

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

AGENDA • MARCH 16, 2020

City Commission Chamber

Special Meeting

4:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448



City Commission Chamber
City Hall
1065 Ridgewood Avenue
Holly Hill, FL 32117

CITY COMMISSION MEMBERS

Mayor
Chris Via

District 1 - Commissioner
John Penny

District 3 - Commissioner
John C. Danio

District 2 - Commissioner
Penny Currie

District 4 - Commissioner
Roy Johnson

CITY MANAGER
Joseph Forte

CITY CLERK
Valerie Manning

1. CALL TO ORDER

- a. Roll Call

2. DECLARING A LOCAL STATE OF EMERGENCY

- 1. Ordinance -2020-O-3025 FIRST AND ONLY READING - an Ordinance Recognizing the Declaration of a Public Health Emergency Issued by the Governor of the State of Florida, Effective Throughout the State of Florida Including Volusia County and the Municipalities Situated Therein; Recognizing a Declaration of a Local State Emergency Issued by Volusia County, and Being Effective Throughout Volusia County Including the Municipalities Situated Therein; Declaring a Local State of Emergency in the City of Holly Hill, Authorizing the Exercise of Emergency Management Procedures in Order to Protect the Health, Safety, and Welfare of the Citizens of Holly Hill and Members of the General Public; and Setting Forth an Effective Date.

(Requested by Valerie Manning, City Clerk)

3. ADJOURNMENT

Website Address – www.hollyhillfl.org (City Clerk)

NOTICE – If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.



STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Ordinance

MEETING DATE: March 16, 2020
FROM: Valerie Manning
SUBJECT: **FIRST AND ONLY READING - an Ordinance Recognizing the Declaration of a Public Health Emergency Issued by the Governor of the State of Florida, Effective Throughout the State of Florida Including Volusia County and the Municipalities Situated Therein; Recognizing a Declaration of a Local State Emergency Issued by Volusia County, and Being Effective Throughout Volusia County Including the Municipalities Situated Therein; Declaring a Local State of Emergency in the City of Holly Hill, Authorizing the Exercise of Emergency Management Procedures in Order to Protect the Health, Safety, and Welfare of the Citizens of Holly Hill and Members of the General Public; and Setting Forth an Effective Date.**
NUMBER: 2020-O-3025
APPLICANT:
PLANNER:

DISCUSSION:

The President of the United States declared a National Emergency and the Governor of the State of Florida declared a State of Emergency and the Chairman of the Volusia County Council declared a Local State of emergency in response to the COVID 19 pandemic. The City of Holly Hill is presenting a ordinance to declare a Local state of Emergency fro the City of Holly Hill to provide all rights and privileges that are contained with the declaration.

STAFF RECOMMENDATION:

Approve Ordinance for first and only reading as submitted by staff.

MOTION:

APPROVE FIRST AND ONLY READING - An Ordinance Recognizing the Declaration of a Public Health Emergency Issued by the Governor of the State of Florida, Effective Throughout the State of Florida Including Volusia County and the Municipalities Situated Therein; Recognizing a Declaration of a Local State Emergency Issued by Volusia County, and Being Effective Throughout Volusia County Including the Municipalities Situated Therein; Declaring a Local State of Emergency in the City of Holly Hill, Authorizing the Exercise of Emergency

Management Procedures in Order to Protect the Health, Safety, and Welfare of the Citizens of Holly Hill and Members of the General Public; and Setting Forth an Effective Date.

ATTACHMENTS:

- State of Florida - Office of the Governor Executive Order Number 20-51 (PDF)
- State of Florida - Office of the Governor Executive Order Number 20-52 (PDF)
- Presidential Proclamation and Declaration - National Emergency - COVID-19 (PDF)
- Volusia County - Declaration of State of Local Emergency (PDF)

