spreads.

b. On March 11, 2020, the World Health Organization determined that the COVID-19 outbreak constitutes a pandemic. On March 13, 2020, President Trump declared a national state of emergency as a result of the pandemic.

c. On March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01 declaring a state of peacetime emergency to address the COVID-19 pandemic in Minnesota. The Governor’s Executive Order triggered activation of the City’s emergency management plan and enabled the City to exercise its emergency powers.

d. On March 15, 2020, the Mayor of the City issued Declaration 2020-1, declaring a local emergency. On March 16, 2020, the City Council of the City approved Ordinance 2020-7 consenting to the Mayor’s declaration and formally authorizing the City to implement its Emergency Operations Plan and Pandemic Response Plan. These plans provide the basic strategy of the City to mobilize resources, conduct activities to guide and support local emergency management efforts, and authorize city staff to take actions deemed necessary to protect the public health and safety.

e. The Minnesota Department of Health has provided specific guidance encouraging postponement or cancelation of events that do not allow social distancing of at least six feet per person, which may not be practical to achieve in the City Council chambers or in the other rooms where the City’s boards and commissions meet.

f. Minnesota Statutes Section 13D.021 authorizes cities and other public bodies to meet by telephone or other electronic means if the presiding officer, chief legal counsel, or chief administrative officer determines that meeting in person or by interactive television is not practical or prudent because of a health pandemic or an emergency has been declared. The City Attorney and the City Manager of the City of Bloomington have been consulted with respect to this Statement.

Based on the above findings, I determine as follows:

1. Until further notice, all meetings of the Authority may be conducted by telephone or other electronic means in a manner satisfying the requirements set forth in Minnesota Statutes Section 13D.021. Individual members of these bodies may participate in meetings by telephone or other electronic means even if some members of the body are able to be physically present at the regular meeting location.

2. If the determination is made that in-person attendance is not feasible due to the health pandemic and the emergency declaration, meetings must be held exclusively by telephone or other electronic means or cancelled or postponed as necessary. If a meeting is held exclusively by telephone or other electronic means, no person shall be present at the meeting room location, including any member of the public, member of the Authority Board, the City attorney, the Authority attorney, the Authority Administrator, the City Manager, and other staff.

3. As is practical and feasible, the Authority will provide notice of how the public may listen to or view meetings as they are being conducted, and the Authority will continue to make recordings of its meetings available to the public.

4. All votes occurring at meetings in which all or some of the members are participating by telephone or electronic means will be conducted by roll call.

Dated: March ____, 2020.

Mark Thorson, Chair