



CITY OF BARTOW

OFFICE OF THE CITY MANAGER
JUNE 8, 2020

EMERGENCY ADMINISTRATIVE ORDER NO. 2020-23

I, George A. Long, as City Manager of the City of Bartow, issue the attached set of Emergency Administrative Orders, which includes a revised version of Orders Series Five 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. All prior Orders to and through the date of this Order remain in effect unless amended herein.

This administrative order shall only be effective during the State of Civil Emergency and the orders issued 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 Each administrative order, any portion thereof, or all orders as a whole, may be withdrawn or superseded at any time by subsequent administrative order.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 8th day of June, 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 2020-13, April 30, 2020
Expiration Date: End of Local State of Civil Emergency or As Stated

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

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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

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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.

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(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

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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.

Section 4. Vacation Leave Accrual Caps.

Employee vacation leave accrual caps are suspended as follows: Between April 1, 2020 and the end of the State of Civil Emergency, employees may accrue vacation leave in excess of any cap identified in relevant personnel regulations and collective bargaining agreements at the employees' regular rate of accrual.

Section 5. Seniors Leave / Executive Orders 2020-91.

Section 1 A. of Executive Order 2020-91 issued April 1, 2020 by Florida Governor Ron DeSantis, entitled "Safer At Home," states in part that "Senior Citizens" shall "stay at home and take all measures to limit the risk of exposure to COVID-19." As clarified by the *Frequently Asked Questions* page released April 3, 2020 by Governor DeSantis, Senior Citizens may "leave their homes" only "when necessary to obtain or provide essential services or conduct essential activities."

Beginning April 7, 2020, the following employees of the City of Bartow shall be placed on administrative leave with pay ("Seniors Leave") for the period of April 7, 2020 to and through May 1, 2020 at 11:59 P.M.:

1. Andrien, Janie F.;
2. Estridge, Frederick M.;
3. Ewing, Jacqueline A.;
4. Griffin Jr., Leonard B.;
5. Sanders, Elaine L.;
6. Tucker, Gerald B.;
7. Weeks, Robert W.; and
8. Williams, Billy.

Employees on Seniors Leave shall, in accordance with Executive Order 2020-91, stay at home and take all measures to limit the risk of exposure to COVID-19. Such employees should leave their homes" only "when necessary to obtain or provide essential services or conduct essential activities." Each part-time employee on Seniors Leave shall receive pay equivalent to the

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average number of scheduled hours of work per week multiplied by his or her designated hourly rate of pay. Each full-time employee on Seniors Leave shall receive pay equivalent to forty (40) hours of work per week multiplied by his or her designated hourly rate of pay. Each employee on Seniors Leave shall receive all ordinary benefits, entitlements and leave time accruals during time spent on leave based on the number of hours paid. Employees shall receive pay at the same time as other City of Bartow employees.

Senior citizen employees of the City of Bartow not placed on Seniors Leave by this section and order are deemed to be part of the Essential Critical Infrastructure Workforce as defined by the U.S. Department of Homeland Security and Executive Order 2020-91 and are ordered to continue to report for work.

Seniors Leave, as provided for by this section of this order shall expire on May 1, 2020 at 11:59 P.M.

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 2020-13, April 30, 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, 20-71, issued March 20, 2020, and 20-112, issued April 29, 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. When eating at restaurants, employees should use outdoor seating areas if provided, and follow all recommended social distancing guidelines.

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 2020-22, June 5, 2020
Expiration Date: July 31, 2020

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

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.

During the State of Civil Emergency, the City may, in its sole discretion, reopen any one, some, or all, of its previously closed recreation facilities for limited use by the general public. A decision to reopen one or more of the City's recreational facilities will be made based on (a) policy guidance from the CDC, the FDOH, the Governor of the State of Florida and Polk County and (b) the availability of appropriate Personal Protective Equipment (PPE) for City staff. Timing will be coordinated with Polk County and other municipal governments in Polk County to avoid unreasonable demands on service.

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 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 advises that persons should remain at least six (6) feet from other persons at all times; additionally, the Florida Governor advises that all persons in Florida are encouraged to avoid congregating in groups larger than fifty (50) persons.

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Section 2. Events and Sports tournaments.

By prior administrative order of the City, all events and sports tournaments, both indoor and outdoor, scheduled at City of Bartow facilities through July 31, 2020 were suspended and cancelled. The following policy is issued based on a current evaluation of the circumstances and is subject to change and reconsideration without notice:

- Consistent with Executive Order 20-131 issued by Florida Governor Ron DeSantis, beginning Friday, June 19, 2020, outdoor fields and courts used for youth sports activities may be reserved by youth sports organizers for tournament play. Reservations may only be made by telephone until further notice. (863-534-0120) All tournament play must be managed in accordance with best practices issued by the tournament sponsor's sanctioning body and tournament events should follow all rules issued by the City of Bartow's Leisure Services Department. Organizers, participants and spectators must follow all signs and posted regulations placed by the City of Bartow while on City of Bartow property.

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, 2020. Civic Centers shall remain officially closed through July 31, 2020. Except for official government use during the State of Civil Emergency, all meetings, rentals and activities scheduled to occur in Civic Centers through July 31, 2020, 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. Any decision to open one or more Civic Centers will be made based on (a) policy guidance from the CDC, the FDOH, the Governor of the State of Florida and Polk County and (b) the availability of appropriate Personal Protective Equipment (PPE) for City staff.