Ordinance No. 2020-3025

FIRST AND ONLY READING - AN ORDINANCE RECOGNIZING THE DECLARATION OF A PUBLIC HEALTH EMERGENCY ISSUED BY THE GOVERNOR OF THE STATE OF FLORIDA, EFFECTIVE THROUGHOUT THE STATE OF FLORIDA INCLUDING VOLUSIA COUNTY AND THE MUNICIPALITIES SITUATED THEREIN; RECOGNIZING A DECLARATION OF A LOCAL STATE EMERGENCY ISSUED BY VOLUSIA COUNTY, AND BEING EFFECTIVE THROUGHOUT VOLUSIA COUNTY INCLUDING THE MUNICIPALITIES SITUATED THEREIN; DECLARING A LOCAL STATE OF EMERGENCY IN THE CITY OF HOLLY HILL, AUTHORIZING THE EXERCISE OF EMERGENCY MANAGEMENT PROCEDURES IN ORDER TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF HOLLY HILL AND MEMBERS OF THE GENERAL PUBLIC; AND SETTING FORTH AN EFFECTIVE DATE.

AN ORDINANCE RECOGNIZING THE DECLARATION OF A PUBLIC HEALTH EMERGENCY ISSUED BY THE GOVERNOR OF THE STATE OF FLORIDA, EFFECTIVE THROUGHOUT THE STATE OF FLORIDA INCLUDING VOLUSIA COUNTY AND THE MUNICIPALITIES SITUATED THEREIN; RECOGNIZING A DECLARATION OF A LOCAL STATE EMERGENCY ISSUED BY VOLUSIA COUNTY, AND BEING EFFECTIVE THROUGHOUT VOLUSIA COUNTY INCLUDING THE MUNICIPALITIES SITUATED THEREIN; DECLARING A LOCAL STATE OF EMERGENCY IN THE CITY OF HOLLY HILL, AUTHORIZING THE EXERCISE OF EMERGENCY MANAGEMENT PROCEDURES IN ORDER TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF HOLLY HILL AND MEMBERS OF THE GENERAL PUBLIC; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the World Health Organization (WHO) identified the outbreak of the Coronavirus Disease 2019 (COVID-19) to be a severe acute respiratory illness that can spread among humans through respiratory transmission, and declared COVID-19 to be a Public Health Emergency of International Concern and a pandemic; and

WHEREAS, the federal Centers for Disease Control and Prevention (CDC) deemed it necessary to prohibit or restrict non-essential international travel to or from certain

countries, and has further recommended that community preparedness and prevention measures be implemented throughout the United States; and

WHEREAS, Governor Ron DeSantis, the governor of the state of Florida, issued on March 1, 2020, Executive Order 20-51 (“Establishes COVID-19 Response Protocol and Directs Public Health Emergency”) authorizing and directing the State Health Officer and Surgeon General to declare a public health emergency in the state of Florida as a result of the COVID-19 pandemic; and

WHEREAS, on March 7, 2020, the Governor further authorized and directed the State Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 (“Emergency Management - COVID-19 Public Health Emergency”), declaring a state of emergency throughout the state of Florida for a period of sixty (60) days [said expiration date being May 8, 2020] unless extended, designating for the duration of the emergency the Director of Emergency Management to be the State Coordinating Officer, designating the State Health Officer and Surgeon General to be the Deputy State Coordinating Officer and State Incident Commander, and delegating to those officers certain emergency management powers provided in Chapter 252, Florida Statutes; and

WHEREAS, on March 13, 2020, the President of the United States issued a Presidential National Emergency Declaration for COVID-19 effective throughout the United States; and

WHEREAS, section 252.38, Florida Statutes (“State Emergency Management Act”) confers to each county within the state of Florida the authority to provide orderly control

and coordination of emergency operations, throughout a respective county, in periods of emergencies; and

WHEREAS, on March 13, 2020, Volusia County Council Chairman Ed Kelley declared a state of local emergency throughout Volusia County, effective for a period of seven (7) days [and expiring on March 20, 2020]; and

WHEREAS, the City of Holly Hill, as well as other municipalities within Volusia County, falls under the jurisdiction of the Volusia County emergency management program; and

WHEREAS, the State Emergency Management Act provides a municipality with authority and power to take every prudent action necessary to ensure the health, safety, and welfare of members of the general public in response to emergency crises; and

