



CITY OF BARTOW

OFFICE OF THE CITY MANAGER
APRIL 1, 2020

EMERGENCY ADMINISTRATIVE ORDER NO. 2020-04

I, George A. Long, as City Manager of the City of Bartow, issue the attached revised and consolidated set of emergency administrative orders pursuant to § 252.38(3)(a), Florida Statutes (2019), §§ 26-26, *et seq.*, *Code of Ordinances of the City of Bartow, Florida*, and Resolution 20-4041-R of the City Commission of the City of Bartow, Florida dated March 16, 2020.

These administrative orders shall only be effective during the State of Civil Emergency and shall expire as stated therein. Each administrative order, any portion thereof, or all orders as a whole, may be withdrawn or superseded at any time by subsequent administrative order.

DONE and ORDERED at BARTOW, FLORIDA this 1st day of April, 2020.

George A. Long, City Manager

ATTEST:

Jacqueline Poole, City Clerk

**CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS**

Order Title: Employee Travel and Leave	Series No.: One	Subject: Emergency Administrative Order restricting official travel by City of Bartow employees and describing official City of Bartow leave policies during the COVID-19 Local State of Emergency
Original Order No. / Issue Date CM EAO 2020-01 March 17, 2020	Last Revised Order No. / Issue Date CM EAO 2020-04 April 1, 2020	Expiration Date: End of Local State of Civil Emergency

Section 1. Official Travel.

Official travel on behalf of the City of Bartow outside the boundaries of Polk County, Florida is prohibited without the express authorization of the City Manager for the duration of the State of Civil Emergency declared by Governor Ron DeSantis in Executive Order 20-52 and the City Commission in Resolution 20-4041-R. Employees should take steps to cancel and rearrange plans for scheduled official travel. Employees should further limit official travel within Polk County, Florida as much as reasonably possible for the duration of the State of Civil Emergency and should, in every case possible, use alternative means to facilitate City business such as teleconferencing, video conferencing and other similar technologies.

Section 2. Leave; Generally.

The City of Bartow provides critical infrastructure to daily life for its citizens, residents and visitors. City employees have a special responsibility to maintain normal work schedules for the duration of the State of Civil Emergency and are expected to observe guidance issued by the Centers for Disease Control (“CDC”) and the Florida Department of Health (“FDOH”) to protect the health of others at work. Leave requests will be closely scrutinized and employees will be asked to state if out-of-County travel is expected as part of the requested leave and, if so, the destination and mode of expected travel.

Section 3. Interim COVID-19 Leave Policies for State of Civil Emergency.

In response to the COVID-19 outbreak, the following interim employee leave time policies shall take immediate effect and remain in effect for the duration of the City of Bartow’s State of Civil Emergency:

(a) Employees exhibiting COVID-19 symptoms.

(1) At work. A city employee who exhibits symptoms of COVID-19 or infection with SARS-CoV-2 while at work shall be instructed to immediately contact FDOH by telephone for screening. If FDOH screening indicates a high likelihood of

SARS-CoV-2 infection, the employee shall be instructed to leave municipal premises. An employee so instructed shall receive administrative leave with pay for the hours remaining in his or her regular shift of work for that day, rounded to the nearest quarter-hour. Thereafter, the employee shall not be permitted to return to work until the employee is given medical clearance. During the interim period, the employee shall be eligible to use leave to receive pay. If the employee is qualified and eligible, the employee may use leave provided by the *Families First Coronavirus Response Act* (“FFCRA”), Public Law No. 116-127, to the extent such leave is available. The employee may also use City leave, which shall be deducted from the employee’s accrual accounts in the following order: (i) Compensatory Time; (ii) Sick Time; (iii) Vacation Time; (iv) Personal Time, to the extent such leave is available.

