

RESOLUTION 2020- 05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BOWLING GREEN, FLORIDA (CITY), DECLARING A STATE OF EMERGENCY RELATING TO PUBLIC HEALTH RESULTING FROM THE CORONAVIRUS OUTBREAK (COVID-19); 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, by Executive Order, Number 20-51, Ron Desantis, Governor of the State of Florida declared that a state of emergency existed in the State of Florida (State) in wake of the COVID-19 pandemic; and

WHEREAS, Novel Coronavirus (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, both the World Health Organization and federal Centers for Disease Control and Prevention (CDC) recognize the novel and virulent danger posed by COVID-19, having declared it a worldwide pandemic; and

WHEREAS, the aforesaid virus has the potential for causing widespread public health emergencies; and

WHEREAS, it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases within the City of Bowling Green and to implement measures to inhibit the spread of 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 Hardee County, municipalities such as the City of Bowling Green (City); and

WHEREAS, pursuant to Section 252.38(3)(a) Florida Statutes, empower municipalities to declare a state of local emergency for seven (7) days, which may be extended, as necessary in seven (7) day increments; 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.

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


1. A state of local emergency is hereby declared for all of the City of Bowling Green, Florida effective March 19, 2020 for a period of seven (7) days, that is, until March 26, 2020, however, the City Manager may extend this declaration for any necessary additional seven (7) day periods until the next commission meeting at which this declaration may be terminated, or continue to be left in place as provided herein.
2. The City Manager is hereby authorized and directed to take 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.
3. The City Manager shall have the following powers and authority while the state of emergency declared hereby exists:
 - a. To order the evacuation of certain areas of the City;
 - b. To declare curfews during specified hours of the day;
 - c. To declare certain areas of the City subject to quarantine or accessible only under specified conditions;
 - d. To implement emergency procurement procedures.
4. 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. The City Manager shall attempt to keep the Mayor informed of actions taken under this authority, and extensions of the declaration.
5. Upon its adoption by the City Commission, this resolution shall be effective as of March 19, 2020.

On motion of Commissioner Durastanti, seconded by Commissioner Fite, the above Resolution was introduced and adopted by the City Commission of the City of Bowling Green, Florida, on the 19th day of March 2020.

(SEAL)

ATTEST:


Maria Carmen Silva, City Clerk

CITY OF BOWLING GREEN, FLORIDA
By: 

Steven M. Spinks, Mayor

APPROVED AS TO FORM:


Gerald T. Buhr, City Attorney