The following policies are issued based on a current evaluation of the circumstances and are subject to change and reconsideration without notice:

- Beginning Friday, June 19, 2020, the Sam Griner swimming pool at Bartow Civic Center shall be open on a limited basis for lap swimming only. Use shall be limited based on available space and users are advised that time limits may be imposed based on demand. Pool restrooms will be available, however shower facilities shall be closed. Users should follow all rules issued by the City of Bartow's Leisure Services Department and follow all signs and posted regulations placed by the City of Bartow while on City of Bartow property.
- Beginning Monday, June 15, 2020, the weight room at Polk Street Community Center shall be open for use. Use shall be limited based on available space and users are advised that time limits may be imposed based on demand. Restrooms will be available, however shower facilities shall be closed. Users should follow all rules issued by the City of Bartow's

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Leisure Services Department, including social distancing and sanitation requirements, and follow all signs and posted regulations placed by the City of Bartow while on City of Bartow property.

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 through July 31, 2020 are cancelled.

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

Beginning May 7, 2020, Bartow Golf Course shall re-open for play. Patrons of the Bartow Golf Course shall observe current CDC and FDOH guidelines for group size and social distancing and follow all policies and public health safety rules implemented by course management, including any limitations placed on play groups, cart occupancy and start times.

Consistent with Executive Order 20-112 issued by the Florida Governor on April 29, 2020, beginning May 7, 2020 Mulligan’s Restaurant at the Bartow Golf Course shall re-open with limited food and beverage service for take-out and appropriately distanced outdoor seating. Beginning May 23, 2020, Mulligan’s Restaurant may re-open with limited appropriately distanced indoor seating. All bookings for use of common facilities at the Bartow 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.

By prior administrative order, tournament play at the Bartow Golf Course was cancelled through July 31, 2020. The following policy is issued based on a current evaluation of the circumstances and is subject to change and reconsideration without notice:

- Beginning Friday, June 19, 2020, Bartow Golf Course shall permit tournament play conducted in a safe and responsible manner. All tournament activity shall be coordinated with appropriate Leisure Services Department personnel.

Future decisions regarding operations at Mulligan’s Restaurant or the Bartow Golf Course will be made based on (a) policy guidance from the City Manager, the CDC, the FDOH, the Governor of the State of Florida and Polk County; and (b) the availability of appropriate Personal Protective Equipment (PPE) for City staff. Patrons are notified that the City may close the Bartow Golf Course and/or Mulligan’s Restaurant, without notice, as circumstances change during the State of Civil Emergency regarding the pattern of public use; the unavailability of City staff to properly manage or maintain the Course or Restaurant; 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.

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Section 6. Bartow Public Library.

Bartow Public Library shall close at 5:00 P.M. on March 17, 2020 and shall remain officially closed through July 31, 2020. Room rentals and library programming scheduled through July 31, 2020 are cancelled. No further bookings will be accepted during the effective period of this order. Consistent with Section 4(B) of Executive Order 2020-112, a decision to reopen the Bartow Public Library for service will be made based on (a) policy guidance from the CDC, the FDOH, the Governor of the State of Florida and Polk County and (b) the availability of appropriate Personal Protective Equipment (PPE) for City staff. If Bartow Public Library is reopened during the State of Florida's Phase I Recovery period, it shall only open incrementally and to the extent reasonable, given available data and the conditions that exist, up to 25% of maximum occupancy. Further, no interactive functions or exhibits, including computers and child play areas, will be open. Timing will be coordinated with Polk County and other municipal governments in Polk County to avoid unreasonable demands on service.

Section 7. Parks.

On April 1, 2020, Florida Governor Ron DeSantis issued Executive Orders 2020-91 and 2020-92 directing all persons in the State of Florida to limit movements and personal interactions outside of homes to essential services and essential activities which include certain specific recreational activities, such as walking, biking, hiking, fishing or running, and taking care of pets, consistent with social distancing guidelines recommended by the CDC and FDOH.

Effective April 4, 2020 at 12:01 A.M., access to and use of City of Bartow Parks and Recreation Facilities shall be limited to avoid unintentional viral transmissions during the State of Civil Emergency as follows:

- (a) Persons may use the open, outdoor and unenclosed areas of City of Bartow Parks and Recreation Facilities for the following activities until the end of the State of Civil Emergency:
 - (i) passive walking, biking, hiking, running and taking care of pets, consistent with CDC and FDOH guidance for group size and social distancing;
 - (ii) fishing within parks, consistent with CDC and FDOH guidance for group size and social distancing; and
 - (iii) racquet sports, such as tennis and racquetball, on unlocked open-air courts for single-player practice or very small group play, consistent with CDC and FDOH guidance for group size and social distancing.

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- (b) Unless specified otherwise, all pavilions, playgrounds, restrooms, outdoor fields and courts other than unlocked open-air racquet sports courts, outdoor fitness equipment, bandshells, amphitheaters, skate parks recreation amenities, and designated play areas are officially closed. Any decision to reopen some or all of these facilities will be made based on (a) policy guidance from the CDC, the FDOH, the Governor of the State of Florida and Polk County and (b) the availability of appropriate Personal Protective Equipment (PPE) for City staff.
- (c) Park users are advised to use city park facilities at their own risk. Park users must follow all City signs and marked instructions. Park users are advised that the City shall close Parks and Recreation Facilities, without notice, as circumstances change during the State of Civil Emergency regarding the pattern of public use of such parks and facilities; the unavailability of City staff to properly manage or maintain such parks and 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.
- (d) Park users are prohibited from using gasoline-powered electric generators during the effective period of this order.

Section 8. Outdoor Fields and Courts.

