

## **ERGENCY RESOLUTION 2020-16**

### **AN EMERGENCY RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA DECLARING A STATE OF LOCAL EMERGENCY ESTABLISHING COVID-19 RESPONSE PROTOCOL AND DIRECTS PUBLIC HEALTH EMERGENCY.**

**WHEREAS**, Florida Statutes, authorize the City of Deltona to declare a state of local emergency, to enable certain emergency management powers, and to waive the procedures and formalities otherwise required of political subdivisions by law; and

**WHEREAS**, a state of local emergency is allowed for seven (7) days with appropriate extensions pursuant to law; and

**WHEREAS**, on March 1, 2020 the Honorable Ron DeSantis, Governor of the State of Florida, issued Executive Order Number 20-51 declaring a state of emergency in the State of Florida establishing Coronavirus Disease 2019 (COVID-19) response protocol and declaring a public health emergency; 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; and

**WHEREAS**, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern; and

**WHEREAS**, in response to the recent COVID-19 outbreak in China, Iran, Italy 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

**WHEREAS**, in response to the recent COVID-19 outbreak in Japan, the CDC has advised older travelers and those with chronic medical conditions to avoid nonessential travel and all travelers to exercise enhanced precautions; and

**WHEREAS**, the CDC currently recommends community preparedness and everyday prevention measures 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, use of 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

**WHEREAS**, the State of Florida has 12,350 confirmed cases now, and Volusia County has 151 potential coronavirus cases; and

**WHEREAS**, the CDC currently recommends mitigation measures in communities with COVID-19 cases, including avoiding gatherings, staying at home when sick, keeping away from others who are sick and staying at home when a household member is sick with respiratory disease symptoms or if instructed to do so by public health officials or a health care provider; and

**WHEREAS**, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled and that residents and visitors in Florida remain safe and secure;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA:**

1. In accordance with the powers vested in the City pursuant to Florida Statutes, and the City of Deltona's Comprehensive Emergency Management Plan, the City of Deltona does hereby proclaim the existence of a state of local emergency in the City of Deltona, Florida, as identified above.
2. Pursuant to the City of Deltona's Comprehensive Emergency Management Plan, the Interim City Manager is authorized to take all actions necessary and appropriate to protect human life and property including promulgation of rules and orders as may be necessary subject to limitations of Florida Statutes. This Resolution further authorizes the Interim City Manager to utilize all lawful authority granted to the City of Deltona by Federal, State, County, or City Emergency Management Laws, Rules, Regulations, Orders and Florida Statutes, inclusive, and the City of Deltona's Comprehensive Emergency Management Plan, including, but not limited to imposing a curfew if deemed necessary, and to adjust city employee work schedules as appropriate.
3. All existing laws, ordinances, and rules inconsistent with the provisions of Florida Statutes, inclusive, or inconsistent with any rule or order specifically promulgated under this Resolution shall be suspended during this period of time and to the extent that such conflict exists.
4. The Interim City Manager may suspend, toll or extend the time requirements, notice requirements and deadlines for final action on applications for permits, licenses, rates and other approvals under the Deltona Code of Ordinances, to the extent necessary to accommodate the emergency.
5. Pursuant to Florida Statutes, the City hereby exercises its authority and waives the procedures and formalities otherwise required of a political subdivision by law, pertaining to:
  - Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
  - Entering into contracts;
  - Incurring obligations;

- Employment of permanent and temporary workers;
- Utilization of volunteer workers;
- Rental of equipment;
- Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and
- Appropriation and expenditure of public funds.

6. The Interim City Manager shall, to the extent reasonably possible, follow CDC and the Florida Department of Health guidelines in procuring services, materials, labor and equipment necessary to respond to the emergency, including recovery efforts. The Interim City Manager shall abide by the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements" for federal awards, codified at 2 C.F.R. F.S. 200.317 through 200.326.

7. Any person violating any rule or order issued pursuant to this Resolution or any person who willfully fails or refuses to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such orders shall, upon conviction therefore, be punished as provided by Florida Statutes, and by such other laws as may be applicable to the offense.

8. The continued state of local emergency declared by this Resolution may be modified in whole or in part or may be terminated at any time upon a vote of a majority of a quorum of the Deltona City Commission. This Resolution shall remain in effect for seven (7) days, but due to the seriousness of COVID-19, the Interim City Manager in consultation with the Chief of the Fire Department may extend this state of local emergency for ~~two (2)~~ additional seven (7) day periods until the state of emergency is lifted by either Volusia County or the State of Florida less terminated or modified earlier. Any further extension will require a vote of the majority of a quorum of the Deltona City Commission.

9. If any provision of this Resolution is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this Resolution, which shall have the full force and effect of law.

**DONE AND ORDERED** in the City of Deltona, Volusia County, Florida, this ~~13~~<sup>6</sup>th day of April 2020, effective as of \_\_\_\_\_ P.M.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS ~~6~~<sup>13</sup>th DAY OF APRIL 2020.**

BY: \_\_\_\_\_  
Heidi K. Herzberg, MAYOR

ATTEST:

---

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality  
for use and reliance of the City of  
Deltona, Florida

---

CITY ATTORNEY