WHEREAS, section 252.38(2) of the State Emergency Management Act confers upon municipalities the authority to implement emergency management programs consistent with the emergency management programs of the state and county; and

WHEREAS, section 166.041(3)(a), Florida Statutes, authorizes the governing body of a municipality to enact an emergency resolution, or an emergency ordinance upon a 2/3 vote; and

WHEREAS, this Ordinance satisfies the requirements for the adoption of emergency ordinances in accordance with section 166.041(3)(a), Florida Statute; and

WHEREAS, the city commission of the City of Holly Hill desires to take prudent and reasonable action that is necessary to ensure the health, safety, and welfare of the citizens of Holly Hill, and members of the general public, in response to the COVID-19 emergency crises; and

WHEREAS, the City Commission of the City of Holly Hill desires to exercise emergency management powers consistent with the emergency management declarations of the

Governor of the state of Florida, Volusia County, and other municipalities within Volusia County.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The forgoing recitals are incorporated herein and shall constitute the legislative findings of the City Commission; and the powers conferred herein shall be broadly construed to ensure the protection of the health, safety, and welfare of the citizens of Holly Hill, and members of the general public.

SECTION 2. The City Commission of the City of Holly Hill hereby declares a local state of emergency throughout the municipal boundaries of the city as a result of the Coronavirus Disease 2019 (COVID-19) public health crises.

SECTION 3. Permits for outdoor events and/or outdoor activities, regardless of whether or not the event or activity is to occur on private property/facilities or public property/facilities, where the gathering of people is reasonably expected to exceed 50 in number, shall not be issued for the duration of the declaration of emergency (as determined by the declaration of emergency issued by the Governor of the state of Florida, as the said declaration currently exists or may hereafter be amended, modified, extended, or repealed), except as otherwise determined by the City Manager in accordance with the authority provided in Section Six of this Ordinance.

SECTION 4. Permits for any event and/or activity that is to occur inside any public property/facility that is owned or under the control of the city, where the gathering of people is reasonably expected to exceed 50 in number, shall not be issued for the duration of the declaration of emergency (as determined by the declaration of emergency issued by the Governor of the state of Florida, as the said declaration currently exists or may hereafter be

amended, modified, extended, or repealed), except as otherwise determined by the City Manager in accordance with the authority provided in Section Six of this Ordinance.

SECTION 5. The City Commission of the City of Holly Hill further recommends that members of the general public not attend any large gathering of people, at or in any location, where it is reasonable to expect that the number of people in attendance may exceed 50.

SECTION 6. Consistent with the emergency declarations that have been issued by the Governor of the state of Florida and Volusia County, and in accordance with the authority conferred by the State Emergency Management Act, the Charter and Ordinances of the City of Holly Hill, including but not limited to Part I- Charter and related Laws, Subpart A- Charter Article III. - Appointment Duties and Responsibilities of the City Manager, Section 20, of the Code of Ordinances (authorizing the city manager to issue administrative orders, rules, directives, and regulations), and this Ordinance, the city manager is hereby authorized and empowered to:

1) Close or limit public access to any public property/facility that is owned or controlled by the city where it is reasonable and prudent to do so in the interest of protecting the health, safety, and welfare of the citizens of Holly Hill, and members of the general public.

2) Cancel and/or reschedule events that are to occur on public property that is owned or controlled by the city where it is reasonable and prudent to do so in the interest of protecting the health, safety, and welfare of the citizens of Holly Hill, and members of the general public.

3) Not issue permits, or to suspend, revoke and re-issue permits, for outdoor/indoor events and/or outdoor/indoor activities.

4) Cancel or suspend all recreational and/or leisure activity programs on public property that is owned and/or controlled by the city.

5) Issue permits for outdoor/indoor events or activities on private or public

property/facilities in the interest of the public health, safety, and welfare of the citizens of Holly Hill and members of the general public.

6) Modify or adjust the work requirements, duties, assignments, and work stations or work locations of city employees in order ensure the provision of city services (including but not limited to essential city services such as police, fire, and utility services).