By prior administrative order, all outdoor fields and courts, other than unlocked open-air racquet sports courts, were officially closed through July 31, 2020. The following policy is issued based on a current evaluation of the circumstances and is subject to change and reconsideration without notice:

- Consistent with Executive Order 20-131 issued by Florida Governor Ron DeSantis, beginning Monday, June 8, 2020, outdoor fields and courts used for youth sports activities may be used and/or reserved by individuals, teams and leagues for local practice and local games or scrimmages. Reservations may only be made by telephone (863-534-0120) until further notice. All youth sports play must be managed in accordance with best practices issued by the organizer's sanctioning body, if any, and must follow all rules issued by the City of Bartow's Leisure Services Department. Organizers, participants and spectators of youth sports activities must follow all signs and posted regulations placed by the City of Bartow while on City of Bartow property.

Any decision to reopen outdoor fields and courts for additional activities will be made based on (a) policy guidance from the CDC, the FDOH, the Governor of the State of Florida and Polk County and (b) the availability of appropriate Personal Protective Equipment (PPE) for City staff.

Section 9. Summer Camps and Swim Lessons.

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Summer camps and swim lessons for Summer 2020 are cancelled. Any decision to provide summer recreational programming will be made based on (a) policy guidance from the CDC, the FDOH, the Governor of the State of Florida and Polk County and (b) the availability of appropriate Personal Protective Equipment (PPE) for City staff.

Section 10. Independence Day.

In an effort to encourage the continued good practice of social distancing and resulting suppression of viral transmission, the City and its partners have determined to cancel the 2020 Independence Day fireworks show and related festivities. On Saturday, July 4, 2020, large city parks such as Mary Holland Park, Mosaic Park and the 555 Bartow Ball Park shall close at 4:00 P.M. Other parks shall close as signed.

Section 11. Triple Nickle Raceway

Beginning May 26, 2020, the Triple Nickle Raceway at the 555 Bartow Ball Park may reopen for remote controlled car activities on a limited basis. Users shall follow social distancing requirements and avoid club meetings, activities, races, or contests which could reasonably be seen to draw crowds in excess of ten (10) persons.

Section 12. Skate Parks

Beginning May 26, 2020, the skate park at Mary Holland Park may reopen for appropriate activities on a limited basis. Users shall follow social distancing requirements and avoid club meetings, large group activities, or contests which could reasonably be seen to draw crowds in excess of ten (10) persons.

Section 13. Facilities and Pavilions.

By prior administrative order, all facility and pavilion rentals scheduled to occur through July 31, 2020 were cancelled. The following policies are issued based on a current evaluation of the circumstances and are subject to change and reconsideration without notice:

- Beginning Monday, June 8, 2020, park pavilions shall be open for use, and beginning Monday June 15, 2020 park pavilions may be reserved, by persons for responsible activities and groups of less than fifty (50) persons. Reservations may only be made by telephone (863-534-0120) until further notice. Individuals utilizing park pavilions must follow all rules issued by the City of Bartow's Leisure Services Department and adhere to all signs and posted regulations placed by the City of Bartow while on City of Bartow property.
- Beginning Friday, June 19, 2020, bandshells and amphitheatres shall be open for use and reservations by persons for responsible activities and groups of less than fifty (50) persons.

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Reservations may only be made by telephone (863-534-0120) until further notice. Individuals and spectators must follow all rules issued by the City of Bartow's Leisure Services Department and adhere to all signs and posted regulations placed by the City of Bartow while on City of Bartow property.

Indoor facility reservations remain suspended at this time and bookings will not be accepted during the effective period of this order.

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: CM EAO 2020-11, April 22, 2020
Expiration Date: End of Local State of Civil Emergency or As Stated

Section 1. **Suspension of utility disconnects.**

Utility disconnects are suspended until April 30, 2020.

Section 2. **Emergency Use of Meter Deposits.**

Notwithstanding Sections 78-52, 78-152 and 78-153 of the City's Code of Ordinances, or the text of the City's utility service deposit policies, during the State of Civil Emergency delinquent utility services customers may make a one-time request to avoid service disconnection and termination as follows:

(a) *Customers With Active Utility Meter Deposits:* A delinquent customer with an active utility meter deposit may make a one-time request for the City to use deposit monies to assist with satisfaction of the delinquency. The maximum amount of deposit monies that may be used to satisfy an outstanding delinquency shall be the amount of the most dated (oldest) month's utility services bill. If, after application of deposit monies, the outstanding delinquency is not fully satisfied, the customer shall be required to pay the remaining amount due by the City-established cutoff date to avoid service disconnection and termination. Each customer requesting application of deposit monies to assist with satisfaction of delinquency shall, in addition to payment of regular utility service charges, sign an agreement to pay to the City one-sixth (1/6) of the deposit amount which has been applied each month for a six (6) month period to restore the meter deposit to its original sum without interest.

(b) *Customers Without Active Utility Meter Deposits:* A delinquent customer without an active utility meter deposit may make a one-time request to pay the delinquency over time as follows: In addition to payment of regular utility service charges, the customer shall sign an agreement pay to the City one-sixth (1/6) of the delinquent sum each month for a six (6) month period without interest.

