

**EMERGENCY ORDER OF THE CITY MANAGER EXTENDING THE
DECLARATION OF A CITY-WIDE PUBLIC HEALTH EMERGENCY;
PARTIALLY REOPENING BOBBY JONES GOLF CLUB; RESUMING CERTAIN
CITY BOARD MEETINGS AS SPECIFIED HEREIN AND RESUMING THE
ACCEPTANCE AND PROCESSING OF CERTAIN APPLICATIONS FOR
DEVELOPMENT APPROVALS AS SPECIFIED HEREIN**

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and causes symptoms similar to those of influenza and, in some cases, death; and

WHEREAS, on March 9, 2020 the Governor of the State of Florida issued Executive Order No. 20-52 in which the Governor declared a State of Emergency exists in the State of Florida and on May 8, 2020 the Governor issued Executive Order No. 20-114 which extended the declaration of a State of Emergency for an additional period of sixty (60) days, which declaration remains in effect through July 7, 2020; and

WHEREAS, on March 13, 2020 the City of Sarasota declared a City-wide Public Health Emergency pursuant to Chapter 13 of the Sarasota City Code with said declaration being extended by the City Manager for additional periods of seven (7) days each effective March 20, March 27, April 3, April 10, April 17, April 24, May 1, May 8, and May 15, 2020; and

WHEREAS, on March 16, 2020 President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) issued the 15 Days to Slow the Spread Guidance advising individuals to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people and recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

WHEREAS, on March 31, 2020, the President updated the guidance, renaming it “30 Days to Slow the Spread”, and along with the White House Coronavirus Task Force urged Americans to continue to adhere to the guidelines and expand community mitigation efforts; and

WHEREAS, mitigating the effects of COVID-19 and protecting the health of its citizens and visitors is a high priority of the City of Sarasota; and

WHEREAS, the COVID-19 virus has the propensity to attach to surfaces for prolonged periods of time, thus causing property damage and continuing the spread of the virus; and

WHEREAS, on April 1, 2020 the Governor of the State of Florida issued Executive Orders 20-91 and 20-92 which remained in effect through May 4, 2020 and which provided that senior citizens and individuals with significant underlying medical conditions shall stay at home and all other persons shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities; and

WHEREAS, in Executive Order 20-91, the Governor found that positive tests for COVID-19 have been concentrated in urban cores; and

WHEREAS, the Re-Open Florida Task Force, in its Report to the Governor, stated that there is currently no vaccine to prevent contraction of COVID-19 and that all Floridians have a responsibility to continue practicing mitigation measures; and

WHEREAS, on April 29, 2020, subsequent to receipt of the said Report, the Governor of the State of Florida issued Executive Order 20-112 which is effective from May 4, 2020 until the Governor issues a subsequent order which terminates or modifies it; and

WHEREAS, Executive Order 20-112 provides that senior citizens and individuals with significant underlying medical conditions are strongly encouraged to stay at home, and all persons in Florida shall continue to limit their personal interactions outside the home, and all persons in Florida should avoid congregating in groups of more than 10, and all persons in Florida should avoid nonessential travel; and

WHEREAS, Executive Order 20-112 commences Phase 1 of the safe, smart, step-by-step approach to reopen Florida while continuing the social distancing CDC guidance of limiting gatherings to no more than 10 persons and distancing from other parties by six feet; and

WHEREAS, on May 9, 2020, the Governor of the State of Florida issued Executive Order 20-120 which extended and modified Executive Order 20-112 to partially "re-open" Florida; and

WHEREAS, on May 14, 2020 the Governor issued Executive Order 20-123 which also extended and further modified Executive Order 20-112 with regard to the "re-opening" of Florida; and

WHEREAS, consistent with the direction from the Governor set forth in Executive Orders 20-91, 20-92, 20-112, and 20-114 as well as pursuant to the authority set forth in Chapter 13 Sarasota City Code, and consistent with the City-wide declaration of a Public Health Emergency, the City Manager, on May 22, 2020 extended the City-wide declaration of a Public Health Emergency for an additional period of seven (7) days, and ordered the partial re-opening of the Bobby Jones Golf Club; the partial resumption of specified City board meetings and the partial resumption of the accepting and processing of certain applications for development approvals; and

WHEREAS, this Emergency Order is issued pursuant to the home rule powers and police powers of the City of Sarasota and pursuant to the emergency powers of the City of Sarasota set forth in Chapter 13, Sarasota City Code as well as Chapter 252, Florida Statutes; and

WHEREAS, Section 13-3, Sarasota City Code, provides that Emergency Orders issued by the City Manager shall become effective immediately upon issuance and shall be reduced to writing as soon as practical thereafter; and

WHEREAS, this Emergency Order is hereby reduced to writing and will be filed with the City Auditor and Clerk.

