BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 39-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on March 16, 2020, the Mayor of the City of Stuart issued a local emergency declaration pursuant to Florida Statute, §252.38(2); and

WHEREAS, on March 17, 2020, the City Commission adopted Resolution 38-2020 extending the Local State of Emergency through April 13, 2020. Resolution 38-2020 also cancelled several meetings and extended other advertised meetings to specific dates as set forth in the Resolution.

WHEREAS, the City Commission hereby finds that the City remains in a state of emergency due to the exposure and spread of COVID-19; and

WHEREAS, due to the recommendations of the Center for Disease Control, the World Health Organization as well as the State of Emergency entered by the Governor of Florida, it has become necessary to continue emergency operations as described by the State of Emergency entered by the Mayor; and

WHEREAS, the City Commission finds that it is necessary and reasonable for the City to continue exercising emergency powers invoked by the Declaration of Local Emergency signed by the Mayor in order to protect the health, safety and welfare of the citizens of Stuart, Florida, and finds that it is necessary to reconfirm and extend the Declaration of Emergency; and

WHEREAS, pursuant to Section 252.38(2), Florida Statutes, the City of Stuart shall be authorized to waive the procedures and formalities otherwise required by law pertaining to performance of public works, operation of the City and otherwise providing for the health and welfare of the citizens of Stuart, Florida.

WHEREAS, the City Commission has discussed the public health concerns and balanced the dangers associated with the COVID-19 virus with the need for public meetings and determined that the best interests of the community are served by following the Emergency Orders entered by the Governor, Martin County and the City of Stuart.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, THAT:

SECTION 1. The City Commission hereby extends the Local State of Emergency and Resolution 38-2020 until May 11, 2020 unless terminated by the City Commission at an earlier date.

SECTION 2. The Commission hereby authorizes the City Manager to utilize communications media technology such as telephonic and video conferencing as provided in section 120.54(5)(b)(2), Florida Statutes. Further, pursuant to the Governor's Executive Order 20-69, the City Commission shall be exempt from any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public space.

SECTION 3. The City Commission temporarily suspends Section 2-48 of the City of Stuart Code of Ordinances to the extent that it requires the regular City Commission meetings to be held at 121 SW Flagler Avenue and to begin at 5:30. The City Manager shall have the authority to schedule the meetings at such location, including electronic or virtual locations as is reasonable under the circumstances of the State of Local Emergency. Further, Section 2-48(b) is suspended to the extent that it is in conflict with the Governor's Executive Order 20-69 to allow for meetings via electronic means if deemed necessary by the City Manager.

SECTION 4. The City Commission hereby suspends the Land Planning Agency Meetings; The Community Redevelopment Board Meetings and the Board of Adjustment Meetings until May 11, 2020 or further order of the Commission.

SECTION 5. Ordinance 2427-2020, referred to as the Springtree Planned Urban Development and Future Land Use change is hereby continued to May 11, 2020. Ordinance 2439-2020, referred to as Shoppes on Colorado Major Urban Code Conditional Use is hereby continued to the Community Redevelopment Board meeting scheduled for June 2, 2020.

SECTION 6. All items that have been previously scheduled for City Commission Meeting, Land Planning Agency Meeting; Community Redevelopment Board Meeting or Board of Adjustment Meeting that were continued in March or April and were not resolved or continued to a date certain at the April 13, 2020 meeting must comply with all notice requirements prior to the matter being heard. The Commission finds that due process requires the matters to be advertised according to City Code.

SECTION 7. This Resolution shall authorizes the City to waive the procedures and formalities otherwise required by law pertaining to performance of public works, operation of the City and otherwise providing for the health and welfare of the citizens of Stuart, Florida due to the potential exposure to the Novel Coronavirus (COVID-19).

SECTION 8. Procurement. During the Local State of Emergency, the applications within the bid process shall be limited to electronic submissions only. The bids shall be submitted to the email address provided in the proposal request. The bid openings will also be closed to the public in order to avoid cross contamination. The procurement department shall provide specific instructions and post same to the City Web Site as well as provide the instructions as addendums to all pending proposals.

SECTION 9. The Commission hereby authorizes the City Manager in accordance with Sec. 16-4 of city code to suspend city code requirements and to take actions necessary to protect the health and welfare of the community within the parameters of countywide unified command (examples: allowing dedicated parking for curbside pickup, closing athletics fields, suspending 3 hour parking, etc.). The City Manager shall enter Local Orders as necessary.

SECTION 10. Effective Date. This Resolution shall take effect immediately upon adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a

roll call vote, the vote was as follows:

	YES	NO	ABSENT	ABSTAIN
MICHAEL J. MEIER, MAYOR				
EULA R. CLARKE, VICE MAYOR				
KELLI GLASS LEIGHTON, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				
REBECCA S. BRUNER, COMMISSIONER				

ADOPTED this ____day of April, 2020.

ATTEST:

_____ _____

MARY R. KINDEL
CITY CLERK

MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY