

RESOLUTION NO. 20-19
CONFIRMATION OF COVID-19 EMERGENCY PROCLAMATIONS – MAY 7, 2020

A RESOLUTION OF THE CITY OF CLEARWATER,
FLORIDA, CONFIRMING DECLARATIONS OF A STATE OF
EMERGENCY AND CONFIRMING MODIFICATION OF
EMERGENCY REGULATIONS; PROVIDING AN EFFECTIVE
DATE.

WHEREAS, a state of emergency in the City of Clearwater was proclaimed by Mayor George N. Cretekos, upon recommendation by the Emergency Management Director (City Manager William B. Horne), after certification of emergency conditions by the Emergency Management Coordinator (Fire Division Chief of Emergency Management Jevon Graham), on March 18, 2020 due to the unmitigated spread of coronavirus disease (COVID-19); and

WHEREAS, the March 18, 2020 state of emergency was confirmed by City Council in Resolution 20-11 later that day, extended 7 days by Mayor George N. Cretekos on March 25, 2020, extended 7 days by Mayor Frank Hibbard on April 1, 2020, and confirmed by City Council in Resolution 20-14 on April 2, 2020, extended 7 days by Mayor Frank Hibbard on April 8 and April 15, 2020 and confirmed by City Council in Resolution 20-16 on April 16, 2020, then extended 7 days by Mayor Frank Hibbard on April 22, April 29, and May 6, 2020; and

WHEREAS, 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, with no available vaccine or cure; and

WHEREAS, on January 31, 2020 the United States Department of Health and Human Services declared that a public health emergency exists nationwide as a result of confirmed cases of COVID-19 in the United States; 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 for COVID-19; and

WHEREAS, the World Health Organization declared COVID-19 a pandemic on March 11, 2020, which is defined as “worldwide spread of a new disease,” and is the first declared pandemic since the H1N1 “swine flu” in 2009; and

WHEREAS, on March 13, 2020 President Donald J. Trump declared a national state of emergency; and

WHEREAS, on March 16, 2020 President Trump and 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 17, 2020 Governor Ron DeSantis issued Executive Order 20-68 closing bars, pubs and nightclubs for 30 days, recommending that public beachgoers follow CDC guidelines limiting group sizes and social distancing, and ordering that restaurants limit occupancy to 50% of current building capacities and begin employee screening; and

WHEREAS, on March 18, 2020 the City of Clearwater passed Resolution 20-11, cancelling most City meetings and groups, prohibiting all in-person gatherings of 10 people or more, closed all beaches, closed all libraries, closed all recreation centers, required businesses open to the public to provide hand sanitizer, gave the Emergency Management Director authority to close parking as necessary, prohibited price gouging, and enabled emergency procurement procedures; and

WHEREAS, on March 19, 2020 Pinellas County passed Resolution 20-17, closing all public beaches within the county; and

WHEREAS, on March 20, 2020 Governor Ron DeSantis issued Executive Order 20-71, suspending all sales of food and alcohol in the State by establishments for on-site consumption and allowing for take-out or delivery service, and closing all gyms and fitness centers; and

WHEREAS, on March 20, 2020 Governor Ron DeSantis issued Executive Order 20-72, prohibiting elective and unnecessary medical procedures; and

WHEREAS, on March 24, 2020 Governor Ron DeSantis issued Executive Order 20-83, recommending an advisory to all persons over 65 and those with underlying serious medical conditions to stay home and limit risk of exposure; and

WHEREAS, on March 25, 2020 Pinellas County passed Resolution 20-20, “COVID-19 Safer at Home Order,” directing individuals to limit non-essential activity and/or transportation, closing places of public assembly, and ordering the closure of non-essential businesses if they can not comply with current CDC social distancing guidelines; and

WHEREAS, on March 27, 2020 Governor Ron DeSantis issued Executive Order 20-86, retroactively ordering any person entering the State of Florida from “an area with substantial community spread” to self-quarantine for 14 days and inform anyone they have had direct physical contact with of their status; and

WHEREAS, on April 1, 2020 Governor Ron DeSantis issued Executive Orders 20-91 and 20-92, ordering all persons in Florida to limit their movements and personal

interactions outside of their homes to only those necessary to obtain or provide essential services or conduct essential activities; and

WHEREAS, on April 16, 2020 the City Council extended for 30 days and modified those emergency measures enacted by Resolution 20-11; and

WHEREAS, on April 28, 2020 Pinellas County passed Resolution 20-34, "Order Relaxing Beach Restrictions With Conditions," allowing public beaches to reopen consistent with CDC social distancing guidelines effective May 4, 2020; and

WHEREAS, on April 29, 2020 Governor Ron DeSantis issued Executive Order 20-112, ordering all persons in Florida to continue to limit their movements and personal interactions outside of their homes, and allowing restaurants to resume on-premises service with restrictions; and

WHEREAS, on May 1, 2020 Pinellas County passed Resolution 20-39 "Order Clarifying Local Restrictions," which gives support to Governor DeSantis' EO 20-112, terminates Pinellas County Res. 20-20 and 20-23, but continues to restrict public playgrounds and pools, and requires social distancing; and

WHEREAS, on May 1, 2020 City of Clearwater Emergency Management Director William B. Horne announced that Clearwater beaches would reopen May 4 in conjunction with Pinellas County's Res. 20-34; and

WHEREAS, as of May 7, 2020, 37,020 Florida residents (38,002 total cases in Florida including non-residents), including 1,331 in Hillsborough County (including 33 deaths), 722 in Manatee County (including 64 deaths), 285 in Pasco County (including 8 deaths), 801 in Pinellas County (including 50 deaths), at least 126 cases of which are believed to be City of Clearwater residents, have tested positive for COVID-19; and

WHEREAS, the City of Clearwater continues to be threatened by COVID-19 because of the apparent ability of the virus to spread rapidly among humans, and COVID-19 thereby constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City of Clearwater, and

WHEREAS, Section 252.38, Florida Statutes authorizes the establishment and amendment of emergency measures during a state of emergency; and

WHEREAS, Chapter 15, Code of Ordinances requires City Council to confirm any declaration of a state of emergency and all emergency regulations activated under the provisions of this chapter at their next regularly scheduled meeting; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CLEARWATER, FLORIDA;

Section 1. The April 22, 2020 state of emergency proclamation is hereby confirmed.

Section 2. The April 29, 2020 state of emergency proclamation is hereby confirmed.

Section 3. The Emergency Management Director's action on May 1, 2020 reopening City of Clearwater beaches effective May 4, 2020, modifying emergency measures in City of Clearwater Resolution 20-11 and pursuant to Pinellas County Resolution 20-34, is hereby confirmed.

Section 4. The May 6, 2020 state of emergency proclamation is hereby confirmed.

Section 5. This resolution shall take effect immediately. The state of emergency must be renewed in seven-day increments pursuant to § 15.07(5), Code of Ordinances.

PASSED AND ADOPTED this 7th day of May, 2020.

Attest:

Rosemarie Call
City Clerk

Frank Hibbard
Mayor

Approved as to form:

Pamela K. Akin
City Attorney