



EMERGENCY EXECUTIVE PROCLAMATION 2020-001

March 14, 2020

TO: All Elected Officials, Department Heads, Boards and Independent Agencies -
City of Neptune Beach

FROM: Elaine Brown, Mayor; and Stefen Wynn, City Manager

SUBJECT: Proclamation and Declaration of Emergency due to Emergency Conditions

By virtue of the authority vested in us as the Mayor, and as the City Manager by the Charter and as Chief Executive and Administrative Officer of the City Government, We hereby proclaim and declare a state of emergency exists associated with the Novel Coronavirus Disease 2019 (COVID-19).

WHEREAS, on March 1, 2020, in response to the World Health Organization's declaration of COVID-19 as a Public Health Emergency of International Concern, Governor Ron DeSantis issued Executive Order Number 20-51, declaring a State of Florida Public Health Emergency associated with the threat to Florida residents associated with COVID-19 and invoking the State of Florida emergency response actions by the Florida Department of Health and the State Health Officer; and

WHEREAS, on March 9, 2020, in response to eight counties in Florida with positive COVID-19 cases, Governor Ron DeSantis issued Executive Order Number 20-52, directing the Director of the Division of Emergency Management, as the State Coordinating Officer, to execute State of Florida's Comprehensive Emergency Management Plan and other response, recover, and mitigation plans necessary to cope with the emergency; and

WHEREAS, Governor DeSantis' Executive Orders 20-51 and 20-52 are hereby incorporated and adopted into this Emergency Executive Proclamation to the extent the City of Neptune Beach is obligated to respond thereto; and

WHEREAS, on March 12, 2020 the Florida Department of Health (DOH) announced a positive test for COVID-19 in a Duval County resident; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency to combat COVID-19; and

WHEREAS, it is necessary to invoke the emergency response authority in order to enable the City of Neptune Beach to respond to its obligations under Governor DeSantis' Executive Orders 20-51 and 20-52, and to appropriately respond to the needs of the residents of Neptune Beach.

NOW THEREFORE, it is declared and ordered as follows, to take immediate effect:

- (I) The Mayor is responsible for meeting the dangers presented to the City, its people and property by a natural or manmade emergency or disaster. The Mayor hereby issues this Emergency Executive Proclamation 2020-001 and may amend or rescind such in the fulfillment of this responsibility. Any action taken in response to this Proclamation shall have the full force and effect of the law during the period for which it is effective.

During the continuance of a state of emergency or disaster, the City manager is the commander-in-chief of the emergency preparedness forces available for emergency duty. To the greatest extent possible, the City Manager has and will delegate or assign command authority by prior arrangement embodied in the emergency preparedness plan or in appropriate executive orders or regulations, but this shall not restrict the City Manager's authority to do so by orders issued at the time of and during this emergency.

- (2) A disaster emergency is hereby declared by proclamation of the Mayor as she finds that a disaster and emergency is threatened, has occurred or continues to occur caused by COVID-19 with a threat of infection, contamination, exposure and severe impacts on public resources associated with large-scale epidemic effects on the City. This emergency is applicable to the City of Neptune Beach. The state of disaster emergency shall continue until the City Manager finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist, and the Mayor terminates the state of disaster emergency by proclamation.
- (3) The Council by resolution may terminate a state of disaster emergency at any time, whereupon the Mayor shall issue a proclamation ending the state of disaster emergency.
- (4) The Mayor causes this emergency proclamation to be promptly disseminated by means calculated to bring it to the attention of the general public and, unless the circumstances prevent or impede it, shall cause it to be promptly filed with the City Clerk.
- (5) Note that within the City of Neptune Beach *Municipal Comprehensive Emergency Plan*, the Mayor, City Council, Chief of Police, and City Manager have the following duties and responsibilities:
 - (a) *The Mayor of Neptune Beach* (or designee) will serve as the liaison with the City of Jacksonville/Duval County Executive Group as a member of the Security Emergency Preparedness Planning Council (SEPPC) and representative for the City. The Mayor may declare a local disaster, and will keep the City Council informed.
 - (b) *The City Council of Neptune Beach* are included in the policy making group and may also declare a state of emergency.
 - (c) *The Chief of Police* is the Emergency Management Coordinator for the City and is responsible for preparedness activities, establishing the local command center and assisting with directing emergency operations during a disaster, coordinating information with COJ/Duval County EOC, and assisting with recovery and mitigation activities.
 - (d) *The City Manager* is the Chief Executive Officer for the City of Neptune Beach with responsibility over all operations during the preparedness, response, recovery and mitigation periods. While Dependent on State Laws, the City Manager can establish curfews, direct evacuations, and coordinate with local health authorities to order a quarantine if needed. In addition to providing leadership and setting objectives, the City Manager provides a key role in communicating to the public and helping the public cope with the consequences of a disaster.

- (6) The Proclamation of a local emergency provides legal authority to:
- (a) Request, if needed, that the County Executive (Mayor of City of Jacksonville) declare a state of emergency;
 - (b) Issue orders and regulations to protect life and property, including curfew orders;
 - (c) Request mutual aid from other cities and the County;
 - (d) Require the emergency services of any local official or city worker;
 - (e) Requisition necessary personnel and materials from city departments;
 - (f) Obtain vital supplies and equipment, and if required immediately, to commandeer the same for public use; and
 - (g) Impose penalties for violations of lawful orders
 - (h) Waive procedures and formalities otherwise required by the Charter or by law pertaining to:
 - 1. The performance of public work;
 - ii. The entering into of contracts;
 - iii. The incurring of obligations;
 - iv. The employment of permanent and temporary workers;
 - v. The utilization of volunteer workers; and
 - vi. The rental of equipment

****SIGNATURE PAGE TO FOLLOW****

THE CITY OF NEPTUNE BEACH, FLORIDA

By:  Date: 3/14/20

Elaine Brown
Mayor, Neptune Beach

By:  Date: 3/14/2020


Stefen A.B. Wynn, M.P.A.
City Manager Neptune Beach

Approved as to Form:

By: _____

Zachary R. Roth
City Attorney, Neptune Beach

Attested:

By:  Date: 3/14/2020

Catherine B. Ponson, CMC
City Clerk, Neptune Beach