(2) *Outside of work.* A city employee who (i) displays symptoms of COVID-19 or infection with SARS-CoV-2 outside of work, or (ii) has been instructed by a medical professional to be tested for COVID-19 / SARS-CoV-2 infection, should contact FDOH by telephone for screening. If the FDOH screening indicates a high likelihood of SARS-CoV-2 infection, the employee should inform his or her supervisor of the situation by expeditious means and not return to work until the employee is given medical clearance. With appropriate documentation from a medical professional, the employee shall be eligible to use leave to receive pay during the period of his or her absence from work. If the employee is qualified and eligible, the employee may use leave provided by FFCRA, to the extent such leave is available. The employee may also use City leave, which shall be deducted from the employee’s accrual accounts in the following order: (i) Compensatory Time; (ii) Sick Time; (iii) Vacation Time; (iv) Personal Time, to the extent such leave is available.

(b) *Order of quarantine.* A city employee who is quarantined under federal or state law by order of the CDC or the FDOH shall, in the event the employee is unable to perform his or her normal duties of work from home, be eligible to use leave to receive pay during the period of quarantine. If the employee is qualified and eligible, the employee may use leave provided by FFCRA, to the extent such leave is available. The employee may also use City leave, which shall be deducted from the employee’s accrual accounts in the following order: (i) Compensatory Time; (ii) Sick Time; (iii) Vacation Time; (iv) Personal Time, to the extent such leave is available.

(c) *Self-quarantine.* A city employee asked to self-quarantine by the CDC or the FDOH shall, in the event the employee is unable to perform his or her normal duties of work from home, be eligible to use leave to receive pay during the period of self-quarantine. If the employee is qualified and eligible, the employee may use leave provided by FFCRA, to the extent such leave is available. The employee may also use City leave, which shall be deducted from the employee’s accrual accounts in the following order: (i) Compensatory Time; (ii) Vacation Time; (iv) Personal Time, to the extent such leave is available. City Sick Time accruals may not be used to receive pay during self-quarantine unless the employee qualifies to use Sick Time under a separate interim COVID-19 policy or the City’s regular Sick Time policy.

(d) *Asymptomatic COVID-19 situations.* Each department head, in his or her discretion, may allow an asymptomatic subordinate city employee to be absent from work when there is a legitimate reason to believe the employee, or the employee's relative, roommate or close contact, has COVID-19 or is positive for SARS-CoV-2 infection. In the event the employee is unable to perform his or her normal duties of work from home, the employee shall be eligible to use leave to receive pay during the period of his or her absence from work. If the employee is qualified and eligible, and the FFCRA applies to the employee's situation, the employee may use leave provided by FFCRA, to the extent such leave is available. The employee may also use City leave, which shall be deducted from the employee's accrual accounts in the following order: (i) Compensatory Time; (ii) Vacation Time; (iv) Personal Time, to the extent such leave is available. City Sick Time accruals may not be used to receive pay in asymptomatic situations unless the employee qualifies to use Sick Time under a separate interim COVID-19 policy or the City's regular Sick Time policy.

(e) *Families First Coronavirus Response Act ("FFCRA"). Effective April 1, 2020 – December 31, 2020. See Pub. L. 116-127; H.R. 6201 (Mar. 18, 2020).* There are two types of leave available to qualified employees under the FFCRA.

(1) *Family Medical Leave Act Expansion ("FMLA Expansion").* A qualified city employee who has been employed by the City for at least thirty (30) days and who cannot work, including telework, because he or she must care for his or her minor child due to the closure of the minor child's school or child care provider because of the COVID-19 pandemic may use Family Medical Leave for up to twelve (12) weeks. The first two (2) weeks of leave taken under the FMLA Expansion will be unpaid. Any subsequent leave taken under the expansion will be paid at two-thirds (2/3) of the employee's regular pay. Said pay is capped at \$200.00 per day and \$10,000.00 in the aggregate. All other terms and conditions for Family Medical Leave remain in full force and effect.

(2) *Emergency Paid Sick Leave ("EPSL").*

(A) A qualified city employee who (i) is isolated or quarantined due to contracting COVID-19; (ii) has been advised by a health care provider to self-quarantine due to COVID-19; or (iii) has COVID-19 symptoms and is seeking diagnosis may use up to eighty (80) hours of leave for a full time employee, or the average hours of a two week period for a part-time employee, at the employee's regular pay rate. EPSL pay in this instance is capped at \$511.00 per day and \$5,111.00 in the aggregate.

