



# CITY OF Starke

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## RESOLUTION NUMBER 2020-36

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STARKE, FLORIDA, EXTENDING A DECLARED LOCAL STATE OF EMERGENCY FOR THE CITY OF STARKE PURSUANT TO SECTION 252.38(2), FLORIDA STATUTES, DUE TO THE THREAT CREATED BY THE SPREAD OF THE NOVEL CORONAVIRUS DISEASE 2019 (COVID-2019); PROVIDING FOR WAIVER OF PROCEDURES AND FORMALITIES; DELEGATING AUTHORITY, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, safeguarding the lives and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state; and

**WHEREAS**, the World Health Organization, the Centers for Disease Control (CDC), the Florida Department of Health have each recognized the danger to residents of Florida caused by COVID-19; and

**WHEREAS**, on March 1, 2020 the Governor of the State of Florida has issued Executive Order Number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

**WHEREAS**, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

**WHEREAS**, on March 7, 2020, the Florida Division of Emergency Management activated the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

**WHEREAS**, on March 9, 2020, the Governor of the State of Florida has issued Executive Order Number 20-52 (Emergency Management – Emergency Management – COVID-19 Public Health Emergency), recognizing the danger posed and the serious threat to the lives and property of residents of the State of Florida; and

**WHEREAS**, on March 17, 2020, the Governor of the State of Florida has issued Executive Order Number 20-68 (Emergency Management – COVID-19), placing restrictions on beach gatherings, restaurants, and certain establishments serving alcoholic beverages; and

**WHEREAS**, on March 20, 2020, the Governor of the State of Florida has issued Executive Order Number 20-69 (Emergency Management – COVID-19), waiving certain provisions of Florida’s Sunshine Law to allow governmental bodies, including the Starke City Commission, to establish quorum and meet by means of electronic communications; and

**WHEREAS**, on March 20, 2020, the Governor of the State of Florida has issued Executive Order Number 20-71 (Emergency Management – COVID-19), mandating the closure of certain gyms and restaurant dining areas; and

**WHEREAS**, on March 20, 2020, the Governor of the State of Florida has issued Executive Order Number 20-72 (Emergency Management – COVID-19), prohibiting certain elective medical procedures from being performed; and

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**WHEREAS**, on March 18, 2020, the President of the United States signed into law the *Emergency Family Medical Leave and Expansion Act* and the *Emergency Paid Sick Leave Act* to become effective on April 2, 2020 and to expire on December 31, 2020; and

**WHEREAS**, Bradford County, Florida has declared a local state of emergency applicable to said county and its functions and operations; and

**WHEREAS**, there is now one confirmed case of COVID-19 in Bradford County, Florida; and

**WHEREAS**, the City of Starke is located on a major transportation thoroughfare serving the state of Florida and travelers from other states, bringing people from across the nation to and through the City of Starke; and

**WHEREAS**, the City of Starke is at risk of community spread of COVID-19 due to the high volume of highway travelers coming to and moving through the City of Starke; 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, using 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 for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

**WHEREAS**, COVID-19 has the potential for causing significant health concerns to persons, including illness or loss of life, in addition to disruption to public services provided by the City of Starke; and

**WHEREAS**, the City of Starke, Florida is the county seat of and most populous municipality in Bradford County, Florida; and

**WHEREAS**, Sections 252.38 (2) and (3), Florida Statutes authorizes and encourages a municipality to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of a municipality by law to take whatever prudent action is necessary to ensure the safety, health, and welfare of the people of the City of Starke, Florida; and

**WHEREAS**, Chapter 30, Article II, Code of Ordinances of the City of Starke, Florida defines an emergency to mean any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property; and



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**WHEREAS**, Section 30-34, Code of Ordinances of the City of Starke, Florida establishes an Emergency Management Agency for the City of Starke, Florida; and

**WHEREAS**, Section 30-34, Code of Ordinances of the City of Starke, Florida provides the Emergency Management Agency of the City of Starke, Florida shall have a director who shall be appointed by the City Commission; and

**WHEREAS**, Section 30-34, Code of Ordinances of the City of Starke, Florida further provides the appointed director of the Emergency Management Agency of the City shall, subject to the direction and control of the City Commission have certain powers, responsibilities, and authority in managing the City's affairs in declared local states of emergency; and

**WHEREAS**, the City Commission of the City of Starke declared a local state of emergency effective upon passage on the evening of Tuesday, March 17, 2020 at its regularly scheduled meeting; and

