

RESOLUTION 2020-01

MANATEE COUNTY, FLORIDA

“State of Emergency” Declaration

ADOPTED: March 26, 2020

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A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF THE WEST MANATEE FIRE AND RESCUE DISTRICT OF MANATEE COUNTY, FLORIDA, DECLARING A STATE OF EMERGENCY, AUTHORIZING EMERGENCY POWERS TO THE FIRE CHIEF, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Coronavirus (“COVID-19”) is a communicable disease with significant morbidity and mortality, and presents a severe danger to public health; and

WHEREAS, Person(s) from Hillsborough County and Manatee County have tested positive for COVID-19; and

WHEREAS, The State of Florida and the United States of America, and Manatee County have all declared a “State of Emergency” due to the onset of COVID-19 pandemic; and

WHEREAS, on March 1, 2020, Governor DeSantis issued Executive Order Number 20-51 directing the Florida Department of Health to issue a Public Health Emergency relating to COVID-19; and

WHEREAS, on March 9, 2020, Governor DeSantis issued Executive Order Number 20-52 declaring a State of Emergency activating the State of Florida’s emergency management plan as provided for in Chapter 252, Florida Statutes; and

WHEREAS, on March 13, 2020, President Donald Trump issued a National State of Emergency declaration relating to the COVID-19 outbreak and the threat it has on human life and the nation’s healthcare system; and

WHEREAS, on March 15, 2020, the Center for Disease Control and Prevention (“CDC”) recommended against gatherings of over 50 people; and

WHEREAS, on March 16, 2020, President Donald Trump recommended against gatherings of 10 or more people; and

WHEREAS, on March 16, 2020, Manatee County adopted Resolution No. R-20-041, declaring a local state of emergency related to COVID-19 within Manatee County; and

WHEREAS, on March 2, 2020, the District began to take protective measures in response to the imminent threat to the public health, safety and welfare presented by COVID-19; and

WHEREAS, Section 252.38(3)(a), Florida Statutes, gives authority to political subdivisions to declare and enact a State of Local Emergency and to take certain measures that are in the interest of the public health, safety and welfare; and

WHEREAS, the aforementioned Executive Orders and Section 252.38, Florida Statutes, provides emergency management powers to political subdivisions, including special districts, like the West Manatee Fire and Rescue District (“District”); and

WHEREAS, Section 252.46, Florida Statutes authorizes the District to declare a state of local emergency and to exercise emergency managements powers as provided for in Chapter 252,Florida Statutes; and

WHEREAS, Section 252.46, Florida Statutes, authorizes the Board of Fire Commissioner to declare a state of local emergency and to exercise emergency powers and authority to carry out the provisions of Sections 252.31 through 252.90, Florida Statutes, including the authority to waive procedures and formalities otherwise required by law pertaining to:

1. Performance of 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. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;
7. Acquisition and distribution of supplies, materials, and facilities with or without compensation; and
8. Appropriation and expenditure of public funds.

NOW THEREFORE BE IT RESOLVED, by the Board of Fire Commissioners for the West Manatee Fire and Rescue District that a “State of Emergency” is declared for the District.

FURTHERMORE, until the threat of this emergency and the effects of the disaster have passed or this Resolution is rescinded by Board action, the Fire Chief is authorized the following emergency powers:

1. Enact whatever steps are necessary to carry out emergency preparation and disaster response for the District and to assist other Mutual Aid Agencies, the County, and State as appropriate.
2. Authorize emergency preparation and disaster related expenditures from budgeted disaster expenses and the transfer of assigned and unassigned spendable reserve funds designated for a State of Emergency as needed.
3. Approve and sign emergency preparation and disaster related contracts on behalf of and as an agent of the Board of Fire Commissioners.
4. Temporarily amend standing contracts, policies, and practices as appropriate to the pending emergency and effects of its disaster.
5. Carry out provisions for Continuity of Operations (COOP) and Continuity of Government

- (COG).
6. West Manatee Fire and Rescue District will seek reimbursement for labor and supplies from the Federal Emergency Management Agency as outlines in COVID-19 Emergency Declaration dated March 13, 2020, Release Number: HQ-20-017, or any additional declaration(s) which may amend or supersede the Release Number referenced herein.
 7. The West Manatee Fire and Rescue District Fire Commission hereby authorizes the Fire Chief in consultation with the Board Chairman to make emergency decisions in the best interest of the District on subjects which include but are not limited to: telecommuting employees, operational changes, District office and facility closures, Fire Commission meeting cancellations, and rescheduling of special meetings.

This resolution shall take effect immediately upon its adoption.

Adopted by the Board of Fire Commissioners of the West Manatee Fire and Rescue District, with a quorum present and voting, this 26th day of March 2020.

ATTEST:

WEST MANATEE FIRE AND RESCUE DISTRICT

George Harris, Secretary/Treasurer

Randal Cooper, Chairman

Lawrence Jennis, Vice Chairman

David Bishop, Jr., Commissioner

Al Robinson, Commissioner