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 2020-23, June 8, 2020
Expiration Date: June 15, 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 June 8, 2020, extended and renewed for seven (7) additional days. The extended and renewed period begins at 5:00 P.M. on Monday, June 8, 2020 and ends at 4:59 PM on Monday, June 15, 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.
Second Extension: EAO 2020-03; March 30, 2020, 5:00 P.M. – April 6, 2020, 4:59 P.M.
Third Extension: EAO 2020-06; April 6, 2020, 5:00 P.M. – April 13, 2020, 4:59 P.M.
Fourth Extension: EAO 2020-09; April 13, 2020, 5:00 P.M. – April 20, 2020, 4:59 P.M.
Fifth Extension: EAO 2020-10; April 20, 2020, 5:00 P.M. – April 27, 2020, 4:59 P.M.
Sixth Extension: EAO 2020-12; April 27, 2020, 5:00 P.M. – May 4, 2020, 4:59 P.M.
Seventh Extension: EAO 2020-13; May 4, 2020, 5:00 P.M. – May 11, 2020, 4:59 P.M.
Eighth Extension: EAO 2020-16; May 11, 2020, 5:00 P.M. – May 18, 2020, 4:59 P.M.
Ninth Extension: EAO 2020-18; May 18, 2020, 5:00 P.M. – May 25, 2020, 4:59 P.M.
Tenth Extension: EAO 2020-19; May 25, 2020, 5:00 P.M. – June 1, 2020, 4:59 P.M.
Eleventh Extension: EAO 2020-21; June 1, 2020, 5:00 P.M. – June 8, 2020, 4:59 P.M.
Twelfth Extension: EAO 2020-23; June 8, 2020, 5:00 P.M. – June 15, 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: CM EAO 2020-19, May 22, 2020
Expiration Date: June 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.

Section 2. Meetings During May 2020.

(a) The City Commission shall meet on May 4, 2020 and May 18, 2020.

(b) All regular meetings of inferior boards, dependent special districts, committees and other boards with business related to the City of Bartow during May 2020 are cancelled. Notwithstanding cancellation of regular meetings, any inferior board, dependent special district, committee or other board with business related to the City of Bartow may meet in special session to adjudicate time-sensitive quasi-judicial matters or to take action on time-sensitive applications for municipal or district action. Boards are encouraged to meet in accordance with Executive Order 2020-69, and to meet in virtual session, if possible. Meeting dates and times shall be coordinated with the City Manager, the City Clerk and the City Attorney.

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

Section 3. Meetings During June 2020.

(a) The City Commission shall meet on June 1, 2020 and June 15, 2020.

(b) All regular meetings of inferior boards, dependent special districts, committees and other boards with business related to the City of Bartow during June 2020 are cancelled. Notwithstanding cancellation of regular meetings, any inferior board, dependent special district, committee or other board with business related to the City of Bartow may meet in special session to adjudicate time-sensitive quasi-judicial matters or to take action on time-sensitive applications for municipal or district action. Boards are encouraged to meet in accordance with Executive Order 2020-69, and to meet in virtual session, if possible. Meeting dates and times shall be coordinated with the City Manager, the City Clerk and the City Attorney.

CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS

Order Title: Land Use and Development
Series No.: Seven
Subject: Emergency Administrative Order authorizing Temporary Tents on land lying in the public institutional zoning district

Original Order No. / Issue Date: CM EAO 2020-06, April 6, 2020
Last Revised Order No. / Issue Date: CM EAO 2020-20, May 26, 2020
Expiration Date: End of Local State of Civil Emergency

WHEREAS, the *State Emergency Management Act*, Chapter 252, Florida Statutes (“SEMA”) gives local governments the power and authority to waive the procedures and formalities otherwise required by law pertaining to “taking whatever prudent action is necessary to ensure the health, safety and welfare of the community[;]” *See* § 252.38(3)(a)5.a., Fla. Stat. (2019); and

WHEREAS, on March 29, 2020, the Florida Chief Financial Officer and State Fire Marshal issued directive 2020-02 instructing authorities with jurisdiction to partner with hospitals and healthcare providers to identify all equivalencies, modifications and creative solutions afforded within the Florida Fire Prevention Code to accommodate the erection of temporary healthcare facilities; and

WHEREAS, on April 3, 2020, BayCare Health System, Inc. (“BayCare”), operator of Bartow Regional Medical Center, Inc. (“BRMC”), notified the City of Bartow that it intended to operate a drive through COVID-19 testing service at the BRMC campus; and

WHEREAS, drive through COVID-19 testing services are performed in tents outdoors to help protect the health of healthcare workers and the general public by asking testing patients to remain inside their cars with windows raised thereby decreasing the chances of unintentional aerosol spread of coronavirus SARS-CoV-2; and

WHEREAS, BayCare plans to erect several tents on the Northeast parking lot of its BRMC campus to perform testing services; and

WHEREAS, BayCare has already erected two (2) tents on the Northwest parking lot of its BRMC campus to triage patients prior to admission to the BRMC Emergency Department; and

WHEREAS, BayCare has permitted at least one of its outpatient healthcare tenants to erect a triage tent in the parking area of its South outpatient facilities; and

WHEREAS, § 2.03.02 of the *Unified Land Development Code of the City of Bartow, Florida*, only permits tents to be erected temporarily on property in a commercial district where a

Order Title: Land Use and Development
Series No.: Seven
Subject: Emergency Administrative Order authorizing Temporary Tents on land lying in the public institutional zoning district

commercial structure is already established, and on property occupied by a church, regardless of its zoning district; and

WHEREAS, BRMC is located on property in the Public Institutional zoning district; and

WHEREAS, it is prudent to permit BayCare to erect tents on a temporary basis on the BRMC campus to operate triage facilities, permit its outpatient providers to operate triage facilities, and operate a COVID-19 drive through testing service as such services are necessary to ensure the health, safety and welfare of the community; and

WHEREAS, the Florida Department of Health has requested to operate a drive through testing event at the Carver Recreation Center on Saturday, May 30, 2020; and

WHEREAS, the City of Bartow is desirous of accommodating the Florida Department of Health's request, as well as potential future requests by public agencies, hospitals and public health institutions in the future; and

WHEREAS, Carver Recreation Center lies in the Public Institutional zoning district.

Section 1. Temporary Tents.

