

RESOLUTION NO. 2020-001

**A RESOLUTION OF THE CITY OF OCOEE, FLORIDA
RELATING TO THE DECLARATION OF A LOCAL
EMERGENCY; AND PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, Chapter 252, Florida Statutes, Emergency Management provides for Local Emergencies; and

WHEREAS, the World Health Organization (WHO) raised its assessment of the Coronavirus Disease 2019 (COVID-19) threat from high to very high and declared the public health emergency of international concern related to COVID-19; and

WHEREAS, the Centers for disease Control and Prevention has declared the potential health threat posed by COVID-19 as "high," both in the United States and throughout the world; has spread world-wide including 49 states in the United States; and

WHEREAS, on March 1, 2020, Governor DeSantis issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida; and

WHEREAS, subsequent to March 1, 2020, Governor DeSantis has issued additional Executive Orders and the State of Florida Division of Emergency Management has enacted numerous Emergency Orders to assist in controlling the spread of COVID-19 and to protect the public health, safety, and welfare of all citizens; and

WHEREAS, Orange County is currently under a State of Emergency (See, e.g., Emergency Executive Orders 2020-01, 2020-02, 2020-03, and 2020-04); and

WHEREAS, the Mayor of the City of Ocoee, Florida has determined that a local state of emergency exists and hereby declares a Declaration of Local Emergency; and

WHEREAS, the City of Ocoee, Florida, may need assistance from the State of Florida to assist in the protection of public health; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:

SECTION 1. Emergency Declaration

The Coronavirus Disease 2019 ("COVID-19") poses a serious threat to the public health, safety and welfare of the residents and visitors of Orange County. A Local State of Emergency is declared effective immediately.

SECTION 2. Procedures and Formalities Waived.

Due to the Local State of Emergency, effectively immediately, the procedures and formalities required by the City by law or ordinance are hereby waived as they pertain 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 obligations;
- (d) Employment of permanent and temporary workers;
- (e) Utilization of volunteer hours;
- (f) Rental of equipment;
- (g) Acquisition and distribution, with or without compensation, of supplies, materials and facilities; and
- (h) Appropriation and expenditure of public funds.

The City Manager is hereby authorized to unilaterally execute such documents and take such actions on behalf of the City as required or reasonably necessary to carry out the intent of this section.

SECTION 3. Personnel, Public Facilities and Parks

In order to provide for the public health, safety, and welfare during this State of Emergency, it is hereby authorized that City Department Heads and Division Managers take whatever actions deemed necessary by the City Manager with respect to scheduling of personnel and suspend any provisions of any collective bargaining agreement which would restrict such decisions. Closures of City Facilities, City Parks, and Boat Ramp will also be in effect to assist in the protection of public health, safety and welfare.

SECTION 4. Enforcement of Federal, State, and County Executive Orders

In order to provide for the public health, safety, and welfare during this State of Emergency, local law enforcement is authorized to take whatever steps are necessary to enforce all federal, state, and county executive orders or emergency orders now enacted or subsequently enacted to protect the public health, safety, and welfare during this State of Emergency.

SECTION 5. Severability.


If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 6. Effective Date; Duration; Authority

The Local State of Emergency shall take effect immediately and shall be in effect for seven (7) days from the date hereof. The City Manager is hereby specifically and expressly authorized to cancel or extend the Local State of Emergency as may be required.


PASSED AND ADOPTED this 25th day of March, 2020.

ATTEST:


Melanie Sibbitt, City Clerk
(SEAL)

APPROVED:

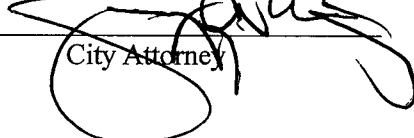
CITY OF OCOEE, FLORIDA


Rusty Johnson, Mayor

APPROVED BY THE OCOEE CITY
COMMISSION ON THE ABOVE DATE
UNDER AGENDA ITEM NO. II

FOR USE AND RELIANCE ONLY
BY THE CITY OF OCOEE, FLORIDA;
APPROVED AS TO FORM AND LEGALITY
this 25th day of MAR -, 2020.

SHUFFIELD, LOWMAN & WILSON, P.A.

By: 
City Attorney