7) Exercise any additional powers in furtherance of this Ordinance and consistent with the State Emergency Management Act and general laws, the codes and ordinances, and the rules and regulations of the city of Holly Hill that are reasonably necessary to protect the health, safety, and welfare of the citizens of Holly Hill, and members of the general public within the municipal boundaries of the city.

SECTION 7. In accordance with the authority provided in part I - Charter and Related Laws, Subpart A, Article II, - The City Administration, Section 15. - Special Meetings; How Called, of the Charter of the City of Holly Hill, Special meetings may be held at the call of the mayor, or, in his/her absence, at the call of the vice-mayor. The city shall provide not less than 12 hours prior notice of the meeting to the public, where practical.

SECTION 8. All emergency management powers that have been exercised, and all emergency management plans, preparations, and actions that have been taken, prior to the adoption of this Ordinance are hereby approved, affirmed, and ratified.

SECTION 9. This Ordinance, including any order, rule, directive, and regulation that is promulgated by the City Manager in the implementation hereof, shall constitute a local law and shall be enforceable as such in accordance with the authority prescribed by the State Emergency Management Act.

SECTION 10. This Ordinance shall be effective on the date of its adoption and it shall remain in effect concurrent with Executive Order 20-51 ("Emergency Management -

COVID-19 Public Health Emergency”) issued by Governor Ron DeSantis. This Ordinance shall expire, without further action being required by the City Commission, on the date that Executive Order 20-51 expires, said date being May 8, 2020.

**APPROVED AND AUTHENTICATED on this 16th day of MARCH, 2020
for first and only reading.**

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-51

(Establishes COVID-19 Response Protocol and Directs Public Health Emergency)

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

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

WHEREAS, in response to the recent COVID-19 outbreak in China, Iran, Italy and South Korea, the Centers for Disease Control and Prevention ("CDC") has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

WHEREAS, in response to the recent COVID-19 outbreak in Japan, the CDC has advised older travelers and those with chronic medical conditions to avoid nonessential travel and all travelers to exercise enhanced precautions; 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, two individuals in the State of Florida tested presumptively positive for COVID-19, including a resident of Manatee County and a resident of Hillsborough County; 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, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Because of the foregoing conditions, I direct the State Health Officer and Surgeon General, Dr. Scott Rivkees, to declare a public health emergency in the State of Florida, pursuant to his authority in section 381.00315, Florida Statutes. The State Health Officer is authorized and directed to use his judgment as to the duration of this public health emergency.

Section 2. In accordance with section 381.0011(7), Florida Statutes, I direct the State Health Officer to take any action necessary to protect the public health.

Section 3. I direct the State Health Officer to follow the guidelines established by the CDC in establishing protocols to control the spread of COVID-19 and educate the public on prevention.

Section 4. In accordance with section 381.0011(7), Florida Statutes, I designate the Florida Department of Health as the lead state agency to coordinate emergency response activities among the various state agencies and local governments. The State Health Officer, or his designee, shall advise the Executive Office of the Governor on the implementation of these emergency response activities.

Section 5. All actions taken by the State Health Officer with respect to this emergency before the issuance of this Executive Order are ratified.

Section 6. The Florida Department of Health will actively monitor, at a minimum, all persons meeting the definition of a Person Under Investigation (“PUI”) as defined by the CDC for COVID-19 for a period of at least 14 days or until the PUI tests negative for COVID-19. Active monitoring by the Florida Department of Health will include at least the following:

- A. Risk assessment within 24 hours of learning an individual meets the criteria for a PUI.
- B. Twice-daily temperature checks.

Section 7. The Florida Department of Health, pursuant to its authority in section 381.00315, Florida Statutes, will ensure that all individuals meeting the CDC’s definition of a PUI are isolated or quarantined for a period of 14 days or until the person tests negative for COVID-19.

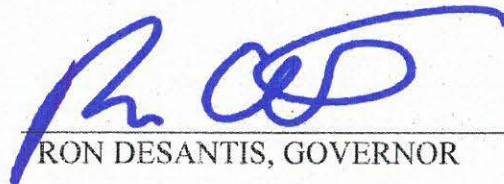
Section 8. I hereby direct the Florida Department of Health to make its own determinations as to quarantine, isolation and other necessary public health interventions as permitted under Florida law.

