

CAPTIVA EROSION PREVENTION DISTRICT, FLORIDA
EXTENSION OF EMERGENCY RESOLUTION 2020-02.3
COVID-19

AN EXTENSION OF EMERGENCY RESOLUTION 2020-2 OF THE CAPTIVA EROSION PREVENTION DISTRICT DECLARING A STATE OF LOCAL EMERGENCY RESULTING FROM OUTBREAK OF THE CORONAVIRUS DISEASE 2019 (COVID-19); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Emergency Resolution 2020-2 was adopted on March 19, 2020; and

WHEREAS, Emergency Resolution 2020-2 shall be extended every seven (7) days until this national, state and local State of Emergency is concluded and this Resolution is no longer needed, or all or some of the terms of this Resolution are rescinded, amended or replaced by the CEPD or by the CEPD Administrator; and

WHEREAS, On March 20, 2020, Governor DeSantis issued Executive Order 20-69, which provides:

- **Section 1. I hereby suspend any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public place.**
- **Section 2. Local government bodies may utilize communications media technology, such as telephonic and video conferencing, as provided in section 120.54(5)(b)2., Florida Statutes.**
- Section 3. This Executive Order does not waive any other requirement under the Florida Constitution and "Florida's Government in the Sunshine Laws," including Chapter 286, Florida Statutes.
- Section 4. This Executive Order shall expire at the expiration of Executive Order 20-52, including any extension.

The general requirements of the Sunshine Law under Section 286.011, Florida Statutes, are reasonable notice of the meeting, that the meeting be open to the public (such as using communications media technology under this Executive Order), and that minutes be prepared; and

WHEREAS, On April 1, 2020, Governor DeSantis issued E.O. 20-91 and 20-92 (Essential Services and Activities During Covid 19 Emergency); and

NOW THEREFORE, BE IT RESOLVED by the CAPTIVA EROSION PREVENTION DISTRICT and as herein EXTENDED by the CEPD ADMINSTRATOR, Florida:

Section 1. Emergency Resolution 2020-2 is hereby extended by the CEPD Administrator as follows (additional, amended language is underlined, deleted language in ~~strike-through~~):

- a. The CAPTIVA EROSION PREVENTION DISTRICT, Florida, for future meetings and workshops scheduled or occurring during the declared national, state and county emergency, hereby “waives the procedures and formalities otherwise required” to allow attendance by telephone or electronic means, including use of internet and phone applications, when necessary to obtain a quorum, in order to take action during voluntary self-quarantine and social distancing due to the COVID 19 state of emergency.
- b. The CAPTIVA EROSION PREVENTION DISTRICT, Florida, closes, all CEPD public beach parking lots and CEPD public beach restrooms and CEPD public beach accesses including, but not limited to, the Alison Hagerup parking lot and facilities beginning at 6 p.m. on March 19, 2020 until further notice of the CEPD Administrator.
- c. The CAPTIVA EROSION PREVENTION DISTRICT, Florida, prohibits groups of 10 or more persons at all CEPD public beach accesses.
- d. The CAPTIVA EROSION PREVENTION DISTRICT, Florida, directs that groups of less than 10 persons sit at least six (6) feet from other groups at all CEPD public beach accesses.
- e. The CAPTIVA EROSION PREVENTION DISTRICT, Florida, hereby waives the procedures and formalities otherwise required by law, regarding procurement and expenditures as deemed necessary by the CEPD Administrator including, but not limited to:
 - 1) Performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community;
 - 2) Entering into contracts;
 - 3) Incurring obligations;
 - 4) Hiring of personnel including permanent, temporary and volunteer workers or independent contractors to perform tasks related to COVID-19;
 - 5) Rental of equipment;
 - 6) Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
 - 7) Appropriation and expenditure of public funds.

Section 2. The CEPD Administrator is hereby delegated, authorized and designated as the declaring official for purposes of implementing the CEPD's Emergency Operations Plan, extending or terminating the provisions of this Emergency Resolution CEPD's Authority, all emergency powers as provided in Chapter 252, Florida Statutes, and all other powers set forth in any Executive Order that may be issued by the President of the United States of America, the Governor of the State of Florida and Resolutions and Declarations of Lee County Florida.

Section 3. The CEPD Administrator shall appoint and delegate a staff member to act as an interim CEPD Administrator on behalf of the CEPD Administrator if the CEPD Administrator can no longer perform the functions of the office and this Resolution.

Section 4. The CEPD Administrator shall be delegated the authority and discretion to manage employees, employee schedules, modify office hours, additional office cleaning and best disinfection procedures, and allow for remote work at home hours and other personnel and staffing arrangements as needed during the state of emergency.

Section 5. This Resolution shall take effect immediately upon adoption and shall be automatically extended every seven (7) days until this national, state and local State of Emergency is concluded and this Resolution is no longer needed, or all or some of the terms of this Resolution are rescinded, amended or replaced by the CEPD or by the CEPD Administrator.

DULY INTRODUCED, PASSED AND ENACTED by the CEPD Board of Commissioners of the CAPTIVA EROSION PREVENTION DISTRICT, on Captiva Island, in Lee County, Florida on March 19, 2020 **and extended by the CEPD Administrator on this April 9, 2020.**

DocuSigned by:
Joe Wagenti
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CEPD Administrator, Joe Wagenti

ATTEST:
DocuSigned by:
Kimmy Foulds
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CEPD Assistant Administrator, Kimmy Foulds

Approved as to legal sufficiency:

Ralf G. Brookes

CEPD Attorney, Ralf Brookes Attorney