(a) For the duration of the State of Local Civil Emergency, (i) healthcare providers who own property in the public institutional zoning district may request and receive, (ii) the city's emergency coordinator may request and receive, or (iii) the city may issue on its own, a city permit to erect tents temporarily on public institutional zoning district lands subject to the following requirements:

- (1) tents must be used for a critical public purpose related to the State of Local Civil Emergency, to be determined in the sole discretion of the City;
- (2) tents may not be erected for a period to exceed 2 weeks;
- (3) if tents are to be erected in a parking area, no more than 10 percent of any existing parking area may be used; further, tents may not block the general ingress or egress of traffic without offering alternative ingress or egress routes;
- (4) all electrical connections must be inspected and approved by the Building Department; and
- (5) tents must be inspected and approved by the Bartow Fire Department as being in compliance with all relevant Fire Code regulations.

Order Title: Land Use and Development

Series No.: Seven

Subject: Emergency Administrative Order authorizing Temporary Tents on land lying in the public institutional zoning district

(b) The City shall take administrative action to issue or deny a request for a permit promptly; if an application is filed, the City shall issue or deny a permit within 1 business day of the date the application filing date.

(c) Permits may be renewed during the State of Local Civil Emergency as follows: no later than 5 business days before the expiration of a city permit, a property owner may apply to receive, or the City may on its own issue, a renewed permit for an additional 2 week period. There are no limits to the number of renewals that may be given.

(d) The City may deny a permit application or request if necessary to protect the health, safety and welfare of the community.

CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS

Order Title: Safer At Home
Series No.: Eight
Subject: Emergency Administrative Order regarding limitations of movement and personal interactions

Original Order No. / Issue Date: CM EAO 2020-08, April 8, 2020
Last Revised Order No. / Issue Date: CM EAO 2020-13, April 30, 2020
Expiration Date: 12:01 A.M., May 4, 2020

WHEREAS, Section 1 of Executive Order 2020-91 (“E.O. 20-91”) issued April 1, 2020 by Florida Governor Ron DeSantis, entitled “Safer At Home,” states:

“A. Senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, sever obesity, renal failure and liver disease) shall stay at home and take all measures to limit the risk of exposure to COVID-19.

B. In concert with the efforts of President Trump and the White House Coronavirus Task Force to fight COVID-19, and based on guidance provided by Florida Surgeon General and State Health Officer, Dr. Scott Rivkees, 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.”; and

WHEREAS, Section 2 of E.O. 20-91 describes “Essential Services” and states that “The State Coordinating Officer shall maintain an online list of essential services” available at the Division of Emergency Management’s website at www.floridadisaster.org and the Florida Department of Health’s website at www.floridahealth.gov; and

WHEREAS, Section 3 of E.O. 20-91 describes “Essential Activities” and states that “The State Coordinating Officer shall maintain an online list of essential activities” at the same website addresses as the list of essential services; and

WHEREAS, Section 3 C. of E.O. 20-91 states that “A social gathering in a public space is not an essential activity” and “Local jurisdictions shall ensure that groups of people greater than ten are not permitted to congregate in any public space;” and

WHEREAS, citizens and business owners in the City of Bartow have contacted City Hall and the Bartow Police Department inquiring about the Governor’s order and whether certain services or activities are considered “essential” during the State of Emergency; and

WHEREAS, on April 4, 2020, the Governor’s Office released a document entitled

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Series No.: Eight
Subject: Emergency Administrative Order regarding limitations of movement and personal interactions

“FAQs for Executive Order 20-91” which answers a number of the same questions asked by citizens and business owners in the City of Bartow; and

WHEREAS the City of Bartow wishes to give guidance to citizens and businesses that may be impacted by E.O. 20-91; and

WHEREAS, Executive Order 2020-111 extended the effect of E.O. 20-91 to May 4, 2020 at 12:01 A.M.

Section 1. Safer At Home.

(a) Up to and through May 4, 2020, senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) shall stay at home and take all measures to limit the risk of exposure to COVID-19. As clarified on April 4, 2020 by Governor DeSantis, senior citizens may leave their homes when necessary to obtain or provide essential services or conduct essential activities as described in E.O. 20-91 and related guidance issued by the State of Florida. This includes going to the grocery store or pharmacy, going for a walk, or working at an essential service.

(b) Up to and through May 4, 2020, 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 as described in E.O. 20-91 and related guidance issued by the State of Florida.

(c) A list of essential services and essential activities may be found at the website <https://www.floridadisaster.org/globalassets/governor-essential-services.pdf>. Business operators and citizens in the City of Bartow are encouraged to read the list of essential services and essential activities in conjunction with E.O. 20-91 and this emergency administrative order.

(d) A list of frequently asked questions about E.O. 20-91 may be found at the website <https://www.flgov.com/wp-content/uploads/covid19/Exec%20Order%2020-91%20FAQs.pdf>.

(e) Citizens of the City of Bartow who must leave their homes are encouraged to adhere to the following CDC guidance on how to meet household needs during the E.O. 20-91 Safer At Home period:

Shopping for food and other household essentials

- Avoid shopping if you have a fever, cough, or shortness of breath.
- If possible, order food and other items online for home delivery or curbside pickup.
- Only visit the grocery store, or other stores selling household essentials, in person when you absolutely need to. This will limit your potential exposure to others and the virus that

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causes COVID-19.

