

VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2020 - 18

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, AUTHORIZING  
THE VILLAGE MANAGER TO PROCURE PERSONAL  
PROTECTIVE GEAR FOR DISTRIBUTION TO  
VILLAGE RESIDENTS; 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**, the Village Council adopted Resolution 2020-03 declaring a local state of emergency due to the outbreak of COVID-19; 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**, 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**, the Village Council has determined that time is of the essence and that the procurement of personal protective equipment (PPE) is of critical importance to the Village and its residents; 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

**WHEREAS**, there are pending deadlines upon which to seek federal assistance for PPE under the CARES Act and also a limited supply of PPE vendors; and

47           **WHEREAS**, the Village Council desires to designate and delegate to the Village  
48 Manager the authority provided under Chapter 252 to respond to the emergency and procure  
49 emergency supplies of PPE for the Village and its residents.  
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51           **NOW, THEREFORE**, be it resolved by the Village Council of the Village of Estero:  
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53           **Section 1.** The above-stated recitals are adopted as legislative findings.  
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55           **Section 2.** As provided in 252.38(3)(a), Florida Statutes, the Village hereby waives  
56 the procedures and formalities otherwise required by law of a municipality, including, but not  
57 limited to: (1) taking whatever action is necessary to ensure the health, safety, and welfare of  
58 the community, (2) entering into contracts, (3) acquisition and distribution, with or without  
59 compensation, of supplies, materials and facilities, and (4) appropriation and expenditure of  
60 public funds.  
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62           **Section 3.** The Village Manager is authorized to make emergency procurements as  
63 provided under Chapter 252, Florida Statutes, and Ordinance 2015-06, this authorization  
64 includes a specific waiver of the Village's competitive bidding requirements under Section 5  
65 of said ordinance.  
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67           **Section 3.** This Resolution shall take effect immediately upon adoption.  
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70           **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this  
71 9th day of September, 2020.  
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73           Attest:

**VILLAGE OF ESTERO, FLORIDA**

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75  
76 By:   
77           Steve Sarkozy, Acting Village Clerk  
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By:   
Bill Ribble, Mayor  
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80           Reviewed for legal sufficiency:

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83 By:   
84           Burt Saunders, Esq., Village Attorney