

AN ORDER OF THE ST. LUCIE COUNTY ADMINISTRATOR PROVIDING FOR REDUCED OPERATIONS IN RESPONSE TO A COUNTY WIDE THREAT FROM THE COVID-19 VIRUS

WHEREAS, the St. Lucie County Administrator has made the following determinations:

1. Novel Coronavirus Disease 2019 ("COVID-19") is a severe acute respiratory illness that can spread among humans and presents with symptoms similar to those of influenza; and
2. In late 2019, a new and significant outbreak of COVID-19 emerged in China; and
3. The World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and
4. In response to the recent COVID-19 outbreak in China, Iran, Italy, Japan and South Korea, the Centers for Disease Control and Prevention ("CDC") has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and
5. On March 1, 2020, the Governor of the State of Florida issued Executive Order Number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and
6. 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
7. On March 7, 2020, the Governor of the State of Florida directed the Director of the Division of Emergency Management to activate the State of Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and
8. On March 9, 2020, the Governor of the State of Florida issued Executive Order Number 20-52 declaring that a state of emergency exists in the State of Florida as a result of the spread of the COVID-19 virus and imminent threat to the health and welfare of the citizens of Florida; and
9. The CDC currently recommends community preparedness and that everyday prevention measures should be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often

with soap and water for at least 20 seconds, using alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

10. The CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

11. On March 13, 2020, the President of the United States issued a proclamation of a declaration of national emergency; and

12. On March 13, 2020, the Coordinating Officer for the State of Florida Division of Emergency Management issued Emergency Order No. 20-004, authorizing the Department of Education to delay school assessments and to adjust school calendars including rescheduling, extending or cancelling spring breaks; and

13. 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 avoiding gatherings of more than 10 people, and in states with evidence of community spread, recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

14. On March 29, 2020, the President extended such guidance to be in effect until April 30, 2020; and

15. On March 17, 2020, the St. Lucie County Public Safety Director declared a State of Local Emergency COVID-19 Public Health Emergency ("St. Lucie County Declaration of Emergency"); and

16. On March 24, 2020, the Governor of the State of Florida issued Executive Order No. 20-83 directing the State Surgeon General and State Health Officer to issue a public health

advisory to all persons over 65 years of age and persons that have serious underlying medical conditions that place them at high risk of severe illness from COVID-19 urging them to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19; and

17. Pursuant to Executive Order No. 20-83, the Governor of the State of Florida further directed the State Surgeon General and the State Health Officer to issue a public health advisory providing that individuals should cease all social or recreational gatherings of 10 or more people; and

18. On March 25, 2020, the State Surgeon General issued a Public Health Advisory consistent with Executive Order 20-83; and

19. On March 25, 2020, the President of the United States declared that a major disaster exists in the State of Florida as a result of COVID-19; and

20. The State of Florida and St. Lucie County are continuing to experience reports of illnesses and persons testing positive for the virus; and

21. There has been no indication that the spread of COVID-19 is slowing in the State of Florida and St. Lucie County; and

22. St. Lucie County must continue to take emergency action to lessen the spread of COVID-19; and

23. There is reason to believe that COVID-19 is spread amongst the population by various means of exposure, including the propensity to spread person to person and the propensity to attach to surfaces for prolonged periods of time thereby creating a dangerous physical condition spreading from surface to person and causing increased infections to persons, and also creating property or business income loss and damage in certain circumstances; and

24. This Order is being issued because of the propensity of COVID-19 to spread from person to person causing widespread infection and loss of life, and also because COVID-19 is causing property damage and business income loss due to its proclivity to attach to surfaces for prolonged periods of time and thereby creating a dangerous physical condition; and

25. it is necessary to impose the regulations and restrictions set forth herein in response to the dangerous physical conditions that currently exists and to stop the COVID-19

virus from spreading; and

26. As St. Lucie County Administrator, I have determined that a Reduced Operations Order for County employees is a reasonable and prudent action to take in order to ensure the health, safety, and welfare of the residents of St. Lucie County; and

27. A Reduced Operations Order is an Order that:

- Is less restrictive than total closure of County operations;
- Reduces the number of County employees reporting to work on specified days in order to further reduce the possibility of community spread of COVID-19;
- Provides for the County to continue to provide critical mission services to County residents and businesses;
- Allows additional time for required cleaning and sanitizing County facilities when non-critical mission or non-emergency employees are not present; and
- Recognizes the significant contribution of critical mission and emergency employees to maintaining the health, safety, and welfare of County residents and businesses during this Declared State of Local Emergency through additional compensation.

28. Paragraph 2 of the St. Lucie County Declaration of Emergency provides that the County Administrator may take all actions necessary and appropriate to protect human life and prosperity, to the extent necessary to accommodate the emergency; and

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

1. The determinations, orders, and declarations identified above are incorporated herein.

2. A Reduced Operations Order is hereby established effective as of 12:00 (am) (pm) on April 2, 2020. A Reduced Operations Order means County operations shall be reduced through the closure of County facilities except for critical mission and emergency employees and services on Fridays beginning April 3, 2020. This reduction in operations shall continue on a daily basis until this Order expires or is rescinded.
3. Each County Department Director shall determine which department functions and employees are deemed critical mission and emergency subject to review and approval by the County Administrator or his designee. Such employees shall work their regular schedule in effect prior to the effective date of this Order. Those critical mission and emergency employees who are considered non-exempt for overtime purposes under the Fair Labor Standards Act shall be entitled to an increase in their hourly rate of pay in the amount of \$2.50 per hour beginning April 6, 2010 until such time as this Order expires or is rescinded. All other employees deemed non-critical mission or non-emergency shall be placed on Emergency Standby status subject to the restrictions forth in the Emergency Standby provisions of the Employee Handbook and the Collective Bargaining Agreement with Teamsters Local Union No. 769, as applicable, and shall receive eight hours of pay at their regular rate of pay for Friday they would normally have been scheduled to work, as applicable, until such time as this Order expires or is rescinded. This Emergency Standby pay shall not be counted as time worked for overtime purposes.
4. County facilities closed pursuant to this Order shall receive additional cleaning and sanitization prior to reopening on Mondays.

Severability.

Any provision(s) within this Order that conflict(s) with any State or Federal law or constitutional provision, or conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States, shall be deemed inapplicable and deemed to be severed from this Order, with the remainder of the Order remaining intact and in full force and effect. To the extent application of some or all of the provisions of this Order is prohibited on the sovereign land of a federally or state recognized sovereign Indian tribe, such application is expressly excluded from this Order.

Effective Date; Duration. _____

This Order is effective twenty-four hours after adoption as of 12 a.m./p.m. on 31st day of April, 2020. This Order will expire upon the expiration of the existing State of Local Emergency, as same may be extended by subsequent order or declaration, unless earlier terminated by subsequent Order.

Prior resolutions and emergency orders remain in force and effect unless modified or superseded.

This Order shall be filed in the Office of the Clerk of the Circuit Court.

Signed this 31st day of March, 2020 at 4:00 (am) (pm).



Howard N. Tipton
County Administrator

S/Atty/State of Emergency/Order-Reduced Operations