**WHEREAS**, the local state of emergency declared on the Tuesday, March 17, 2020 expires on the evening of Tuesday, March 24, 2020 unless it is extended; and

**WHEREAS**, the City Commission desires to extend the local state of emergency through 6:00 PM on Tuesday, March 31, 2020; and

**WHEREAS**, the City Commission desires that the Director of the City's Emergency Management Agency be authorized and empowered to extend the City's declared local state of emergency for successive seven (7) day increments so long as Bradford County is under and subject to a state of emergency declared by the Governor of the State of Florida, the State Surgeon General, and/or the State Health Officer;

**NOW THEREFORE BE IT RESOLVED** by the City Commission of the City of Starke the State of Local Emergency declared and enacted in regular session on the 17<sup>th</sup> day of March 2020 and expiring on the 24<sup>th</sup> day of March 2020 is hereby extended by seven (7) days through the 31<sup>st</sup> day of March 2020; and

**BE IT FURTHER RESOLVED** the City Commission hereby authorizes and empowers the City Manager of the City of Starke as the Director of the Emergency Management Agency of the City of Starke as provided in Chapter 30, Article II, Code of Ordinances of the City of Starke to extend the City's declared State of Local Emergency for successive seven (7) day increments after the 31<sup>st</sup> day of March 2020 so long as Bradford County is under and subject to a state of emergency declared by the Governor of the State of Florida, the State Surgeon General, and/or the State Health Officer, Florida; and

**BE IT FURTHER RESOLVED** that the City Commission of Starke hereby reaffirms in the City Manager of the City of Starke, or designee, all authority as provided in Section 252.38, Florida Statutes and in Chapter 30, Article II, Code of Ordinances of the City of Starke, Florida; and

**BE IT FURTHER RESOLVED** as provided in Chapter 252, Florida Statutes, all normal formalities related to procurement, hours of employment of City employees, notice provisions and other procedures usually followed or required by law are hereby waived; and


**BE IT FURTHER RESOLVED** the City Manager is directed to take all actions necessary to comply with all local, state, and federal laws, including, but not limited to developing rules and procedures necessary to comply with and implement for the mandated duration thereof the recently enacted *Emergency Family Medical Leave and Expansion Act* and the *Emergency Paid Sick Leave Act*, provided such promulgated rules and procedures are presented to the City Commission for consideration and approval at it's first regularly scheduled meeting hereafter; and

**BE IT FURTHER RESOLVED** to protect the public safety and welfare and until such time as the City Manager in consultation with the Mayor shall determine otherwise during this Local State of Emergency, all public decision making bodies of the City of Starke, including but not limited to the City Commission; shall meet by electronic means as permitted by Executive Order 2020-69, provided such meetings provide the required access to the public and interested parties to participate in such meetings, and the City Manager and City Clerk are directed to coordinate with each other to organize and plan such meetings and means of access for the public and interested persons; and

**BE IT FURTHER RESOLVED** this resolution shall take effect immediately upon its passage and shall exist until such time the threat of damage no longer exists or after a period of seven (7) days from the most immediately preceding extension hereof, whichever occurs first.

**ADOPTED**, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Starke, Florida, at an emergency meeting, this 24<sup>th</sup> day of March 2020.

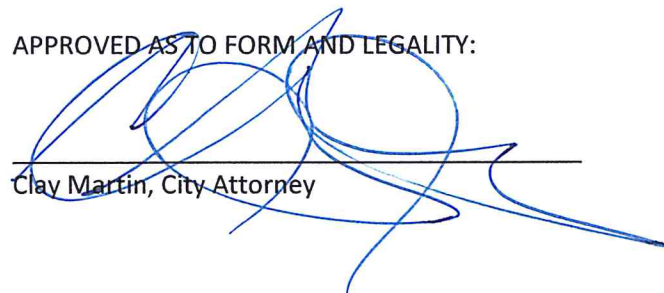
BY THE MAYOR OF THE CITY OF STARKE, FLORIDA

  
Honorable Wilbur L. Waters, Mayor

ATTEST, BY THE CLERK OF THE CITY COMMISSION  
OF THE CITY OF STARKE, FLORIDA:

  
Ricky Thompson, City Clerk

APPROVED AS TO FORM AND LEGALITY:

  
Clay Martin, City Attorney