

EMERGENCY PROCLAMATION
COVID-19 #1

WHEREAS, the World Health Organization (WHO) has declared a pandemic related to COVID-19; and

WHEREAS, the Center 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 in the State of Florida regarding the COVID-19 pandemic; and

WHEREAS, under current circumstances, certain people will have an increased risk of infection, for example healthcare, 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 Brevard County to take protective measures – including activation of the emergency operation center, procurement of personal protective equipment, consequence management, and similar activities to support the public health and safety of the community; and

WHEREAS, The President of the United States has declared a State of Emergency for the Country to address the public health threat to the United States of America as a result of COVID-19; and

WHEREAS, Brevard County is encountering an impending serious threat to the health of the residents and visitors of Brevard County and;

WHEREAS, Brevard County began implementing preparations to address the serious public health threat on January 31, 2020; and

WHEREAS, certain specialized equipment and personnel may be required to adequately respond to the needs of its citizens; and

WHEREAS, other measures may have to be taken in order to mitigate the potential for causing further threatening conditions within the County; and

WHEREAS, Chapter 253.38(3)(a), Florida Statutes, provides authority for a political subdivision such as Brevard County to declare a state of local emergency and to exercise certain powers and authority to safeguard the lives and property of its citizens.

NOW THEREFORE, IT IS RESOLVED this 14th day of March, 2020, that the COVID-19 pandemic poses a serious threat to the health and lives of residents and guests of Brevard County and that a State of Local Emergency is declared effective this 14th day of March, 2020, for all the territory within the legal boundaries of Brevard County, including all of the unincorporated and incorporated areas.

BE IT FURTHER RESOLVED that the Board of County Commissioners of Brevard County, through its designated Policy Group, hereby incorporate the above WHEREAS clauses herein and hereby authorize the exercise of its authority and powers pursuant to Florida Statutes 252.38(3)(a) which include the authority and powers to:

[1] CONTRACTS, EQUIPEMENT, SUPPLIES: Appropriately expend funds; make contracts; obtain and distribute equipment, materials and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any emergencies; and direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the Federal and State Emergency Management Agencies.

[2] ADDITIONAL PERSONNEL: Appoint, employ, remove, or provide (with or without compensation), coordinators, rescue teams, fire and police personnel, and other emergency management workers.

[3] EMERGENCY OPERATING CENTERS: Establish as necessary, a primary and one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.

[4] ASSIGNMENT – COUNTY PROPERTY/PERSONNEL: Assign and make available for duty the offices and agencies which operate under the Board of County Commissioners of Brevard County, including the employees, property, and equipment thereof relating to sheltering, firefighting, engineering, rescue, health, medical and related services, police, transportation, construction, and similar items or services for emergency operation purposes, as the primary emergency management forces of Brevard County for employment within or outside the political limits of Brevard County. Furthermore, the County Manager is authorized to adjust work conditions including leave policies and suspend union bargaining agreements pursuant to the relevant articles therein, if necessary.

[5] REQUEST FOR ASSISTANCE: Request State assistance or invoke emergency related mutual aid assistance by declaring a state of local emergency in the event of emergency effecting Brevard County. The Local State of Emergency will remain in effect within the legal boundaries of Brevard County, Florida for seven (7) days from the date hereof and may be extended as necessary in seven (7) day increments. The County Manager is hereby authorized to execute extensions of the Local State of Emergency as deemed necessary.

[6] WAIVER OF PROCEDURES AND FORMALITIES OTHERWISE REQUIRED: Due to the 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, including but not limited to denying or revoking permits for public gatherings and/or cancelling mass gatherings taking place in Brevard County during the Local State of Emergency. A mass gathering is defined as 250 people or greater, however, this number is subject to amendment should the circumstances of the situation change;
- (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; and
- (h) Appropriation and expenditure of public funds.

Alterations or Rescission.

This declaration of a Local State of Emergency may be altered or rescinded either by the issuance of a subsequent Executive Order or by an appropriate Resolution of the Board of County Commissioners.

DONE, ORDERED AND ADOPTED this 14th day of March, 2020.

ATTEST:



Joy Roth, Deputy Clerk

BOARD OF COUNTY COMMISSIONERS OF BREVARD
COUNTY, FLORIDA

By: 

Bryan Lober, Chair