

RESOLUTION NO. 2020-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA, DECLARING A LOCAL STATE OF EMERGENCY DUE TO THE COVID-19 (CORONAVIRUS); AUTHORIZING ANY AND ALL PRUDENT ACTIONS WHICH MAY BE NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND CUSTOMERS OF THE CITY'S UTILITIES SYSTEMS PURSUANT TO THIS DECLARATION; RATIFYING AND AFFIRMING SUCH ACTIONS TAKEN BY CITY COUNCIL PRIOR TO THIS DECLARATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 1, 2020, Florida Governor Ron DeSantis issued Executive Order No. 20-51 declaring a state of emergency due to COVID-19 (Coronavirus); and

WHEREAS, Section 252.38, Florida Statutes, provides for emergency management powers of political subdivisions of the State of Florida, including, without limitation, counties such as Pasco County, municipalities such as the City of New Port Richey (City); and

WHEREAS, Section 252.38(3)(a)(5), Florida Statutes, provides authority for a municipality such as the City of New Port Richey to declare a state of local emergency for a period of time up to seven (7) days, which may be extended as necessary in seven (7) day increments, and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

- a. Performance of public works projects including taking whatever prudent action is necessary to ensure the health, safety and welfare of the community;
- 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New Port Richey that COVID-19 (Coronavirus) poses a serious threat to the life, health and welfare of the City of New Port Richey and its residents, and that a state of local emergency is hereby declared effective at 12:01 a.m. on March 19, 2020 for a period of time up to seven (7) days, at which time the period may be extended as necessary in additional seven (7) day increments by subsequent resolution(s) issued by the Mayor, in his sole discretion, without the necessity of further City Council approval, and all territory within the legal incorporated boundaries of the City of New Port Richey, Pasco County, Florida shall be embraced by the provision of this emergency resolution;

BE IT FURTHER RESOLVED that the City Council hereby exercises its home rule and statutory authority and waives the procedures and formalities required by law of a political subdivision, as provided in Chapter 252, Florida Statutes; and

BE IT FURTHER RESOLVED that the City Council hereby designates the City Manager as the declaring official for all purposes necessary to implement the provisions of this resolution and she shall have the full power and authority to take any and all actions consistent herewith, including but not limited to expending public funds in any amount she deems necessary, entering into any and all agreements on behalf of the City without competitive bidding or requests for proposals, implementing of an emergency curfew, suspending any and all City services, closing City facilities, limiting gatherings of people, ordering the suspension of businesses, or other measures she deems necessary in response to the threat to public health, safety and welfare.

All public officials and employees of the City of New Port Richey are hereby directed to exercise the utmost diligence in discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations and directives, both state and local.

All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and local emergency and public safety services in executing emergency operational plans, and to obey and comply with the lawful directions of properly identified public officers, and any person who fails to comply with the lawful directive of any public officer shall be subject to the penalties provided by law.

DONE AND RESOLVED THIS 18th of March, 2020.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

Judy Meyers, CMC, City Clerk

Rob Marlowe, Mayor/Council Member

Approved as to legal form and content:

Timothy P. Driscoll, Esq.
City Attorney