

RESOLUTION 2020-02

A RESOLUTION OF THE CITY COMMISSION OF POLK CITY, FLORIDA (CITY), DECLARING A STATE OF EMERGENCY; AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE WHATEVER PRUDENT ACTIONS WHICH MAY BE NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND CUSTOMERS OF THE CITY'S UTILITIES SYSTEMS PURSUANT TO THIS DECLARATION; RATIFYING AND AFFIRMING SUCH ACTIONS TAKEN BY THE CITY MANAGER PRIOR TO THIS DECLARATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Governor of the State of Florida has issued Executive Order numbered 20-51, attached hereto as Exhibit "A" and incorporated herein by reference declaring, that a State of Emergency exists in every county in the State of Florida as a consequence of Coronavirus Disease 2019 (COVID-19), a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and,

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern; and,

WHEREAS, on March 13, the President of the United States issued a national emergency declaration regarding COVID-19; and,

WHEREAS, Section 252.38, Florida Statutes, provides for emergency management powers of political subdivisions of the State of Florida, including, without limitation, counties such as Polk County, and municipalities such as Polk City (City); and

WHEREAS, pursuant to Section 252.38(3)(a) Florida Statutes, the Legislature has empowered municipalities to declare a state of local emergency; and

WHEREAS, Section 252.38(3)(a), Florida Statutes, empowers municipalities to waive the procedures and formalities otherwise required by law pertaining to:

- A. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- B. Entering into contracts;
- C. Incurring obligation;
- D. Employment of permanent and temporary workers;
- E. Utilization of volunteer workers;

F. Rental of Equipment;

G. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities;

H. Appropriation and expenditure of public funds.

WHEREAS, COVID-19 is a direct threat to the public which may require expedient action to protect the health, safety and welfare of the community; and,

WHEREAS, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, use of alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and,

WHEREAS, the CDC currently recommends mitigation measures in communities with COVID-19 cases, including staying at home when sick, keeping away from others who are sick and staying at home when a household member is sick with respiratory disease symptoms or if instructed to do so by public health officials or a health care provider; and,

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled and that residents and visitors in Florida remain safe and secure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF POLK CITY, FLORIDA, THAT:

SECTION 1. A state of local emergency is hereby declared for all of the Polk City, Florida effective March 16, 2020, for a period of seven (7) days. Given the risk of contracting the virus occurring by virtue of public meetings, the City Commission also votes to extend the initial seven day period by three(3) additional seven (7) day periods until April 13, 2020, unless otherwise extended or shortened by the City Commission. The City Commission also hereby cancels any city board or commission meetings for the next **Forty-five (45)** days.. For the next sixty (60) days, the City Commission also authorizes the City Manager to close the City Library and any other city building or facility for such time as may be deemed reasonable and practical by the City Manager. This delegation shall expire on May 16, 2020, unless earlier terminated or modified by the City Commission.

SECTION 2. The City Manager is hereby authorized and directed to take whatever


whatever prudent actions that may be necessary to protect the health, safety, and welfare of the citizens of the City and customers of the City's utilities systems.

SECTION 3. The procedures and formalities otherwise required by law pertaining to the actions enumerated as A. through H. herein above are hereby waived for the duration of this declaration and any extensions thereof. The City Manager may take such actions on behalf of the City.

SECTION 4. Upon its adoption by the City Commission, this resolution shall be effective as of March 16, 2020. This Resolution shall remain in effect unless repealed by the City Commission.

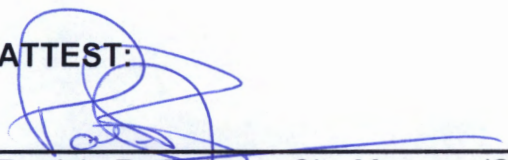
RESOLVED, PASSED, AND CERTIFIED AS TO PASSAGE THIS SIXTEENTH DAY OF MARCH 2020.

CITY COMMISSION OF POLK CITY,
FLORIDA



Joe LaCascia, Mayor

ATTEST:



Patricia R. Jackson, City Manager/Clerk

APPROVED AS TO FORM & LEGALITY



Thomas A. Cloud, Esquire, City Attorney