

**FIRST AMENDMENT TO STATE OF LOCAL EMERGENCY PROCLAMATION
(COVID-19 DOCUMENT #2)**

WHEREAS, on March 14, 2020, a State of Local Emergency was declared by Brevard County; and

WHEREAS, as the public health emergency is ongoing and rapidly evolving and the Center for Disease Control (CDC) has updated their recommendations regarding mass gatherings and social distancing; and

WHEREAS, the County wishes to follow and adhere to the direction of the Center for Disease Control by reducing the definition of mass gathering from 250 to 50 and recommending gatherings of no more than 10 people for medically vulnerable people; and

WHEREAS, the County also wishes to follow and adhere to the direction of the Florida Department of Health and recognizes there may be instances of conflicting recommendations between the two organizations; and

WHEREAS, the County wishes to adhere to the more restrictive recommendation in the event of conflict between the two organizations; and

WHEREAS, the County wishes to follow and adhere to the direction of the Center for Disease Control and Florida Department of Health recommendations by minimizing close contact between persons who are assisting in the response to the public health emergency including the utilization of a virtual EOC operation as much as possible; and

WHEREAS, the County seeks to amend the prior emergency proclamation to address the new recommendations and procedural directives; and

WHEREAS, Chapter 252.38(3)(a), Florida Statutes, provides authority for a political subdivision such as Brevard County to declare a state of local emergency and to exercise certain powers and authority to safeguard the lives and property of its citizens and such declaration may be amended.

NOW THEREFORE, IT IS RESOLVED this 16th day of March, 2020, that the COVID-19 pandemic continues to pose a serious threat to the health and lives of residents and guests of Brevard County and that the State of Local Emergency Proclamation adopted March 14, 2020 is hereby amended effective this 16th day of March, 2020, for all the territory within the legal boundaries of Brevard County, including all of the unincorporated and incorporated areas;

BE IT FURTHER RESOLVED that the Board of County Commissioners of Brevard County, through its designated Policy Group, hereby incorporates, restates and amends the Local State of Emergency Proclamation signed on March 14, 2020 and the above WHEREAS clauses herein and hereby authorizes the exercise of its authority and powers pursuant to Florida Statutes 252.38(3)(a), which include the authority and powers to amend its State of Local Emergency

Proclamation as shown by the underlining and strike throughs in the following provisions from the March 14th declaration:

[1] CONTRACTS, EQUIPMENT, SUPPLIES: Appropriately expend funds; make contracts; obtain and distribute equipment, materials and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any emergencies; and direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the Federal and State Emergency Management Agencies.

[2] ADDITIONAL PERSONNEL: Appoint, employ, remove, or provide (with or without compensation), coordinators, rescue teams, fire and police personnel, and other emergency management workers.

[3] EMERGENCY OPERATING CENTERS: Establish as necessary, a primary and one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations. Due to the nature of this event and the importance of minimizing close contact between individuals, to the extent possible, the response will be managed through a Virtual EOC with portions of the response and consequence management occurring remotely.

[4] ASSIGNMENT – COUNTY PROPERTY/PERSONNEL: Assign and make available for duty the offices and agencies which operate under the Board of County Commissioners of Brevard County, including the employees, property, and equipment thereof relating to sheltering, firefighting, engineering, rescue, health, medical and related services, police, transportation, construction, and similar items or services for emergency operation purposes, as the primary emergency management forces of Brevard County for employment within or outside the political limits of Brevard County. Furthermore, the County Manager is authorized to adjust work conditions including leave policies and suspend union bargaining agreements pursuant to the relevant articles therein, if necessary.

[5] REQUEST FOR ASSISTANCE: Request State assistance or invoke emergency related mutual aid assistance by declaring a state of local emergency in the event of emergency effecting Brevard County. The Local State of Emergency will remain in effect within the legal boundaries of Brevard County, Florida for seven (7) days from the date hereof and may be extended as necessary in seven (7) day increments. The County Manager is hereby authorized to execute extensions of the Local State of Emergency as deemed necessary.

[6] WAIVER OF PROCEDURES AND FORMALITIES OTHERWISE REQUIRED: Due to the Local State of Emergency, effective immediately, the procedures and formalities required of the County 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, including but not

limited to denying or revoking permits for public gatherings and/or cancelling mass gatherings taking place in Brevard County during the Local State of Emergency. A mass gathering is defined as ~~250~~ 50 people or greater for the general population and 10 or greater for persons who are medically vulnerable, however, this number is subject to amendment should the circumstances of the situation change. In the future, this definition will be deemed changed to be in accordance with the recommendations from the Center for Disease Control (CDC) and the Florida Department of Health (FDOH). In the event the two agencies recommendations conflict, the Policy Group elects to adopt the most restrictive recommendations in order to protect the residents and visitors of Brevard County;

- (b) Entering into contracts;
- (c) Incurring obligations;
- (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; and
- (h) Appropriation and expenditure of public funds.

Alterations or Rescission.

This declaration of a Local State of Emergency may be altered or rescinded either by the issuance of a subsequent Executive Order or by an appropriate Resolution of the Board of County Commissioners.

DONE, ORDERED AND ADOPTED this 16th day of March, 2020.

ATTEST:

Roth, Joy

Digitally signed by Roth, Joy
Date: 2020.03.17 13:54:32
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Joy Roth, Deputy Clerk

BOARD OF COUNTY COMMISSIONERS OF BREVARD
COUNTY, FLORIDA

By: *Bryan Andrew Lober*

Bryan Lober, Chair