Section 9. I direct all agencies under the direction of the Governor to fully cooperate with the Florida Department of Health, and any representative thereof in furtherance of this Order.

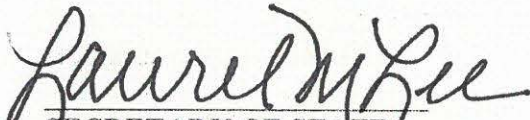
Agencies not under the direction of the Governor are requested to provide such assistance as is required.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 1st day of March, 2020.


RON DESANTIS, GOVERNOR

ATTEST:


SECRETARY OF STATE

FILED
2020 MAR - 1 PM 9:31
TALLAHASSEE, FLORIDA

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-52

(Emergency Management - COVID-19 Public Health Emergency)

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

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

WHEREAS, in response to the recent COVID-19 outbreak in China, Iran, Italy, Japan and South Korea, the Centers for Disease Control and Prevention ("CDC") has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

WHEREAS, on March 1, 2020, I 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, I directed the Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

WHEREAS, as of March 9, 2020, eight counties in Florida have positive cases for COVID-19, and COVID-19 poses a risk to the entire state of Florida; 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, as Governor, I am responsible for meeting the dangers presented to this state and its people by this emergency.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Because of the foregoing conditions, I declare a state of emergency exists in the State of Florida.

Section 2. I designate the Director of the Division of Emergency Management (“Director”) as the State Coordinating Officer for the duration of this emergency and direct him to execute the State’s Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Additionally, I designate the State Health Officer and Surgeon General as a Deputy State Coordinating Officer and State Incident Commander.

Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

- A. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.
- B. Designate additional Deputy State Coordinating Officers, as necessary.
- C. Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency.
- D. Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer; however, no such order shall remain in effect beyond the expiration of this Executive Order, to include any extension.

Section 3. I order the Adjutant General to activate the Florida National Guard, as needed, to deal with this emergency.

Section 4. I find that the special duties and responsibilities resting upon some State, regional, and local agencies and other governmental bodies in responding to the emergency may require them to suspend the application of the statutes, rules, ordinances, and orders they administer. Therefore, I issue the following authorizations:

A. Pursuant to section 252.36(1)(a), Florida Statutes, the Executive Office of the Governor may suspend all statutes and rules affecting budgeting to the extent necessary to provide budget authority for state agencies to cope with this emergency. The requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such suspension issued by the Executive Office of the Governor; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extension.

B. Each State agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. This includes, but is not limited to, the authority to suspend any and all statutes, rules, ordinances, or orders which affect leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees. For the purposes of this Executive Order, “necessary action in coping with the emergency” means any emergency mitigation, response, or recovery action: (1) prescribed in the State Comprehensive Emergency Management Plan (“CEMP”); or (2) ordered by the State Coordinating Officer. The requirements of sections 252.46 and 120.54, Florida Statutes, shall not apply to any such suspension issued by a State agency; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extensions.

C. In accordance with section 465.0275, Florida Statutes, pharmacists may dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state and local agency but who do not reside in an area or county covered by this Executive Order.

D. In accordance with section 252.38, Florida Statutes, each political subdivision within the State of Florida may waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

- 1) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- 2) Entering into contracts; however, political subdivisions are cautioned against entering into time and materials contracts without ceiling as defined by 2 CFR 200.318(j) or cost plus percentage contracts as defined by 2 CFR 200.323(d);
- 3) Incurring obligations;
- 4) Employment of permanent and temporary workers;
- 5) Utilization of volunteer workers;
- 6) Rental of equipment;
- 7) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and,
- 8) Appropriation and expenditure of public funds.

E. All State agencies responsible for the use of State buildings and facilities may close such buildings and facilities in those portions of the State affected by this emergency, to the extent necessary to meet this emergency. I direct each State agency to report the closure of any State

building or facility to the Secretary of the Department of Management Services. Under the authority contained in section 252.36, Florida Statutes, I direct each County to report the closure of any building or facility operated or maintained by the County or any political subdivision therein to the Secretary of the Department of Management Services. Furthermore, I direct the Secretary of the Department of Management Services to:

- 1) Maintain an accurate and up-to-date list of all such closures; and,
- 2) Provide that list daily to the State Coordinating Officer.