(B) A qualified city employee who (i) is caring for someone who is quarantined, isolated or self-isolated due to COVID-19; (ii) is caring for his or her minor child because the minor child's school or child care provider is closed due to the COVID-19 pandemic; or (c) experiencing substantially similar conditions may use up to eighty (80) hours of leave for a full time employee, or the average hours of a two week period for a part-time employee, at two-thirds (2/3) of the

employee's regular pay rate. EPSL pay in this instance is capped at \$200.00 per day and \$2,000.00 in the aggregate.

(3) City employees who are "Emergency Responders" are excluded from using FMLA Expansion leave or EPSL pursuant to the FFCRA. See § 110(a)(3)(A), Pub. L. 116-127.

(f) *Administrative leave without pay.* Administrative leave with without pay shall be generally available during the State of Civil Emergency to employees who otherwise would qualify for leave based on COVID-19 illness or COVID-19-related circumstances. No employee shall elect to use administrative leave without pay for more than the equivalent of ten (10) regular shifts of work without prior approval from his or her department head.

(g) *Work from home.* During the State of Civil Emergency, a city employee who is able to perform his or her normal duties of work from home may, with the express written approval from his or her department head, be eligible to work from home and receive pay. If permitted to work from home, employees shall not work more than the equivalent of ten (10) regular shifts without prior department head approval. Employees eligible to work at home may not work overtime, nor receive pay for overtime, under any circumstance.

(h) *Special leave requests.* Department heads may, in their discretion, authorize a subordinate city employee to use leave accruals and/or administrative leave without pay for special reasons related to the COVID-19 or SARS-CoV-2 emergency that are not described in the interim policies above. Special leave shall be coordinated with Personnel before approval. Special leave requests are disfavored and should only be approved sparingly on a case-by-case basis for the protection of the health of the general public, the health of the employee, or the health of a relative of the employee. Each department head's decision with respect to a special leave request is final and non-appealable.

(i) *Regular leave policies.* In addition to the foregoing interim policies, all regular leave time policies of the City shall remain in effect.

(j) *Oversight; Authority to Protect the Public Health.* All leave granted under these policies is subject to review and reclassification by Personnel at any time in order to properly administer interim COVID-19 related leave in accordance with generally applicable laws. In addition, each department head shall have the authority to instruct his or her subordinate city employees to take COVID-19-related leave to protect the health, safety and welfare of the general public and of the City of Bartow workforce.

(k) *Supplementing FFCRA Compensation.* A city employee may, with department head permission, supplement the difference in FMLA Expansion leave and/or EPSL compensation with the use and payment of City-provided accrued compensatory, sick, vacation or personal leave; *provided that* in no instance will the amount supplemented exceed that earned and regularly paid to the employee under ordinary conditions.

**CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS**

Order Title: Employee Personal Activities and Personal Travel	Series No.: Two	Subject: Emergency Administrative Order encouraging employees to limit personal travel outside the boundaries of Polk County, Florida, monitor available news sources, and avoid eating in restaurants or in places where persons are gathered
Original Order No. / Issue Date CM EAO 2020-01 March 17, 2020	Last Revised Order No. / Issue Date CM EAO 2020-04 April 1, 2020	Expiration Date: End of Local State of Civil Emergency

Section 1. Personal Travel.

Employees are encouraged to limit personal travel outside the boundaries of Polk County, Florida to necessary trips only. Employees of the City of Bartow are also encouraged to keep a travel log of destinations and stops for personal trips outside of Polk County, Florida.

Section 2. News Monitoring.

Consistent with guidance from the CDC, employees are encouraged to monitor local news outlets for information about COVID-19, to review available information and understand the signs and symptoms of COVID-19, to practice personal protective measures outside of official work activities such as frequent hand sanitizing or hand washing with soap for 20 or more seconds, create a household plan of action with families, obtain a 30-day supply of medicines and monitor emergency operations plans for the Polk County School Board and places of work for spouses and other household members.

