



A G E N D A

SPECIAL MEETING OF THE STUART CITY COMMISSION

TO BE HELD March 17, 2020

AT 10:00 AM Commission Chambers

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Michael J. Meier

Vice Mayor Eula R. Clarke

Commissioner Becky Bruner

Commissioner Kelli Glass Leighton

Commissioner Merritt Matheson

ADMINISTRATIVE

City Manager, David Dyess

City Attorney, Michael J. Mortell

City Clerk, Mary R. Kindel

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306 . Fax: (772) 288-5305 . E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

WHAT IS CIVILITY? *Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.*

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

PUBLIC COMMENT: *If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.*

COMMISSION ACTION

1. DECLARATION OF EMERGENCY - COVID-19

QUASI-JUDICIAL HEARINGS: *Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.*

DISCUSSION AND DELIBERATION

2. PUBLIC MEETINGS (ADVISORY BOARDS AND COMMISSION MEETINGS)

ADJOURNMENT:

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 3/17/2020

Prepared by: Mary Kindel, City Clerk

Title of Item:

DECLARATION OF EMERGENCY - COVID-19

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Issue Declaration of Emergency.

ATTACHMENTS:

	Description	Upload Date	Type
▢	R38-2020 Declaration of State of Local Emergency COVID-19	3/16/2020	Resolution add to Y drive
▢	Declaration of State of Local Emergency COVID-19	3/16/2020	Attachment



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NO. 38-2020

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

A DECLARATION OF LOCAL EMERGENCY

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

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

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

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

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

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

SECTION 1. The City Commission hereby confirms and extends until _____, the Declaration of Local Emergency signed by the Mayor on March 16, 2020. An executed copy of the Declaration of Local Emergency is attached to this Resolution and fully approved by the City Commission and incorporated herein by this reference.

SECTION 2. Effective Date. This Resolution shall take effect immediately upon adoption.

SECTION 3. This Resolution shall authorizes the City to waive the procedures and formalities otherwise required by law pertaining to performance of public works, operation of the City and otherwise providing for the health and welfare of the citizens of Stuart, Florida due to the potential exposure to the Novel Coronavirus (COVID-19).

Commissioner _____ offered the foregoing resolution and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MICHAEL J. MEIER, MAYOR
EULA R. CLARKE, VICE MAYOR
KELLI GLASS LEIGHTON, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
REBECCA S. BRUNER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this _____ day of March, 2020.

ATTEST:

MARY R. KINDEL
CITY CLERK

MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY



CITY OF STUART, FLORIDA DECLARATION OF STATE OF LOCAL EMERGENCY (COVID-19 State of Emergency)

WHEREAS, Section 16-4 of the City of Stuart, Code of Ordinances authorizes the Mayor to declare a State of Local Emergency; and

WHEREAS, the Mayor has determined that a State of Local Emergency exists within the City of Stuart, Florida; and

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and other potential methods, and presents with symptoms similar to those of influenza; and

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly to more than 117 Countries and territories throughout the World including the United States, and more specifically several locations within the State of Florida;

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida. Further the Governor issued a statement recommending that local municipalities and private entities strongly consider limiting or postponing mass gatherings in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared related to COVID-19 a pandemic; further, according to the WHO, as of March 14, 2020, there are over

142,539 confirmed cases of COVID-19 globally, and in excess of 5,393 deaths, with an increase of 9,769 new cases and 48 new deaths as well as 12 new countries reporting cases in the preceding 24 hours; and

WHEREAS, the Center for Disease Control and Prevention (CDC) has declared that it is likely that widespread transmission of COVID-19 will occur throughout the United States. The potential public health threat posed by COVID-19 is “high”, both in the United States and throughout the world; the CDC has advised that older adults and persons with serious chronic medical conditions are at a higher risk of severe illness caused from exposure to COVID-19, and should take extra precautions to avoid exposure and further transmission; and

WHEREAS, no vaccine or drug is currently available to cure or combat COVID-19; and

WHEREAS, the City of Stuart, Florida is threatened by COVID-19 because of the apparent ability of the virus to spread rapidly among humans, and COVID-19 thereby constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City of Stuart, Florida; and

WHEREAS, the City of Stuart should take protective measures – including activation of the emergency operations center at such time as deemed necessary by the City Manager; procurement of personal protective equipment; consequence management, and similar activities to support the public health and safety of the community; and

WHEREAS, the CDC has issued guidelines for “community mitigation strategies” to limit the spread of COVID-19, including recommendations for social distancing, which has proven to be an effective method for containing COVID-19; and

WHEREAS, The City of Stuart began implementing preparations to address the serious public health threat and precautions necessary to prevent the spread of COVID-19 virus on March 1, 2020; and

WHEREAS, the City of Stuart is closely monitoring the recommendations of the Center for Disease Control which currently recommends community preparedness and everyday prevention measures be taken by all individuals and families, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, the CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if

individuals or members of a household are at high risk for COVID-19 complications, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

WHEREAS, CDC recommends cancellation of any event of more than 50 people until at least April 1, 2020, and smaller gatherings that may bring persons together from multiple parts of the country; for organizations who serve high-risk populations, consider cancelling gatherings of more than 10 people; and for individuals to avoid gatherings and social events with 10 or more people as much as possible; and

WHEREAS, Florida Statute, §252.38(2) authorizes legally constituted municipalities to create and implement municipal emergency management programs.