Section 5. I find that the demands placed upon the funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and the funds currently available may be inadequate to pay the costs of coping with this emergency. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

Section 6. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 7. Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

Section 8. All activities taken by the Director of the Division of Emergency Management and the State Health Officer and Surgeon General with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire sixty days from this date unless extended.



ATTEST:

Laurel M. Lee
SECRETARY OF STATE

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 9th day of March, 2020.

[Signature]
RON DESANTIS, GOVERNOR

FILED
2020 MAR -9 PM 5:52
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

**PROCLAMATIONS**

Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID- 19) Outbreak

Issued on: March 13, 2020



In December 2019, a novel (new) coronavirus known as SARS-CoV-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease COVID-19 that has now spread globally. The Secretary of Health and Human Services (HHS) declared a public health emergency on January 31, 2020, under section 319 of the Public Health Service Act (42 U.S.C. 247d), in response to COVID-19. I have taken sweeping action to control the spread of the virus in the United States, including by suspending entry of foreign nationals seeking entry who had been physically present within the prior 14 days in certain jurisdictions where COVID-19 outbreaks have occurred, including the People’s Republic of China, the Islamic Republic of Iran, and the Schengen Area of Europe. The Federal Government, along with State and local governments, has taken preventive and proactive measures to slow the spread of the virus and treat those affected, including by instituting Federal quarantines for individuals evacuated from foreign nations, issuing a declaration pursuant to section 319F-3 of the Public Health Service Act (42 U.S.C. 247d-6d), and releasing policies to accelerate the acquisition of personal protective equipment and streamline bringing new diagnostic capabilities to laboratories. On March 11, 2020, the World Health Organization announced that the COVID-19 outbreak can be characterized as a pandemic, as the rates of infection continue to rise in many locations around the world and across the United States.

The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems. As of March 12, 2020, 1,645 people from 47 States have been infected with the virus that

causes COVID-19. It is incumbent on hospitals and medical facilities throughout the country to assess their preparedness posture and be prepared to surge capacity and capability. Additional measures, however, are needed to successfully contain and combat the virus in the United States.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America, including sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 *et seq.*) and consistent with section 1135 of the Social Security Act (SSA), as amended (42 U.S.C. 1320b-5), do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020. Pursuant to this declaration, I direct as follows:

Section 1. Emergency Authority. The Secretary of HHS may exercise the authority under section 1135 of the SSA to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule throughout the duration of the public health emergency declared in response to the COVID-19 outbreak.

Sec. 2. Certification and Notice. In exercising this authority, the Secretary of HHS shall provide certification and advance written notice to the Congress as required by section 1135(d) of the SSA (42 U.S.C. 1320b-5(d)).

Sec. 3. General Provisions. (a) Nothing in this proclamation shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This proclamation shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of March, in the year of our Lord two thousand twenty, and of the Independence of the United States of America the two hundred and forty-fourth.

DONALD J. TRUMP

**DECLARATION OF STATE OF LOCAL EMERGENCY
RELATED TO CORONAVIRUS DISEASE (COVID-19)**

Consistent with the State of Emergency declared on March 9, 2020, by Governor Ron DeSantis in Executive Order Number 20-52 (Emergency Management–COVID-19 Public Health Emergency), the Presidential National Emergency Declaration for COVID-19 issued on March 13, 2020, and pursuant to section 252.38(3)(a)(5), Florida Statutes, and section 46-143, Code of Ordinances, County of Volusia, the county council hereby declares a State of Local Emergency, effective throughout Volusia County as of 6 p.m. eastern standard time on this date for a period of seven days. The County Manager and Emergency Management Director are hereby authorized to take those measures authorized by chapter 46 of the Code and Chapter 252 for their respective positions.

ORDERED this 13th day of MARCH, 2020.

COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA

Ed Kelley
Ed Kelley
County Chair

ATTEST:

George Recktenwald
George Recktenwald
County Manager