NOW, THEREFORE, I, THOMAS BARWIN, CITY MANAGER OF THE CITY OF SARASOTA, FLORIDA, BASED UPON THE FOREGOING RECITATIONS, HEREBY ISSUE THIS EMERGENCY ORDER AS FOLLOWS:

Section 1. In light of the foregoing conditions, I hereby extend the declaration of City-wide Public Health Emergency for an additional period of seven (7) days through May 29, 2020.

Section 2. I hereby direct that Section 1 of the Emergency Order of the City Manager Closing Certain Facilities and Cancelling Certain Public Meetings dated March 19, 2020 (hereinafter the Emergency Order) be amended. Pursuant to Section 1 of the Emergency Order, the City of Sarasota announced that effective Wednesday, March 18, 2020, the Bobby Jones Golf Club would be closed to the general public. I hereby direct that golf cart paths within the Bobby Jones Golf Club will be reopened to the general public for walking, running, bicycling, photography and wildlife observation effective at 6:00 a.m. on Saturday, May 23, 2020. Prohibited activities are fishing, golfing, use of motorized vehicles, picnicking, sporting activities, operation of drones and kite flying. Users of the Bobby Jones Golf Club cart paths must adhere to CDC guidance by remaining six (6) feet apart and limiting groups to no more than ten (10) people. I hereby direct that the golf cart paths be closed daily at 6:00 p.m.

Section 3. I hereby direct that Section 2 of the Emergency Order of the City Manager Closing Certain Facilities and Cancelling Certain Public Meetings dated March 19, 2020 (hereinafter the Emergency Order) be amended. Pursuant to Section 2 of the Emergency Order certain Advisory Board meetings of the City of Sarasota and other Board and Committee meetings were cancelled until further notice. I hereby direct that the following City board meetings may be resumed:

A. Pension Boards: The City of Sarasota Police Officers Pension Plan Board of Trustees may resume its regular meeting schedule commencing on Friday, May 22, 2020. The

City of Sarasota Firefighters Pension Plan Board of Trustees may resume its regular meeting schedule commencing on Wednesday, May 27, 2020. The City of Sarasota General Employees Pension Plan Board of Trustees may resume its regular meeting schedule commencing on Monday, June 15, 2020. The City of Sarasota Employee Retirement Accounts Committee may resume its regular meeting schedule commencing Thursday June 4, 2020. These four pension boards shall have the option of conducting their meetings via telephone as allowed by the Governor's Executive Order 20-69 for as long as this Order remains in effect.

B. Special Districts: The Downtown Improvement District Board of Directors (DID) may resume its regular meeting schedule commencing on Tuesday, June 2, 2020 and thereafter on the first Tuesday of each month. The St. Armands Business Improvement District Board of Directors (BID) may resume its regular meeting schedule commencing on Wednesday, June 10, 2020 and thereafter on the second Wednesday of each month. The DID and the BID Boards shall have the option of conducting their meetings over the telephone or by utilizing communications media technology as allowed by and in accordance with the Governor's Executive Order 20-69 for as long as this Order remains in effect, subject to the ability of City staff to provide adequate support to facilitate the conduct of remote meetings with Board members not physically present at a location accessible to the public.

C. Planning Board: The Planning Board may hold a workshop meeting on Wednesday, June 10, 2020 to hear a presentation from City staff and consultants on the "Sarasota in Motion" Transportation Master Plan. The Planning Board shall have the option of conducting this meeting remotely by utilizing communications media technology as allowed by and in accordance with the Governor's Executive Order 20-69. In the event this meeting is held utilizing communications media technology, then City staff shall be made available to provide support to

facilitate the conduct of this meeting. The Planning Board's authorization to conduct meetings subsequent to June 10, 2020 shall be addressed in a subsequent Order.

