

**EMERGENCY ORDER OF THE CITY MANAGER EXTENDING THE
DECLARATION OF A CITY-WIDE PUBLIC HEALTH EMERGENCY;
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, May 15, May 22, May 29, June 5, and June 12, 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 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 began 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, on June 3, 2020 the Governor issued Executive Order 20-139 which also extended and further modified Executive Order 20-112 by commencing Phase 2 of the "Plan for Florida's Recovery" as part of the safe, smart, step-by-step approach to reopen Florida; and

WHEREAS, Executive Order 20-139 provides that all persons in Florida are encouraged to follow appropriate social distancing and safety protocols issued by the CDC and Occupational Safety and Health Administration (OSHA) and that senior citizens and individuals with a significant underlying medical condition are strongly encouraged to avoid crowds and that all persons in Florida are encouraged to avoid congregating in groups larger than 50 persons and that in store retail businesses should maintain appropriate social distancing and sanitation protocols; and

WHEREAS, Executive Order 20-139, among other things, allows City Commission and board meetings to be conducted using communications media technology through June 30, 2020; and

WHEREAS, consistent with the direction from the Governor set forth in Executive Orders 20-91, 20-92, 20-112, 20-114, and 20-139, 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 June 19, 2020 extended the City-wide declaration of a Public Health Emergency for an additional period of seven (7) days, and ordered the partial resumption

of specified City board meetings and set out the schedule for accepting and processing applications for development approvals with a return to the process in place before March 13, 2020 to commence on August 31, 2020; 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 June 26, 2020.

Section 2. 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 meetings may be resumed:

- A. Planning Board: The Planning Board may conduct a special meeting on Wednesday, July 22, 2020 commencing at 1:30 p.m. The agenda for the July 22, 2020 Planning Board special meeting shall contain the following two items: (1) Executive House 1000 N. Lockwood Ridge Rd. (REN); and (2) Raffurty's LLC 1888 Main St. (SP/CU). In addition, the agenda for the July 22, 2020 Planning Board special meeting may, at the discretion of staff, contain one or both of the following two items: (1) The Citadel (MCU/SP) and (2) Circle K at the (former)

dog track. Unless Executive Order 20-69 is extended beyond June 30, 2020, all regular and special Planning Board meetings authorized by this Order and by previous Order shall be conducted with a quorum of Planning Board members physically present at a location that is open to the general public.

B. Public Art Committee: By previous Order, the Public Art Committee has been authorized by Order dated June 5, 2020 to hold a special meeting on Wednesday, July 8, 2020 and to resume its regular meeting schedule commencing Wednesday, August 5, 2020. The subject of a public art project to pay artists to create murals as an economic development measure to assist in the recovery from the COVID-19 pandemic that was introduced by the City Manager at the regular City Commission meeting of June 15, 2020 may be added to the agenda for either of these meetings or become the subject of a special Public Art Committee meeting to be scheduled by the City Planning Department. Unless Executive Order 20-69 is extended beyond June 30, 2020, all regular and special Public Art Committee meetings authorized by this Order shall be conducted with a quorum of Public Art Committee members physically present at a location that is open to the general public.

C. Code Compliance Hearings: Hearings on Code Compliance cases held by the Special Magistrate in which the parties have consented in writing to have their hearings conducted over the telephone may be held on Thursday, July 9, 2020. Future Code Compliance hearings may be conducted as provided by subsequent Order.

D. Development Review Committee: In addition to the meetings authorized by previous Orders, the Development Review Committee (DRC) shall conduct a meeting on Wednesday July 15, 2020. The agenda shall contain any applications determined by staff to be ready for consideration or re-consideration by the DRC, provided such applications were filed with

the City Auditor and Clerk on or before March 13, 2020. In addition, the July 15, 2020 Development Review Committee agenda may contain as an agenda item, the request for a pre-application conference with staff for property located at 2035 Wisteria Street (Application 20-PRE-11).

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 July 15, 2020 DRC meeting is held with members physically present at City Hall or whether the meeting is held remotely. Subsequent to the July 15, 2020 meeting, the Development Review Committee may resume its regular meeting schedule commencing on August 5, 2020 and continuing on the first and third Wednesday of each month thereafter. The agendas for these meetings shall be as determined by staff.

Section 3. Community Workshops: Community workshops required by Section IV-201(b) of the Zoning Code may be scheduled by the Planning Department for any date commencing on August 3, 2020 and on any date thereafter. Community workshops shall not be held prior to August 3, 2020.

Section 4. Applications for Development Approvals:

A. Re-submittals: Any re-submittals required by the Development Review Committee may be filed with and accepted by the Office of the City Auditor and Clerk on Monday, June 29, 2020. Commencing on Monday, July 13, 2020 re-submittals may be filed with and accepted by the Office of the City Auditor and Clerk on any day during regular business hours.

B. **New Applications:** New applications for development approvals that do not require a community workshop prior to filing the application may be filed on Monday, August 3, 2020. (Such applications may include, but are not limited to applications for "stand alone" site plan approval and applications for Zoning Text Amendments) New applications for all development approvals, (whether or not such development approvals require a community workshop prior to filing) may be filed on Monday, August 17, 2020. For applications filed on Monday, August 17, 2020 only, the requirement to hold a community workshop prior to filing shall be waived subject to the condition that the community workshop must be held prior to the date that the application receives final "sign off" from the Development Review Committee. The Development Review Committee shall not sign off on any application until the minutes of the community workshop are provided for DRC review.

Commencing on Monday, August 31, 2020, the City shall return to the process in place prior to March 13, 2020 and applications for development approvals may be filed in the Office of the City Auditor and Clerk on the Mondays that precede the first and third Wednesdays of each month when regular Development Review Committee meetings are held.

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 5. 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 19th day of June, 2020.

CITY OF SARASOTA, FLORIDA

By: 

Thomas Barwin
City Manager