Section 3. Restaurants.

Given the limits placed on restaurants by Executive Orders 20-68, issued March 17, 2020, and 20-71, issued March 20, 2020, employees are encouraged to avoid eating at restaurants and other places where significant numbers of individuals are gathered. Food orders at restaurants should be taken to-go for consumption at home or at places with small gatherings of family or other healthy individuals.

**CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS**

Order Title: Recreational Activities and Municipal Facilities	Series No.: Three	Subject: Emergency Administrative Order regarding cancellation of recreational activities and closures of municipal facilities
Original Order No. / Issue Date CM EAO 2020-01 March 17, 2020	Last Revised Order No. / Issue Date CM EAO 2020-04 April 1, 2020	Expiration Date: April 30, 2020

Section 1. Users of Facilities Must Follow CDC and FDOH Guidelines; Facilities Subject to Close Without Notice.

During the effective period of this order, all users of City of Bartow facilities must follow current CDC and FDOH guidelines for group size and social distancing and are encouraged to monitor news sources and official sources of information for the latest requirements.

The intent of this policy is to continue to provide as many recreation opportunities to the general public as possible, within reason, during the State of Civil Emergency. Users are advised that the City shall close facilities, without notice, as circumstances change during the State of Civil Emergency regarding the pattern of public use of such facilities; the unavailability of City staff to properly manage or maintain such facilities; the issuance of new CDC and FDOH guidance; and/or the issuance of emergency orders by the State of Florida, Polk County, or the City Manager.

The city reserves the right to remove and/or deny admission to any or all of its facilities, including parks, to (a) any person exhibiting signs of COVID-19 infection; (b) any person or group of persons not following current CDC and FDOH guidelines for group size and social distancing; and (c) any person exhibiting reckless disregard to themselves, to others or the general public health, safety and welfare. As of date of the last revision to this order, the CDC and FDOH advises that groups should not exceed ten (10) persons in size and that persons should remain at least six (6) feet from other persons at all times.

Section 2. Events and Sports tournaments.

All events and sports tournaments, both indoor and outdoor, scheduled at City of Bartow facilities during the effective period of this order are suspended and cancelled. No further bookings will be accepted during the effective period of this order.

Section 3. Civic Centers.

Bartow Civic Center, Carver Recreation Center and Polk Street Community Center (“Civic Centers”) shall, with the exception of election activity, close at 5:00 P.M. on March 17,

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2020. Civic Centers shall remain closed during the effective period of this order or until this order is amended otherwise. All meetings, rentals and activities scheduled to occur in Civic Centers during the effective period of this order, with the exception of election activity during the evening of March 17, 2020 and the day of April 7, 2020, shall be cancelled. No further bookings for meetings, rentals and activities will be accepted during the effective period of this order.

Section 4. Athletic Programming.

All City of Bartow athletics and recreation programming, including spring break tennis clinic, rugby clinic, senior classes and other classes and organized group activities scheduled during the effective period of this order shall be cancelled.

Section 5. Bartow Golf Course and Mulligan’s Restaurant.

Bartow Golf Course shall, until further administrative order, remain open for regular play. All tournament play scheduled for the Bartow Golf Course during the effective period of this order is cancelled. No further bookings for tournament play will be accepted during the effective period of this order. Mulligan’s Restaurant, including the dining room, bar and kitchen, at the Bartow Golf Course shall close at 5:00 P.M. on March 17, 2020 and shall remain closed until further administrative order. All bookings for use of common facilities at the Golf Course, to include the smokehouse, patio and dining room, during the effective period of this order are cancelled. No further bookings will be accepted during the effective period of this order. The city reserves the right to deny admission to the course to persons exhibiting signs of COVID-19 infection.

Section 6. Bartow Public Library.