WHEREAS, the City of Stuart Code of Ordinances as well as Florida Statute, §252.38(2) authorizes the Mayor to declare a State of Local Emergency which in turn empowers the City Commission, City Manager and other Staff to waive the procedures and formalities otherwise required by law pertaining to:

1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency' provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Commission;
2. Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and bind the City for the fair value thereof and, if required immediately, commandeer the same for public use;
3. Require emergency service of any City officer or employee and command the aid of as many citizens of this community as is deemed necessary in the execution of its duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;
4. Performance of public works and those actions necessary to ensure the health, safety and welfare of the community, including but not limited to denying or revoking permits for public gatherings and/or cancelling mass gatherings taking place during the Local State of Emergency.
5. Entering into contracts; Incurring obligations; Rental of equipment; Acquisition and distribution, with or without compensation, of supplies, materials and facilities; Appropriation and expenditure of public funds.

NOW, THEREFORE,

I, Michael J. Meier of the City of Stuart, Florida, pursuant to the authority vested in me by Section 16-4, Code of Ordinances of the City of Stuart, Florida, do hereby declare and establish a Local State of Emergency for the next seven (7) days or until extended by a vote of the City Commission, and waive the procedures and formalities as provided herein.

Dated, in the City of Stuart, Florida this 16th day of March, 2020.

ATTEST:


MARY KINDEL
CITY CLERK


MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:


MICHAEL J. MORTELL
CITY ATTORNEY



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 3/17/2020

Prepared by: Mary Kindel, City Clerk

Title of Item:

PUBLIC MEETINGS (ADVISORY BOARDS AND COMMISSION MEETINGS)

Summary Explanation/Background Information on Agenda Request:

Discussion of cancellation of scheduled upcoming Advisory Board Meetings such as LPA, CRA, BOA, CRB, and Commission Meetings, etc.

Funding Source:

N/A

Recommended Action:

Decision per the pleasure of the board.

ATTACHMENTS:

Description	Upload Date	Type
☐ March 2020 Meeting Calendar	3/16/2020	Attachment
☐ 2020 Meeting Calendar	3/16/2020	Attachment

CITY OF STUART

March 2020 MEETING CALENDAR

*All meetings at City Hall unless otherwise noted

121 SW Flagler Ave. Stuart, FL (772) 288-5300 or on the website at www.cityofstuart.us

3/4	4:00 PM	Community Redevelopment Board / Historic Preservation Board
3/9	5:30 PM	City Commission Meeting
3/11	5:30 PM	Charter Advisory Board
3/19	5:30 PM	Local Planning Agency / Planning Advisory Board
3/23	5:00 PM	Community Redevelopment Agency
3/23	5:30 PM	City Commission Meeting
3/26	5:30 PM	Board of Adjustment

If a person decides to appeal any decision made by the Commission or Board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

All interested parties may attend said meeting and offer comment. In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City's ADA coordinator at 288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday. Stuart City Commission