- When you do have to visit in person, go during hours when fewer people will be there (for example, early morning or late night).
- Here are ways to protect yourself while shopping:
 - Stay at least 6 feet away from others while shopping and in lines.
 - Cover your mouth and nose with a cloth face covering when you have to go out in public.
 - If you are at higher risk for severe illness, find out if the store has special hours for people at higher risk. If they do, try to shop during those hours. People at higher risk for severe illness include adults 65 or older and people of any age who have serious underlying medical conditions.
 - Disinfect the shopping cart, use disinfecting wipes if available.
 - Cover coughs and sneezes.
 - Do not touch your eyes, nose, or mouth.
 - If possible, use touchless payment (pay without touching money, a card, or a keypad). If you must handle money, a card, or use a keypad, use hand sanitizer right after paying.
- After leaving the store, use hand sanitizer. When you get home, wash your hands with soap and water for at least 20 seconds.
- At home, follow food safety guidelines: clean, separate, cook, chill. There is no evidence that food or food packaging has been linked to getting sick from COVID-19.

Accepting deliveries and takeout orders

- If possible, pay online or on the phone when you order.
- Accept deliveries without in-person contact whenever possible. Ask for deliveries to be left in a safe spot outside your house (such as your front porch or lobby), with no person-to-person interaction. Otherwise, stay at least 6 feet away from the delivery person.
- After receiving your delivery or bringing home your takeout food, wash your hands with soap and water for 20 seconds. If soap and water are not available, use a hand sanitizer with at least 60% alcohol.
- After collecting mail from a post office or home mailbox, wash your hands with soap and water for at least 20 seconds or use a hand sanitizer with at least 60% alcohol.

Banking

- Bank online whenever possible.
- If you must visit the bank, use the drive-through ATM if one is available. Clean the ATM keyboard with a disinfecting wipe before you use it.
- When you are done, use a hand sanitizer with at least 60% alcohol. Wash your hands with soap and water for at least 20 seconds when you get home.

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Getting gasoline

- If available, use gloves or disinfecting wipes on handles and buttons before you touch them.
- After fueling, use a hand sanitizer with at least 60% alcohol. Wash your hands for at least 20 seconds when you get home or somewhere with soap and water.

Going to the doctor or getting medicine

- Visit the doctor when you need to, but only when you need to. Use telemedicine, if available, or contact your doctor or nurse by phone or e-mail.
- If you must visit the doctor, follow recommendations to protect yourself:
 - Cover your mouth and nose with a cloth face covering when you have to go out in public.
 - Do not touch your eyes, nose, or mouth.
 - If available, use disinfecting wipes on frequently touched surfaces such as handles, knobs, touchpads.
 - Stay at least 6 feet away from others while inside and in lines.
 - When paying, use touchless payment methods if possible. If you cannot use touchless payment, sanitize your hands after paying with card, cash, or check. Wash your hands with soap and water for at least 20 seconds when you get home.
- If you think you have COVID-19, let the office know and follow guidance.
- Talk to your doctor about rescheduling procedures that are not urgently needed.
- If possible, plan to order and pick up all your prescriptions at the same time.
- If possible, call prescription orders in ahead of time. Use drive-thru windows, curbside services (wait in your car until the prescription is ready), mail-order, or other delivery services. Do the same for pet medicine.
- Check with your doctor and pharmacist to see if you can get a larger supply of your medicines so you do not have to visit the pharmacy as often.

(f) During the Safer At Home period, the City of Bartow encourages all of its citizens to follow E.O. 20-91 and to mutually cooperate in the effort to alleviate the present situation by staying home, refraining from congregating in public places or upon the streets, and leaving home only when genuinely necessary.

(g) Persons observing large group gatherings may report them to the Bartow Police Department by calling 863-534-5034.

CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS

Order Title: Municipal Operations
Series No.: Nine
Subject: Emergency Administrative Order regarding municipal operations

Original Order No. / Issue Date: CM EAO 2020-10, April 20, 2020
Last Revised Order No. / Issue Date: N/A
Expiration Date: End of State of Local Civil Emergency or Further Administrative Order

Section 1. City Hall Public Access “By Appointment Only.”

Effective May 1, 2020, public access to City Hall shall be by appointment only. Official signage shall be posted outside the entrance to City Hall with contact telephone numbers by operating area. Appointments for municipally necessary in-person service may be made in advance of May 1, 2020 by calling the general city switchboard at (863) 534-0100.

Appointment times are limited and members of the general public with municipal business are encouraged to act promptly and well in advance of deadlines or due dates if in-person service is necessary. Most municipal business can be resolved by telephone or electronic mail.

CITY OF BARTOW
COVID-19 EMERGENCY ADMINISTRATIVE ORDERS

Order Title: Communications Media Technology
Series No.: Ten
Subject: Emergency Administrative Order permitting municipal meetings by communications media technology

Original Order No. / Issue Date: CM EAO 2020-11, April 22, 2020
Last Revised Order No. / Issue Date: N/A
Expiration Date: End of State of Local Civil Emergency or Further Administrative Order

WHEREAS, Coronavirus disease 2019 (“COVID-19”) is a severe acute respiratory illness that can spread among humans through respiratory transmission; and

WHEREAS, on March 2, 2020, Florida Governor Ron DeSantis issued Executive Order 2020-51 declaring COVID-19 and the presence of the coronavirus responsible for COVID-19 (“SARS-CoV-2”) in the State of Florida to be a public health emergency pursuant to Chapter 381 of the Florida Statutes; and

WHEREAS, on March 9, 2020, Governor DeSantis issued Executive Order 2020-52 (a) declaring COVID-19 and the presence of SARS-CoV-2 in the State of Florida to be a state of emergency pursuant to Chapter 252 of the Florida Statutes; (b) activating the Florida National Guard to assist with emergency management; (c) suspending the effect of budgetary statutes and rules that would prevent, hinder or delay necessary action in coping with the emergency; (d) authorizing pharmacists to dispense extended refills of medication; and (e) authorizing political subdivisions of the state to waive certain procedures and formalities relating to public work, contracts, obligations, employment of workers, rental of equipment, acquisition of supplies and appropriation/expenditure of public funds; and