D. Board of Adjustment: The Board of Adjustment (BOA) may resume its regular monthly meetings commencing on Wednesday, June 24, 2020 and thereafter on the final Wednesday of every month. The June 24, 2020 agenda shall consist of two items as follows: (1) 20-VAR-01: St. Armands Circle restrooms (originally scheduled for March 25, 2020 BOA meeting) and (2) 20-VAR-02: 1500 Cunliff Lane (would have been scheduled for April 29, BOA 2020 meeting) The Board of Adjustment shall have the option to conduct this meeting and future meetings remotely by utilizing communications media technology as allowed by and in accordance with the Governor's Executive Order 20-69 for as long as this Order remains in effect, subject to the availability of City staff to provide adequate support to facilitate the conduct of remote meetings with Board members not physically present at a location accessible to the public.

E. Development Review Committee: The Development Review Committee (DRC) shall conduct two (2) meetings during the month of June 2020 on the following dates to consider the applications for development approvals listed below. The Development Review Committee shall meet on Wednesday, June 17, 2020 and the agenda shall consist of the following five items: (1) Quay Sarasota Blocks 4 & 5 (SP); (2) Executive House 1000 N. Lockwood Ridge Rd. (REN); (3) Fifth Third Bank 300 N. Washington Blvd. (ASP); (4) Raffurty's LLC 1888 Main St. (SP/CU); (5) The Bay Park, Phase I, 1001 Blvd of the Arts & 803 N. Tamiami Trail (SP/CU/GZW). The Development Review Committee shall also meet on Wednesday, June 24, 2020 and the agenda shall consist of the following two items: (1) Marie Selby Botanical Gardens, Phase I 926 S. Palm Avenue (SP/RE/SV) and (2) Ringling College of Art and Design Dining Facility, 2736 Old Bradenton Rd (SP/RE/SV/ZTA). Staff may make arrangements to conduct these meetings by

utilizing communications media technology if determined feasible. The Development Review Committee is a staff committee not subject to the requirements of the Sunshine Law and accordingly not within the scope of the Governor's Executive Order 20-69. However, the Zoning Code requires that all Development Review Committee meetings shall be open to the general public for observation. This mandate shall be adhered to whether the DRC meetings are held with members physically present at City Hall or whether the meetings are held remotely. It is anticipated at this time that the Development Review Committee will continue to meet in July 2020. However, Development Review Committee meetings in July 2020 and in subsequent months shall occur only as may be provided by subsequent Order(s).

Section 4. The City of Sarasota shall resume accepting applications for development approvals during the month of June 2020 on a limited basis as provided in this Section 4. All applications submitted in June 2020 shall be re-submittals of applications that have previously been reviewed by the Development Review Committee but did not receive "sign off" from the DRC. On Wednesday, June 10, 2020 the applicants for the following (5) projects may, at their option, file their re-submittals with the Office of the City Auditor and Clerk: (1) Zahrada II, 1558 4th St. (ASP); (2) BPOZ Main LLC, 1991 Main St. (ASP); (3) En Pointe, 509 Golden Gate Point (SP); (4) Circle K - Dog Track, 5400 Old Bradenton Rd. (SP); and (5) Citadel, LLC, 2040 6th St. (SP/MCU). On Tuesday, June 23, 2020, the applicants for the following three (3) projects may, at their option, file their re-submittals with the Office of the City Auditor and Clerk: (1) Arlington Commons, 2750 Bahia Vista St. (SP/RE); (2) The Beacon, 1243 2nd St. (ASP); and (3) Harvest Tabernacle, 3650 17th St. (SP/CU). Filing of re-submittals in the future for all applications described above that are not filed on the dates specified and for all applications described in Section

3E above shall be allowed as provided by subsequent Order(s). Filing of new applications for development approvals will be allowed as provided by subsequent Order(s).

Section 5. In light of the circumstances described in the preamble to this Order, members of the general public are very strongly urged to wear protective masks when outside of their homes. For those citizens who reside in multi-family residential condominiums and apartments, the phrase "outside their homes" means outside of the condominium or apartment in which they reside. It is strongly recommended that condominium and apartment residents wear masks when they are in the common areas of their buildings, including but not limited to hallways, elevators, lobbies and mailrooms. It is anticipated that when current public health emergency restrictions are lifted or scaled back all citizens may be required by local, state or federal directives to wear a mask when in a public place or when in a business establishment open to the public.

Section 6. As soon as feasible after issuance and filing with the City Auditor and Clerk, this Emergency Order shall be published on the web site of the City of Sarasota.

DONE AND ORDERED this 22nd day of May 2020.

CITY OF SARASOTA, FLORIDA

By: 

Thomas Barwin
City Manager