

VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2020 - 03

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, DECLARING A
STATE OF LOCAL EMERGENCY AND PROVIDING
FOR EMERGENCY GOVERNMENTAL OPERATIONS
RELATED TO THE OUTBREAK OF THE
CORONAVIRUS DISEASE OF 2019 (COVID-19); AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Village of Estero places the highest premium on safety of life; and

WHEREAS, both the World Health Organization and federal Centers for Disease Control and Prevention (CDC) recognize the novel and virulent danger posed by COVID-19, having declared it a worldwide pandemic; and

WHEREAS, Governor Ron DeSantis signed Executive Orders 20-52 in response to the novel and virulent nature of the and has declared a public health emergency, pursuant to Chapter 252, Florida Statutes; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national state of emergency concerning COVID-19; and

WHEREAS, at the time of the execution of this resolution, the CDC and Florida Surgeon General have recognized a present danger to residents of Florida from the outbreak; and

WHEREAS, Chapter 252, Florida Statutes, authorizes municipalities to declare a state of local emergency and to waive procedures and formalities otherwise required of municipalities to take whatever prudent action is necessary to ensure the health, safety, and welfare of the Village in the event of a state of local emergency; and

WHEREAS, the Village of Estero relies on the Village Council and staff for leadership during emergencies; and

WHEREAS, it is the duty of the Village to take such protective measures and to coordinate its efforts in support of the public health and safety of the community; and

WHEREAS, there may be instances when it is difficult or impossible to obtain a quorum of Council membership for the purpose of convening an emergency meeting during a state of local emergency; and

WHEREAS, the Village Council finds it in the public interest to be proactive in emergency operations and to coordinate its efforts with national, state, and local health officials; and

49 **WHEREAS**, the Village Council desires to designate and delegate to the Village
50 Manager the authority provided under Chapter 252 to respond to the emergency should a
51 quorum of the Village Council be physically unable to meet.

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53 **NOW, THEREFORE**, be it resolved by the Village Council of the Village of Estero,
54 Florida, that the Village of Estero hereby declares a State of Local Emergency.

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56 **Section 1.** The Village Council of the Village of Estero, Florida, in conjunction
57 with Lee County, hereby declares a state of local emergency and the Council desires the Village
58 Manager to avail himself to all powers available to Village government provided in Chapter
59 252, Florida Statutes, the Village Code, and all other powers set forth in any Executive Order
60 that may be issued by the Governor of the State of Florida.

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62 **Section 2.** The Village Manager is provided plenary authority on behalf of the
63 Village Council of the Village of Estero to take all actions necessary for protection of persons
64 and property authorized by law.

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66 **Section 3.** As provided in F.S. 252.38(3)(a) the Village hereby waives the procedures
67 and formalities otherwise required by law of a municipality, including, but not limited to:

- 68 a. Performance of public work and taking whatever action is necessary to
69 ensure the health, safety, and welfare of the community;
70 b. Entering into contracts;
71 c. Incurring obligations;
72 d. Employment of permanent and temporary workers;
73 e. Utilization of volunteer workers;
74 f. Rental of equipment;
75 g. Acquisition and distribution, with or without compensation, of supplies,
76 materials and facilities;
77 h. Appropriation and expenditure of public funds.

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79 **Section 4.** This Resolution shall take effect immediately upon adoption. Consistent
80 with Florida Statutes §252.38(3), the duration of this State of Local Emergency is limited to
81 seven (7) days and may be extended as necessary in seven day increments by Resolution.

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83 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this
84 18th day of March, 2020.

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86 Attest:

VILLAGE OF ESTERO, FLORIDA

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88
89 By: Kathy Hall
90 Kathy Hall, MMC Village Clerk

89 By: Bill Ribble
90 Bill Ribble, Mayor

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93 Reviewed for legal sufficiency:

94 By: Burt Saunders
95 Burt Saunders, Esq., Village Attorney
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