WHEREAS, on March 16, 2020, the City Commission of the City of Bartow declared a local state of emergency to exist within the corporate limits of the City of Bartow, Florida under authority of Chapter 26 of the Code of Ordinances of the City of Bartow, Florida and Chapter 252 of the Florida Statutes; and

WHEREAS, pursuant to Resolution 20-4041-R, Chapter 26 of the Code of Ordinances of the City of Bartow, Florida and Chapter 252 of the Florida Statutes, the City Manager is authorized to issue and promulgate all administrative orders necessary to deal with the emergency circumstances presented by COVID-19 and SARS-CoV-2; and

WHEREAS on March 20, 2020, Governor DeSantis issued Executive Order 2020-69 that, for the duration of the state of emergency: (a) suspended Florida’s statutory laws requiring that a quorum of any local governing body be physically present in person at a specific public place; and (b) authorized local governing bodies to use communications media technology, such

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as telephonic and video conferencing, as provided in Section 120.54(5)(b)2., Florida Statutes; and

WHEREAS, on March 24, 2020, Governor DeSantis issued Executive Order 2020-82 directing all persons, including Floridians, who traveled to an area with substantial community spread of SARS-CoV-2, such as the New York Tri-State Area (Connecticut, New Jersey and New York), between March 10, 2020 and March 24, 2020, and all persons arriving in Florida after March 24, 2020 from such an area, to isolate or quarantine for a period of 14 days from the time of entry into the State; and

WHEREAS, on March 24, 2020, Governor DeSantis issued Executive Order 2020-83 directing the State Surgeon General to issue public health advisories:

- (1) directing (a) all persons over 65 years of age and (b) all persons with a serious underlying medical condition that places them at a high risk of severe illness from COVID-19, urging them to stay home and to take such other measures as necessary to limit their risk of exposure to SARS-CoV-2;
- (2) advising against all social or recreational gatherings of 10 or more people; and
- (3) urging all those who can work remotely to do so;

during the state of emergency; and

WHEREAS, on March 27, 2020, Governor DeSantis issued Executive Order 2020-86 directing all persons, including Floridians, who enter the state of Florida by roadways from areas with substantial community spread of SARS-CoV-2, such as the New York Tri-State Area (Connecticut, New Jersey and New York) and the State of Louisiana, to isolate or quarantine for a period of 14 days from the time of entry into the State; and

WHEREAS, the *State Emergency Management Act*, Chapter 252, Florida Statutes (“SEMA”), permits each Florida county and municipality to make, amend, and rescind such orders and rules as are necessary for emergency management purposes which have the full force and effect of law when filed in the office of the responsible respective clerk or recorder, so long as such orders and rules are taken or made with due consideration of the orders, rules, actions, recommendations and requests of federal authorities relevant thereto; *See* § 252.46, Fla. Stat. (2019); and

WHEREAS, the Centers for Disease Control (“CDC”) has issued formal guidance advising that, as of March 16, 2020, all public events of 10 or more people in communities with minimal or moderate spread of SARS-CoV-2 should be canceled or held virtually to reduce the viral transmission rate; and

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WHEREAS, as of 6:00 P.M. on April 14, 2020, the Florida Department of Health reports 21,628 active SARS-CoV-2 infections, 571 COVID-19-related deaths and 3,050 hospitalizations in the State of Florida and with 279 active SARS-CoV-2 infections, 85 hospitalizations and 10 deaths in Polk County; and

WHEREAS, consistent with CDC guidance and to prevent rapid spread of the SARS-CoV-2 virus, it is formally found that, for the duration of the state of emergency, all public meetings of the governing bodies of the City of Bartow, Florida, to include the City Commission, lesser appointed boards, and any dependent public agency or special district, such as the Bartow Community Redevelopment Agency, should be convened telephonically or virtually; and

WHEREAS, telephone and internet connections are ubiquitous throughout the City of Bartow, Florida;

NOW THEREFORE, pursuant to the delegation of authority from the City Commission of the City of Bartow by § 3(c) of Resolution 20-4041-R, the lawful powers granted to the City of Bartow by the *State Emergency Management Act*, §§ 252.38(3)(a)5. and 252.46, Florida Statutes (2019) and the suspension of state statutes requiring a physical quorum and physical meeting space by Executive Order 2020-69, I hereby promulgate the following emergency order:

Section 1. Meetings by Communications Media Technology Permitted; Suspension of Charter Provisions and/or Local Ordinances Relating to Meeting Dates, Times and Places and Local Public Participation Requirements.

(a) All local governing bodies of the City of Bartow, Florida, to include the City Commission, lesser appointed boards and authorities, and any dependent public agency or special district, such as the Bartow Community Redevelopment Agency (individually each a “Board” and collectively the “Boards”), are authorized to convene or meet through the use of communications media technology in the manner provided for by this emergency order for the duration of the state of emergency in Executive Order 2020-52, including any extension thereof, and the state of local emergency in Resolution 20-4041-R, including any extension thereof.

(b) All provisions of the *Charter of the City of Bartow*, the *Code of Ordinances of the City of Bartow, Florida*, and any governing non-codified ordinance, rule, resolution or bylaw, that regulate the meeting dates, times and places of Boards, or provide specific physical public participation requirements are, for the duration of the state of emergency in Executive Order 2020-52, including any extension thereof, and the state of local emergency in Resolution 20-4041-R, including any extension thereof, are suspended pursuant to SEMA, § 252.38(3)(a)5.a., Florida Statutes (2019) to protect the health, safety and welfare of the community.

