

PROPOSED RESOLUTION NO. 2021-R-16

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA RESCINDING RESOLUTION NO. 3690 ADOPTED ON MARCH 30, 2020, RATIFYING THE MAYOR'S DECLARATION OF A STATE EMERGENCY DECLARED ON MARCH 27, 2020 RESULTING FROM THE SPREAD OF THE CORONAVIRUS (COVID-19) DUE TO EXECUTIVE ORDERS 21-101 AND 21-102, SIGNED BY GOVERNOR RON DESANTIS ON MAY 3, 2021; AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 9, 2020, Governor Ron DeSantis signed Executive Order No. 20-52, thereby declaring a public health emergency in the State of Florida due to the public health threat resulting from the spread of the Novel Coronavirus Disease (COVID-19); and

WHEREAS, on March 27, 2020, Mayor Frank C. Ortis, in accordance with Section 92.14(B) of the City's Code of Ordinances ("City Code"), declared a local state of emergency in the City of Pembroke Pines resulting from the spread of COVID-19; and

WHEREAS, the City Commission ratified the Mayor's declaration of a state of emergency on March 30, 2021, by adopting Resolution No. 3690. A copy of Resolution No. 3690 is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, On May 3, 2021, Governor Ron DeSantis signed Executive Order 21-102, which immediately suspends, supersedes, and eliminates all local COVID-19 orders and ordinances that impose or mandate COVID-19 related

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restrictions on individuals or business. A of copy of Executive Order 21-102 is attached hereto as Composite Exhibit "B" and incorporated herein; and

WHEREAS, On May 3, 2021, Governor Ron DeSantis signed Executive Order 21-101, which is effective of as July 1, 2021, and invalidates all COVID-19 emergency orders issued by political subdivisions that restrict the rights or liberties of individuals or businesses. A of copy of Executive Order 21-101 is attached hereto as Composite Exhibit "B" and incorporated herein; and

WHEREAS, the City Commission finds that it is in the best interests of the citizens and residents of the City of Pembroke to rescind the Mayor's declaration of a state of emergency in the due to the public health threat resulting from the spread of the COVID-19.

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified as true and correct and are confirmed by the City Commission and incorporated herein by this reference.

SECTION 2. Due to Executive Orders 21-101 and 21-102, signed by Governor Ron DeSantis on May 3, 2021, the Mayor's declaration of a state of emergency in Resolution No. 3690 is hereby rescinded.

SECTION 3. The City Manager is hereby authorized to take any and all action necessary to effectuate the intent of this resolution.

SECTION 4. All Resolutions or parts of Resolutions in conflict herewith, be, and the same are repealed to the extent of such conflict.

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SECTION 5. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way effecting the validity of the other provisions of this Resolution.

SECTION 6. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THIS _____ DAY OF _____, 2021.

ATTEST: CITY OF PEMBROKE PINES, FLORIDA

MARLENE GRAHAM, CITY CLERK BY: _____
MAYOR FRANK C. ORTIS

APPROVED AS TO FORM: ORTIS _____
GOOD _____

OFFICE OF THE CITY ATTORNEY CASTILLO _____
SCHWARTZ _____
SIPLE _____