



## Legislation Details (With Text)

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**File created:** 5/13/2020      **In control:** City Council  
**On agenda:** 5/28/2020      **Final action:** 5/28/2020  
**Enactment date:**      **Enactment #:**  
**Title:** EXTENSION OF THE MAYORAL DECLARATION OF STATE OF EMERGENCY  
**Sponsors:** Grover C. Robinson, IV  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. City of Pensacola State of Emergency 20-01, 2. Executive Order 20-52, 3. Executive Order 20-112, 4. Executive Order 20-114

Date	Ver.	Action By	Action	Result
5/28/2020	1	City Council	Approved	Pass
5/26/2020	1	Agenda Conference	Placed on Regular Agenda	Pass

### LEGISLATIVE ACTION ITEM

**SPONSOR:** Grover C. Robinson, IV, Mayor

### **SUBJECT:**

EXTENSION OF THE MAYORAL DECLARATION OF STATE OF EMERGENCY

### **RECOMMENDATION:**

That City Council approve the Mayor's request for an extension of the Declaration of Emergency until July 7, 2020.

**HEARING REQUIRED:** No Hearing Required

### **SUMMARY:**

On March 18, 2020, Mayor Grover C. Robinson, IV, declared a state of emergency as a result and consequence of the continuing threats to the public health, safety, and property, both public and private, in the City of Pensacola caused by the Coronavirus Disease 2019 (COVID-19).

City Code section 2-4-8 states that upon declaration of a state of emergency by the President of the United States, by the Governor of the State of Florida or by Escambia County for any area which includes the City of Pensacola, the Mayor shall be authorized and directed to take such emergency measures as he determines necessary to protect the health, safety, and welfare of the citizens and to ensure the timely reconstruction and repair of structural damage caused by the emergency event and the continued functioning of local government. The Mayor shall further be authorized to exercise such

emergency management powers granted to political subdivisions by Florida law and may alter regular work schedules and grant the nonessential workforce time off with pay. The Mayor will make the determination of which employees are deemed essential during each emergency. The Mayor is authorized to pay essential employees, both non-exempt and certain ranges of exempt under the Fair Labor Standards Act, at overtime rates when required to report for duty during the time the remaining workforce is not required to report. The Mayor shall further be authorized to waive or suspend all ordinances, policies, procedures or customs of the city as the Mayor determines necessary for the purchase of commodities and services, for contracts of no more than one (1) year duration, for the assignment of employees and for the facilitation of reconstruction and repair, both public and private, as the Mayor determines necessary. The Mayor is authorized to delegate such powers to staff as determined essential to the effective administration of the government of the City of Pensacola. This authorization is subject to the limits of the Constitution and the Laws of the United States and the State of Florida. The Mayor's exercise of authority pursuant to section 2-4-8 exist for a period of thirty (30) days following the declaration of a state of emergency unless extended or shortened by the action of the city council. Considering recent events and to continue responding to emergency issues, staff recommends that these emergency powers be extended until July 7, 2020 to match Executive Order 20-114 executed by Governor Ron DeSantis on May 8, 2020.

#### **PRIOR ACTION:**

March 13, 2020 - President Donald J. Trump declared a state of emergency for the United States of America beginning March 1, 2020.

March 9, 2020 - Governor Ron DeSantis issued Executive Order Number 20-52 declaring a state of emergency for the State of Florida.

March 16, 2020 - The Escambia County Board of County Commissioners issued Resolution R2020-24 declaring a state of emergency for Escambia County.

April 29, 2020 - Governor Ron DeSantis issued Executive Order Number 20-112 initiating Phase 1 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery.

May 8, 2020 - Governor Ron DeSantis issued Executive Order Number 20-114, which expires July 7, 2020, extending the Emergency Declaration of Executive Order 20-52 for 60 days for the entire State of Florida.

#### **FUNDING:**

N/A

#### **FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

5/13/2020

#### **STAFF CONTACT:**

Keith Wilkins, City Administrator

**ATTACHMENTS:**

- 1) City of Pensacola State of Emergency 20-01
- 2) Executive Order 20-52
- 3) Executive Order 20-112
- 4) Executive Order 20-114

**PRESENTATION:** No