(c) Notwithstanding anything herein, each Board may meet at its regular time in its regular meeting room with less than an in-person quorum, as authorized by Section 1 of E.O. 2020-69 for the duration of the State of Emergency, without use of special notices,

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advertisements, or alternative provisions for public participation. Alternatively, each Board may meet in full virtual session, without any in-person attendance, as provided for in this order and Section 2 of E.O. 2020-69.

Section 2. Teleconferences and Internet Video Conferences Authorized.

At the option of the City's information technology officer, any regular or special meeting of any Board may be convened by teleconference or internet video conference. Regardless of the type of technology used, Board members and participating officials shall be authorized through the conferencing system as speakers who may, at any time, be allowed to comment, subject to the general control of the meeting by the Chair of the Board. Teleconferencing technology, if selected, shall permit Board members and participating individuals to connect using a toll-free or local telephone number. Internet video conferencing technology, if selected, shall permit individuals to connect using generally available computer technology, cameras and microphones. The conferencing system selected shall accommodate unique connections equal to or greater than the physical occupancy of the regular meeting room used by the Board.

Section 3. Public Participation.

As required by § 286.0114, Florida Statutes (2019), members of the public shall be allowed to attend teleconference or internet video conference Board meetings, and permitted to provide public comment on Board action items as follows:

(a) At least three (3) days prior to the scheduled meeting of the Board, notice of the meeting in a substantially similar form to Exhibit 'A' attached hereto and incorporated herein shall be (1) published once in a newspaper of general circulation in the community and (2) published electronically on the City's website in a prominent location. The notice shall, at a minimum, provide a call in number for teleconferencing or link for internet video conferencing that will allow members of the public to connect to and listen and/or watch the Board meeting. Teleconferencing technology, if selected, shall permit members of the public to connect and listen using a toll-free or local telephone number. Internet video conferencing technology, if selected, shall permit individuals to connect and watch using generally available computer hardware, standard web browser software and a reasonable high-speed internet connection.

(b) At least three (3) days prior to the scheduled meeting of the Board, the action item agenda for the Board shall be published and made available on the City's website for examination by the public in preparation for the teleconference or internet video conference meeting. A link to the agenda or webpage where the agenda may be found shall be published in the meeting notice required by paragraph (a).

(c) At the option of the City's information technology officer, the meeting notice required by paragraph (a) shall either:

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- (1) provide a call in number or link for members of the public to connect and provide live comment or ask live questions during times set aside for public participation during the Board meeting;
- (2) provide one or more methods, such as a mailing address, call in number, and/or an email address, for members of the public to provide written, recorded or emailed comments or to ask written, recorded or emailed questions in advance of the meeting to be read and/or played back during times set aside for public participation during the Board meeting; or
- (3) provide the address of a physical access point where members of the public may participate in the Board meeting and provide comment or ask questions during times set aside for public participation during the Board meeting;

whichever is reasonable and feasible, given the circumstances surrounding the state of emergency and the technological capabilities of the City.

Section 4. Workshops or Agenda Review Sessions.

Board sessions may be convened electronically to receive information from staff or to discuss agenda items scheduled for a forthcoming Board meeting without taking formal Board action using the following procedure:

(a) At least twenty four (24) hours prior to a workshop or agenda review session of the Board, notice of the session in a substantially similar form to Exhibit 'B' attached hereto and incorporated herein shall be (1) published electronically on the City's website in a prominent location and (2) circulated to local media outlets and interested parties using the City Clerk's general interest mailing list. The notice shall, at a minimum, provide a call in number for teleconferencing or link for internet video conferencing that will allow members of the public to connect to and listen and/or watch the Board session. Teleconferencing technology, if selected, shall permit members of the public to connect and listen using a toll-free or local telephone number. Internet video conferencing technology, if selected, shall permit individuals to connect and watch using generally available computer hardware, standard web browser software and a reasonable high-speed internet connection.

(b) At least eight (8) hours prior to the scheduled meeting of the Board, the agenda for the Board session shall be published and made available on the City's website for examination by the public in preparation for the teleconference or internet video conference meeting. A link to the webpage where the agenda may be found shall be published in the meeting notice required by paragraph (a)

(c) Public participation shall not be allowed at electronic workshops or agenda

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review sessions.

Section 5. Ground Rules.

The City may develop and promulgate reasonable ground rules for Board member, City official and public participation in a teleconference or internet video conference in order to promote the efficient dispatch of public business. If ground rules are developed, a link to such rules shall be published in the meeting notice required by Sections 3(a) or 4(a) of this Order.

Section 6. Accommodations.

Pursuant to the provisions of the *Americans with Disabilities Act of 1990*, as amended, and § 286.26, Florida Statutes (2019), if any individual requires any special accommodation in order to participate in any teleconference or internet video conference Board meeting, the individual should contact the clerk of the Board at least 48 hours prior to the meeting to make arrangements. Every meeting notice published under Section 3(a) of this Order shall contain a provision advising the public of the availability of special accommodations by law.

Section 7. General Matters.

(a) If technical problems with the communication network develop during any Board meeting conducted by teleconferencing or internet video conferencing, the meeting should be recessed until the problems have been corrected.

(b) Minutes of every Board meeting conducted by teleconferencing or internet video conferencing shall be taken and promptly recorded.

(c) If quasi-judicial matters are scheduled to be heard by teleconferencing or internet video conferencing, the City may develop and promulgate reasonable rules for the administration of oaths and for participation of applicants and organized group representatives.