BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 43-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RATIFYING EXECUTIVE ORDER 20-91 ENTERED BY GOVERNOR DESANTIS ON APRIL 1, 2020; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on March 1, 2020, the Governor entered an Executive Order pursuant to the authority vested in the Governor by Article IV, Section (1)(a) of the Florida Constitution and Florida Statute section 381.00315. In Executive Order 51-2020, the Governor directed the State Health Officer and Surgeon General to declare a public health emergency in the State of Florida and to take any action necessary to protect the public health; and

WHEREAS, on March 9, 2020, Governor DeSantis entered Executive Order 20-52 declaring a state of emergency exists in the State of Florida. Executive Order 20-52 authorized the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency; and

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 23, 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; and

WHEREAS, despite the measures taken by the State of Florida, Martin County as well as the City of Stuart, new cases of COVID-19 continue to occur at a significant rate demonstrating that more community action and cooperation to socially separate and maintain distance is necessary; and

WHEREAS, on April 1, 2020, Governor DeSantis entered Executive Order 20-91 which directed that all persons in Florida 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.

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; and

WHEREAS, conditions presented by the threat of COVID-19 continue to pose a threat to the public health that requires dynamic emergency response, including the maintenance of existing orders, as well as the imposition of additional directives and orders as conditions require; and

WHEREAS, it has become necessary that residents and visitors in Stuart, Florida as well as the greater Martin County area must take further steps to avoid close social interaction, including, when possible, remaining in their respective homes, residences, and domiciles; and

WHEREAS, it is safer to stay at home and subject to certain exceptions for essential activities and services while allowing minimum business operations that appropriately balance public health, safety, and welfare within the County while promoting the continued delivery of essential infrastructure, services, and functions to residents and visitors in Stuart, Florida; and

WHEREAS, the City Commission finds that in order to preserve the public peace, health and safety it is necessary to hold an emergency meeting adopting this Resolution and direct that this Resolution become effective immediately upon its passage.

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

SECTION 1. The City Commission hereby ratifies and endorses Executive Order 20-91expressly limiting the movement of persons in the State of Florida to protect against the COVID-19 virus.

SECTION 2. The City Commission hereby finds that the health and welfare of the people in Stuart, Florida justify the restrictions delineated in Executive Order 20-91 as well as the other Emergency Orders consistent therewith.

SECTION 3. The City of Stuart Police Department and other essential personnel are directed to enforce the restraints set forth in the Executive Order within the city limits of the City of Stuart, Florida.

SECTION 4. All Resolutions or Orders or parts of Resolutions/Orders that are in conflict with the provisions of this Resolution, or inconsistent with the regulations of this Resolution are hereby stayed to the extent necessary to give this Resolution full force and effect until its expiration.

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