

**PROCLAMATION/RESOLUTION NO. 2020- 50**

**PROCLAMATION OF THE BOARD OF COUNTY COMMISSIONERS,  
COLLIER COUNTY, FLORIDA, DECLARING A LOCAL STATE OF EMERGENCY**

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

**WHEREAS**, the Centers for Disease Control and Prevention has declared the potential public health threat posed by COVID-19 as 'high', both in the United States and throughout the world; and

**WHEREAS**, on March 1, 2020, Governor Ron 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**, on March 9, 2020, Governor Ron Desantis issued Executive Order 20-52, declaring a state of emergency exists in the State of Florida and, in part: (1) designating the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this COVID-19 emergency and directing him to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency, as well as exercising all powers delineated in sections 252.36(5)-(10), Florida Statutes, as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes, and (2) designating the State Health Officer and Surgeon General as a Deputy State Coordinating Officer and State Incident Commander; and, (3) activating the Florida National Guard, as needed; and

**WHEREAS**, Executive Order 20-52, in part, also recognizes the special duties and responsibilities resting upon State, regional, and local agencies, such as Collier County, and authorizes each political subdivision within the State of Florida to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to: (1) the 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, caution is directed to political subdivisions with respect to entering into time and materials contracts without ceiling as defined in 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; and

**WHEREAS**, under current circumstances, certain people will have an increased risk of infection, for example healthcare workers or providers, first responders, and emergency medical services workers caring for patients with COVID-19 and other close contacts of

persons with COVID-19; and

**WHEREAS**, it is the duty of Collier County to take protective measures - including development of incident action response plans, procurement of personal protective equipment, pandemic preventative training and exercise coordination, and similar activities to support the public health and safety of the community; and

**WHEREAS**, the Bureau of Emergency Services-Emergency Management Division declares the initiation of the operational period for this event effective March 12, 2020 at 12:00 noon, EST; and

**WHEREAS**, the County Manager is authorized to make adjustments and accommodations to its compensation and leave policies as needed in support of governmental operations and its employees; and

**WHEREAS**, Section 252.38(3)(a)(5), Florida Statutes, provides authority for counties to declare a Local State of Emergency; and

**WHEREAS**, Section 38-56 of the Code of Laws and Ordinances of Collier County, Florida, grants the authority to declare a local state of emergency to the Chair of the Board of County Commissioners; or the Vice-Chair of the Board of County Commissioners in the event of the Chair's absence; or in the event of the Chair and Vice-Chair's absence, the next County Commissioner in order of seniority, or if two or more were appointed on the same date, then in alphabetical order among them; and in the absence of any Commissioner, the County Manager, and in the absence of the County Manager, the Clerk of Courts, and in the Clerk's absence the Deputy County Manager, are designated and empowered to declare a local state of emergency whenever the designated person, according to the above order of preference shall determine that a natural or manmade disaster has occurred or that the occurrence or threat of one is imminent and requires immediate and expeditious action; and

**WHEREAS**, Section 38-68 of the Code of Laws and Ordinances of Collier County, Florida, grants the Chair, Vice-Chair, the County Commissioners, County Manager, Clerk of Courts, and Deputy County Manager, in the order designated in the above Whereas clause, the power and authority to invoke authorized emergency measures set forth in that section, including but not limited to waiving the procedures and formalities otherwise required of the County by law or ordinance pertaining to the performance of public work and taking whatever prudent action is necessary to ensure health, safety, and welfare of the community, while under a Governor declared State of Emergency or a Local State of Emergency.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

**Section 1. Declaration of Local State of Emergency.** The Coronavirus Disease 2019 ("COVID-19") poses a serious threat to the health of the residents and guests of Collier County. A Local State of Emergency is declared effective immediately. The Local State of Emergency will remain in effect within the legal boundaries of Collier County, Florida for as long as the State of Emergency for the State of Florida, and shall be deemed supplemental to

the Executive Order Number 20-52 from the Governor, as may be amended from time-to-time.

**Section 2. Waiver of Procedures and Formalities Otherwise Required.** Due to both the State of Emergency for the State of Florida and this 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;
- (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;
- (h) Appropriation and expenditure of public funds; and
- (i) The ability to close any and all County facilities.

**Section 3. Alterations or Rescission.** This declaration of a Local State of Emergency may be altered or rescinded either by the issuance of a subsequent Proclamation or an appropriate Resolution of the Board of County Commissioners.


**PASSED AND DULY ADOPTED** by the Board of County Commissioners of Collier County, Florida, on this 16<sup>th</sup> day of March, 2020.

COLLIER COUNTY CLERK OF  
COURT, CRYSTAL K. KINZEL

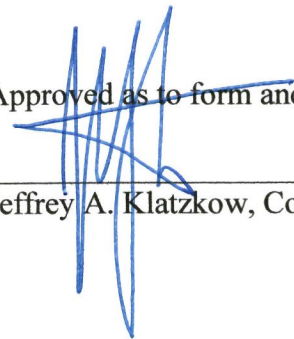
Attest:

  
Attest as to Chairman's  
signature only. , Deputy Clerk

COLLIER COUNTY BOARD OF  
COUNTY COMMISSIONERS

  
BURT L. SAUNDERS  
Chair

Approved as to form and legality:

  
Jeffrey A. Klatzkow, County Attorney