



## What Cities and Towns Should Know During the COVID-19 Pandemic

- Don't panic.
- Understand the governor's proclamations so as to avoid being in conflict therewith. <https://governor.arkansas.gov/our-office/executive-orders/>
- Study the simple do's and don'ts from the CDC: (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>) and the Arkansas Department of Health (<https://www.health.arkansas.gov/programs-services/topics/novel-coronavirus>).
- In short, educate yourself to ensure there's no reinvention of the wheel nor a direct conflict with the law. If you have any questions about potential conflict with the law, please call our Legal Department for assistance, 501-978-6136.
- Discuss and coordinate to the extent possible with the county judge and other mayors in the county. For instance, when determining whether to declare an emergency in your city or town, we advise you contact your county judge. If they declare an emergency in your county, that declaration extends to all cities and towns in the county.
- Make certain ALL city officials are up to speed and supportive of a particular action. If there is need to take some legislative action, please remember the FOIA still applies and meetings must be open to the public. However, you have authority to take reasonable measures to limit the council members' and the public's potential exposure to this virus. [https://www.arml.org/static/arml/Guidance on Public Meetings During COVID-19 Outbreak 3.20.20.pdf](https://www.arml.org/static/arml/Guidance%20on%20Public%20Meetings%20During%20COVID-19%20Outbreak%203.20.20.pdf)
- Remember, each city and town is different. Different buildings, different services and different geography. Adaptation to those particularities is a must.
- Make sure your basic service employees are practicing proper hygiene and are social distancing. They don't need to be in city hall on a regular basis, if at all. They should be as quarantined as much as possible but still able to perform their job functions.
  - Public Safety (fire and police): They must be able to work. Crimes, injuries and fires will not stop for the virus. To the extent they need to limit certain functions to online reporting, etc., that's fine. Regardless, the basic job still has to be done.

- Water and Wastewater: These folks must work. They are in much better shape to self-quarantine, avoid city hall and meetings of almost every kind. They should be at home or at the water/wastewater plant. That's it. The Arkansas Water and Wastewater Managers Association suggests using ADH information: <https://www.healthy.arkansas.gov/programs-services/topics/novel-coronavirus>. Additional information can be found at The Water Professional's Guide to COVID-19: <https://wef.org/news-hub/wef-news/the-water-professionals-guide-to-the-2019-novel-coronavirus/>, and the American Water Works Association COVID-19 Resources: <https://www.awwa.org/Resources-Tools/Resource-Topics/Coronavirus>.
- We understand that closure of buildings and spaces to the public is becoming more and more of a consideration. Unfortunately, there's not a lot of guidance we can give because this is very much a local issue and the uniqueness of the city or town dictates the unique solutions for closure or partial closure. While some buildings and places are not necessary for everyday life, we understand that some are. A city shop likely doesn't require public visitors, so closing it makes sense. While parks are great, it may not be necessary to keep them open in your city. Of course, paying a water bill at city hall is a different matter if online payment isn't available. If public buildings stay open, taking a visitor's temperature (or an employee's temperature) as they arrive and turning them away if their temperature exceeds 100 degrees is reasonable; in fact, we've taken that same measure at the League. Click here for a building closure template: [https://www.arml.org/static/arml/Notice\\_of\\_Closure\\_for\\_City\\_Buildings\\_Template.docx](https://www.arml.org/static/arml/Notice_of_Closure_for_City_Buildings_Template.docx)
- Stoppage of Services: There are some easy answers and some hard ones. Pushing pause on a city recreational league for kickball, softball or baseball is easy. It's not needed and the physical closeness of the groupings of people make little sense in this era of social distancing. All such "optional" services can easily be shut down for the foreseeable future. Public safety services cannot stop because of the pandemic. In fact, they need to be more vigilant. And, again, keep in mind the safety tips from the CDC and ADH to help avoid the spread of this disease.
- Financial Assistance for Local Governments: President Donald J. Trump declared the ongoing Coronavirus Disease 2019 (COVID-19) pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories and the District of Columbia pursuant to section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"). State, Territorial, Tribal, local government entities and certain private non-profit (PNP) organizations are eligible to apply for Public Assistance.

In accordance with section 502 of the Stafford Act, eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials' may be reimbursed under Category B of the agency's Public Assistance program. FEMA will not duplicate assistance provided by the Department of Health and Human Services (HHS), including the Centers for Disease Control and Prevention, or other federal agencies. This includes necessary emergency protective measures for activities taken in response to the COVID-19 incident. FEMA assistance will be provided at the 75 percent Federal cost share. <https://www.fema.gov/news-release/2020/03/13/president-donald-j-trump-directs-fema-support-under-emergency-declaration>

- On March 18, 2020, Congress passed H.R. 6201, the “Families First Coronavirus Response Act,” which includes provisions and guidance for Emergency Sick Leave and Emergency Family Leave. The AML Legal Department has provided a summary of these items: <https://bit.ly/2WyIWpl>.