



CITY COMMISSION SPECIAL MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL

Wednesday, March 18, 2020
3:00 p.m. (or shortly thereafter)

Call to Order
Roll Call

- 1. Approval of Resolution 2020-04, ratifying the Proclamation Declaring a State of Local Emergency**
- 2. Adjournment**

APPEAL

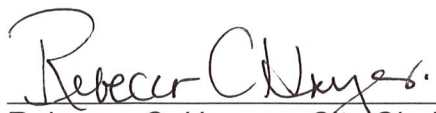
If a person decides to appeal any decision made at this meeting, he or she will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the meeting is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts. This, however, does not waive the exception to the Sunshine Law in section 286.011(8),

AMERICANS WITH DISABILITIES ACT

In Accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 363-9201 no later than four days prior to the meeting for assistance.

The public is cordially invited to attend the portion of this meeting not closed to the public pursuant to section 286.011(8), Florida Statutes. All agenda material, if any, not part of the closed executive-session is available for review at City Hall.

SEAL:


Rebecca C. Haynes, City Clerk

Date Posted: 3/17/2020

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Resolution No 2020-04 – Confirming declaration of local state of emergency.

Date: March 18, 2020

Prepared By: Andrew Dickman, City Attorney

Through: Alex Rey, City Manager

Summary of Issue: In accordance with Chapter 252 of Florida Statutes, the Governor has declared a State of Emergency in response to Novel Coronavirus ("COVID-19"). Under Article II, Section 34-38 of the City of St. Pete Beach Code of Ordinances, the mayor, vice-mayor, commissioner, or city manager in that order may declare by proclamation a State of Local Emergency which shall be confirmed by the city commission by resolution. This resolution allows the City to waive the procedures and formalities required by law in order to protect the health, safety and welfare of the community. The declaration was executed by the Mayor on Monday, March 16, 2020.

Requested Motion: "I move to approve Resolution No. 2020-04 (read title)."

Attachments: Resolution 2020-04; Declaration dated March 16, 2020

**Reviewed by the
City Manager**

RESOLUTION 2020-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING AND CONFIRMING THE DECLARATION PROCLAIMING A STATE OF LOCAL EMERGENCY IN ORDER TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND PROPERTY, BOTH PUBLIC AND PRIVATE, FROM THE HAZARDS OF THE NOVEL CORONAVIRUS DISEASE 2019 (COVID-19).

WHEREAS, the COVID-19 has the potential for causing a serious public health risk to the citizens and visitors of the City of St. Pete Beach; and

WHEREAS, on March 9, 2020, Florida Governor, Ron DeSantis issued executive order 20-52 ("Emergency Management COVID-19 Public Health Emergency") finding in part allowing for the suspension of formalities and procedures of political subdivisions of the state articulated under section 252.38, Florida Statutes; and

WHEREAS, on March 13, 2020, Pinellas County commissioners unanimously approved a local state of emergency that delegates authority to the county administrator, allowing him to take measures to keep residents safe and help mitigate and contain the spread of COVID-19; and

WHEREAS, Chapter 252.38, Florida Statutes, and Article II, Sec. 34-38 of the City of St. Pete Beach Code of Ordinances authorized the proclamation declaring a state of local emergency executed by Mayor Alan Johnson on March 16, 2020, which shall continue in effect from day to day until declared to be terminated; and

WHEREAS, due to the above referenced state of local emergency, the City of St. Pete Beach City Commission desires to confirm the Mayor's proclamation and authorize the City Manager to take any and all legal, appropriate and reasonable measures to protect the public health, safety and welfare of the citizens, city employees and visitors of the City of St. Pete Beach, Florida to help mitigate and contain the spread of COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Pete Beach, that:

Section One: The above recitals are true and correct and are incorporated herein by reference.

Section Two: COVID-19 poses a serious threat to the residents of the City of St. Pete Beach and the Mayor's proclamation declaring a State of Local Emergency executed on March 16, 2020 was necessary and is hereby authorized and shall be in effect for all territory within the corporate boundaries of the City of St. Pete Beach.

Section Three: The City Commission authorizes the City Manager of the City of St. Pete Beach to take any and all legal, appropriate and reasonable measures to protect the public health, safety and welfare of the citizens, city employees and visitors of the City of St. Pete Beach, Florida to help mitigate and contain the spread of COVID-19.

Section Five: Such legal, appropriate and reasonable measures entrusted to the City Manager include, but are not limited to, waiving the procedures and formalities required by law of a political subdivision as provided in Chapter 252.38, Florida Statutes, and the powers and responsibilities expressed in the City's Charter, Code of Ordinances, policies, rules and regulations

BE IT FURTHER RESOLVED THAT the enforcement of the provisions of this Resolution and the emergency ordinances, pursuant to the City Code of Ordinance, Article II, Emergency Management, shall be in effect until the termination of the State of Local Emergency.

Passed this 18th day of March 2020 by the City Commission of the City of St. Pete Beach, Florida.

Alan Johnson, Mayor

ATTEST:

Rebecca C. Haynes, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney



PROCLAMATION DECLARING STATE OF LOCAL EMERGENCY

WHEREAS, Florida Governor Ron DeSantis in accordance with Article VI Section (1)(a) of the Florida Constitution and Chapter 252, Florida Statutes, promulgated in Emergency Order 20-52 to declare a State of Emergency in the State of Florida in response to Novel Coronavirus ("COVID-19"); and

WHEREAS, Pinellas County Commissioners unanimously approved a local state of emergency that delegates authority to the county administrator to keep residents safe and help mitigate and contain the spread of COVID-19; and

WHEREAS, pursuant to, Article II, Section 34-38 of the City of St. Pete Beach Code of Ordinances, the mayor, vice-mayor, commissioner, or city manager in that order may declare by proclamation a State of Local Emergency which shall be confirmed by the city commission by resolution within five working days of such declaration or at the next regularly scheduled meeting of the city commission, whichever occurs first; and

NOW, THEREFORE, I, Alan Johnson, Mayor of the City of St. Pete Beach, Florida do hereby proclaim a State of Local Emergency shall be declared, effective immediately, for all territory within the corporate boundaries of the City of St. Pete Beach.

IT IS FURTHER PROCLAIMED THAT the City of St. Pete Beach hereby exercises its authority and waives the procedures and formalities required by law of a political subdivision as provided in Chapter 252.38, Florida Statutes.

IT IS FURTHER PROCLAIMED THAT the enforcement of the provisions of the following emergency ordinances, pursuant to the City Code of Ordinances, Article II, Emergency Management, shall be in effect until the termination of the State of Local Emergency. The City Manager is hereby ordered to take whatever prudent actions are necessary to protect the health, safety, and welfare of the community.



IN WITNESS WHEREOF, I have here unto set my hand and caused the great Seal of The City of St. Pete Beach, Florida to be affixed this 16TH day of March, 2020.


Alan Johnson, Mayor