

CITY OF LARGO, FLORIDA

PROCLAMATION

**DECLARING STATE OF LOCAL EMERGENCY
PURSUANT TO SECTION 252.38, FLORIDA STATUTES,
AND SECTION 8-24(A) OF THE LARGO CITY CODE TO
PROTECT THE PUBLIC HEALTH, SAFETY, AND
WELFARE DUE TO COVID-19**

WHEREAS, Novel Coronavirus Disease 2019 (“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, on March 1, 2020, the Governor of the State of Florida issued Executive Order 20-51, directing the Florida Department of Health to issue a Public Health Emergency as a result of COVID-19; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 9, 2020, the Governor of the State of Florida issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 12, 2020, the World Health Organization declared COVID-19 a global pandemic; and

WHEREAS, 45 cases of COVID-19 have been confirmed in Pinellas County, including one death, and could spread to residents or visitors to the City of Largo, Florida (the “City”); and

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention (“CDC”) issued the “15 Days to Slow the Spread” guidance advising individuals to adopt far-reaching social distancing measures, such as working from home and avoiding gatherings of more than 10 people; and

WHEREAS, on March 20, 2020, the Governor of the State of Florida issued Executive Order 20-69 as a result of COVID-19 suspending all Florida Statutes that require a quorum to be present in person at local government public meetings or require a local government body to meet at a specific public place; and

WHEREAS, Executive Order 20-69 further authorized local government bodies to utilize communications media technology, such as telephonic and video conferencing, as provided in section 120.54(5)(b)2; and

WHEREAS, the Governor of the State of Florida has broad powers during a declared state of emergency, including the power to take measures concerning the calling of public meetings and gatherings, which necessarily includes the quorum required to conduct official business; and

WHEREAS, pursuant to section 252.26(1)(b), executive orders of the Governor of the State of Florida issued during a declared state of emergency have the force and effect of law; and

WHEREAS, section 252.38(6)(e), Florida Statutes, provides authority for political subdivisions, such as the City of Largo, to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

1. Performing public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employing permanent and temporary workers;
5. Utilizing volunteer workers;
6. Renting of equipment;
7. Acquiring and distributing with or without compensation of supplies, materials, and facilities;
8. Appropriating and expending of public funds; and

WHEREAS, as a result of the COVID-19 pandemic, I have consulted with the City's director of emergency management pursuant to section 8-24(a) of the Largo City Code, and have found and determined that COVID-19 presents an immediate danger to the health, safety, and welfare of the City's residents and visitors that requires emergency action in declaring a local state of emergency and waiving the procedures and formalities otherwise required of political subdivisions by law pursuant to section 252.38(6)(e), Florida Statutes; and

WHEREAS, I further find that, to assist with controlling the spread of COVID-19 and protect the health and safety of the public, while ensuring the City's continued ability to conduct and transact its public business and functions, it is necessary and appropriate to immediately waive any locally adopted procedures or formalities of the City that require a quorum of the members of the City's governing body, or any advisory board or body, to be physically present to take official action at public meetings or requiring such meetings to be held at a physical location.

NOW, THEREFORE, I, MAYOR LOUIS L. "WOODY" BROWN, DO HEREBY DECLARE A STATE OF LOCAL EMERGENCY AS A RESULT OF COVID-19, EFFECTIVE IMMEDIATELY, FOR ALL TERRITORY WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF LARGO.

IT IS FURTHER PROCLAIMED THAT the City of Largo hereby exercises its authority and suspends and waives the procedures and formalities required by law of a political subdivision as provided by section 252.38(6)(e), Florida Statutes, including any locally adopted procedures or formalities of the City that require a quorum of the members of the City's governing body, or any advisory board or body, to be physically present to take official action at public meetings or requiring such meetings to be held at a physical location, including but not limited to the provisions of section 2.11 of the City Charter and Legislative Policy 5-1.

1. **IT IS FURTHER PROCLAIMED THAT** all public meetings of the City Commission and any City advisory board or body shall be conducted remotely by communications media technology.
2. The communication media technology by which each public meeting is conducted pursuant to this resolution shall:
 - a. Provide members of the public who wish to participate with access to the meeting free of charge;
 - b. Provide the public with access to observe or listen to all communications, votes, and discussions of each member of the City Commission or advisory board or body and the discussions of all other persons who participate in the meeting;
 - c. Provide methods for the public to submit comments electronically and/or telephonically during or in advance of the meeting which shall be read into or otherwise made part of the record of the meeting;
 - d. Provide the public with reasonable notice of the meeting, which, in addition to meeting other applicable requirements of the City Charter, Legislative Policies and applicable Florida law, shall provide specific information on how the public can participate in the meeting, including an offer of accommodation under the ADA upon request in advance of the meeting;
 - e. The meeting shall be suspended in the event of a failure or interruption in the communication media technology, until the failure or interruption is repaired and if unable to be repaired, the meeting shall be terminated; and
 - f. During any meeting held remotely by communications media technology, all votes shall be done by roll call.
3. Nothing in this proclamation shall be construed to suspend or waive any other locally adopted procedures or formalities regarding the conduct of meetings of the City

Commission and City advisory boards and bodies, except for as specifically provided in this proclamation.

4. This proclamation shall take effect immediately upon its execution and shall continue for 7 days, unless extended either by a resolution adopted by the City Commission or, if a meeting of the city commission is impractical because of the COVID-19 emergency, then by further proclamation of the undersigned.

IN WITNESS HEREOF, I have hereunto set my hand and caused the seal of the City of Largo to be affixed this _____ day of _____, 2020

Mayor Louis L. “Woody” Brown