Publish 2/26/2020 Local Display /Affidavit Required



City of Stuart 2020 Meeting Calendar



1 New Year's Day Holiday	January						
7 CRB Meeting 4:00pm	S	M	T	W	T	F	S
13 City Commission Meeting 5:30pm				1	2	3	4
16 LPA Meeting 5:30pm	5	6	7	8	9	10	11
20 Martin Luther King Jr Holiday	12	13	14	15	16	17	18
23 BOA Meeting 5:30pm	19	20	21	22	23	24	25
27 CRA/CRB/CCM Meeting 4:30pm	26	27	28	29	30	31	
27 City Commission Meeting 5:30pm	March						
3 CRB Meeting 4:00pm	S	M	T	W	T	F	S
9 City Commission Meeting 5:30pm	1	2	3	4	5	6	7
19 LPA Meeting 5:30pm	8	9	10	11	12	13	14
23 CRA Meeting 5:00pm	15	16	17	18	19	20	21
23 City Commission Meeting 5:30pm	22	23	24	25	26	27	28
26 BOA Meeting 5:30pm	29	30	31				
5 CRB Meeting 4:00pm	May						
11 City Commission Meeting 5:30pm	S	M	T	W	T	F	S
21 LPA Meeting 5:30pm						1	2
25 Memorial Day Holiday	3	4	5	6	7	8	9
26 CRA Meeting 5:00pm	10	11	12	13	14	15	16
26 City Commission Meeting 5:30pm	17	18	19	20	21	22	23
28 BOA Meeting 5:30pm	24	25	26	27	28	29	30
	31						
3 4th of July Holiday	July						
7 CRB Meeting 4:00pm	S	M	T	W	T	F	S
13 City Commission Meeting 5:30pm				1	2	3	4
16 LPA Meeting 5:30pm	5	6	7	8	9	10	11
23 BOA Meeting 5:30pm	12	13	14	15	16	17	18
27 CRA/CRB/CCM Meeting 4:30pm	19	20	21	22	23	24	25
27 City Commission Meeting 5:30pm	26	27	28	29	30	31	
1 CRB Meeting 4:00pm	September						
7 Labor Day Holiday	S	M	T	W	T	F	S
14 City Commission Meeting 5:30pm			1	2	3	4	5
17 LPA Meeting 5:30pm	6	7	8	9	10	11	12
24 BOA Meeting 5:30pm	13	14	15	16	17	18	19
28 CRA Meeting 5:00pm	20	21	22	23	24	25	26
28 City Commission Meeting 5:30pm	27	28	29	30			
4 CRB Meeting 4:00pm	November						
9 City Commission Meeting 5:30pm	S	M	T	W	T	F	S
11 Veterans Day Holiday	1	2	3	4	5	6	7
12 LPA Meeting 5:30pm	8	9	10	11	12	13	14
19 BOA Meeting 5:30pm	15	16	17	18	19	20	21
23 CRA Meeting 5:00pm	22	23	24	25	26	27	28
23 City Commission Meeting 5:30pm	29	30					
26 Thanksgiving Holiday							
27 Day after Thanksgiving Holiday							

4 CRB Meeting 4:00pm	February						
10 City Commission Meeting 5:30pm	S	M	T	W	T	F	S
13 Jt City/County/School Bd 9:00am							1
20 LPA Meeting 5:30pm	2	3	4	5	6	7	8
24 CRA Meeting 5:00pm	9	10	11	12	13	14	15
24 City Commission Meeting 5:30pm	16	17	18	19	20	21	22
27 BOA Meeting 5:30pm	23	24	25	26	27	28	29
7 CRB Meeting 4:00pm	April						
13 City Commission Meeting 5:30pm	S	M	T	W	T	F	S
16 LPA Meeting 5:30pm				1	2	3	4
23 BOA Meeting 5:30pm	5	6	7	8	9	10	11
27 CRA/CRB/CCM Meeting 4:30pm	12	13	14	15	16	17	18
27 City Commission Meeting 5:30pm	19	20	21	22	23	24	25
	26	27	28	29	30		
1 Jt City/County/School Bd 9:00am	June						
2 CRB Meeting 4:00pm	S	M	T	W	T	F	S
8 City Commission Meeting 5:30pm		1	2	3	4	5	6
18 LPA Meeting 5:30pm	7	8	9	10	11	12	13
22 CRA Meeting 5:00pm	14	15	16	17	18	19	20
22 City Commission Meeting 5:30pm	21	22	23	24	25	26	27
25 BOA Meeting 5:30pm	28	29	30				
4 CRB Meeting 4:00pm	August						
10 City Commission Meeting 5:30pm	S	M	T	W	T	F	S
20 LPA Meeting 5:30pm							1
24 CRA Meeting 5:00pm	2	3	4	5	6	7	8
24 City Commission Meeting 5:30pm	9	10	11	12	13	14	15
27 BOA Meeting 5:30pm	16	17	18	19	20	21	22
	23	24	25	26	27	28	29
	30	31					
6 CRB Meeting 4:00pm	October						
12 City Commission Meeting 5:30pm	S	M	T	W	T	F	S
15 LPA Meeting 5:30pm					1	2	3
21 Jt City/County/School Bd 9:00am	4	5	6	7	8	9	10
22 BOA Meeting 5:30pm	11	12	13	14	15	16	17
26 CRA/CRB/CCM Meeting 4:30pm	18	19	20	21	22	23	24
26 City Commission Meeting 5:30pm	25	26	27	28	29	30	31
1 CRB Meeting 4:00pm	December						
10 LPA Meeting 5:30pm	S	M	T	W	T	F	S
14 City Commission Meeting 5:30pm			1	2	3	4	5
17 BOA Meeting 5:30pm	6	7	8	9	10	11	12
25 Christmas Holiday	13	14	15	16	17	18	19
	20	21	22	23	24	25	26
	27	28	29	30	31		