Bartow Public Library shall close at 5:00 P.M. on March 17, 2020 and shall remain closed during the effective period of this order or until this order is amended otherwise. Room rentals and library programming scheduled during the effective period of this order is cancelled. No further bookings will be accepted during the effective period of this order.

Section 7. Parks.

City of Bartow Parks shall remain open during normal operating hours, however public bathrooms shall be closed. Park users are advised to use city park facilities at their own risk and to follow CDC and FDOH guidance for group size and social distancing. Pavilion rentals scheduled to occur during the effective period of this order are cancelled. No further bookings will be accepted during the effective period of this order.

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Park users are prohibited from using gasoline-powered electric generators during the effective period of this order.

Section 8. Outdoor Fields and Courts.

All outdoor fields and courts in city parks, to include the Pittas Complex, all baseball, football, soccer and softball fields, and the Triple Nickle Raceway, shall remain open on a limited basis during the effective period of this order. Persons and organized sports leagues may use outdoor fields and courts for single-player or single-team practice sessions, but not games or league events. Bathrooms and concession facilities at fields and courts shall be closed for the duration of this order. Fields and courts users are advised to use city facilities at their own risk; to observe CDC and FDOH guidance for group size and social distancing; to monitor news outlets for information about COVID-19 transmission; to review available information and understand the signs and symptoms of COVID-19; to encourage coaches and team members to practice personal protective measures such as frequent hand sanitizing or hand washing with soap for 20 or more seconds; and to monitor City and County emergency operations plans.

**CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS**

Order Title: Utilities	Series No.: Four	Subject: Emergency Administrative Order suspending utility disconnections for non-payment of services
Original Order No. / Issue Date CM EAO 2020-01 March 17, 2020	Last Revised Order No. / Issue Date N/A	Expiration Date: April 15, 2020

Section 1. Suspension of utility disconnects.

Utility disconnects are suspended until April 15, 2020.

**CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS**

Order Title: State of Local Civil Emergency	Series No.: Five	Subject: Emergency Administrative Order extending the State of Local Civil Emergency
Original Order No. / Issue Date CM EAO 2020-01 March 17, 2020	Last Revised Order No. / Issue Date CM EAO 2020-03 March 30, 2020, 8:40 A.M.	Expiration Date: April 6, 2020, 4:59 P.M.

The duration and effective period of the City of Bartow’s State of Civil Emergency relating to COVID-19 is, as of March 30, 2020, extended and renewed for seven (7) additional days. The extended and renewed period begins at 5:00 P.M. on Monday, March 30, 2020 and ends at 4:59 PM on Monday, April 6, 2020.

Original Period: Resolution 20-4041-R; March 16, 6:44 P.M. – March 23, 6:43 P.M.

First Extension: EAO 2020-02; March 23, 2020, 5:00 P.M. – March 30, 2020, 4:59 P.M.

Section Extension: EAO 2020-03; March 30, 2020, 5:00 P.M. – April 6, 2020, 4:59 P.M.

**CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS**

Order Title: Public Meetings	Series No.: Six	Subject: Emergency Administrative Order regarding public meetings of the City Commission and other boards and authorities of the City of Bartow
Original Order No. / Issue Date CM EAO 2020-04 April 1, 2020	Last Revised Order No. / Issue Date N/A	Expiration Date: April 30, 2020

Section 1. Meeting Cancellations.

The regular meetings of the City Commission of the City of Bartow for April 6, 2020 and April 20, 2020 are cancelled. Additionally, all regular meetings of the following boards and committees scheduled to occur prior to April 30, 2020 are cancelled:

- Beautification Advisory Board*
- Building and Housing Board of Appeals*
- Code Enforcement Special Magistrate*
- Community Redevelopment Agency*
- General Employees' Pension Trust Board of Trustees*
- Mayor's Art Club*
- Planning and Zoning Commission*
- Recreation Advisory Board*
- Zoning Board of Adjustment*

Notwithstanding anything herein, special meetings of the City Commission or of any board or committee may be noticed in accordance with general law, Executive Order and Administrative Order during the State of Civil Emergency, if necessary.