

CITY OF PUNTA GORDA

EMERGENCY ORDINANCE NO. 2024-24

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PUNTA GORDA, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY AND PROVIDING FOR EMERGENCY GOVERNMENTAL OPERATIONS RELATED TO HURRICANE MILTON, IN CONJUNCTION WITH CHARLOTTE COUNTY; PROVIDING FOR THE EXTENSION OF EMERGENCY POWERS; PROVIDING FOR THE TERMINATION OF EMERGENCY POWERS, PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the City Council of the City of Punta Gorda, Florida:

Section 1. In recognition of the fact that the Governor of the State of Florida has issued Executive Order Number 24-214 declaring a state of emergency exists in Charlotte County as a consequence of the development of Hurricane Milton, the City Council of the City of Punta Gorda, Florida, in conjunction with Charlotte County, hereby declares a state of local emergency and the Council desires the City Manager, and his designees, to avail themselves of all powers available to City government provided in Chapter 252, F.S.

Section 2. The City Manager and his designees are provided plenary authority on behalf of the City Council of the City of Punta Gorda, Florida to take all actions necessary for the protection of persons and property as provided in Chapter 252, F.S.

Section 3. As provided in Chapter 252, F.S. and the City of Punta Gorda Emergency Management Plan, all normal formalities related to procurement, hours of employment and pay of City employees, notice provisions and other procedures usually followed or required by law are hereby waived. The Declared State of Emergency Reporting and Pay Policy is attached as Exhibit "A". The Emergency Operations Procurement Policy is attached as Exhibit "B", and the.

Section 4. All actions taken by the City Manager and his designees or taken at the direction of the City Manager pursuant to Executive Order Number 24-214 are hereby ratified.

Section 5. This Ordinance was enacted by a two-thirds vote of the City Council pursuant to the provisions of Section 166.041(3)(b), F.S.

Section 6. The duration of this local state of emergency shall coincide with the duration of Executive Order Number 24-214, and any extensions thereof.

Section 7. The City Council may by Resolution terminate the powers granted by this Emergency Ordinance, or an extension thereto, at any time.

Section 8. Any Ordinances or parts of Ordinances in conflict herewith are hereby superseded to the extent of such conflict while this Emergency Ordinance is in effect.


PASSED and DULY ADOPTED this 7th day of October, 2024.


LYNNE R. MATTHEWS, Mayor

ATTEST:


SARA WELCH, City Clerk

APPROVED AS TO FORM:


DAVID M. LEVIN, City Attorney

DECLARED STATE OF EMERGENCY POLICY

SECTION 1: PURPOSE, DEFINITIONS, AND GENERAL PROVISIONS

The purpose of this policy is to establish a City-wide reporting and pay regulation to be implemented during a Declared State of Emergency by the City of Punta Gorda. Only the City Council of the City of Punta Gorda may declare by ordinance a state of emergency for the City in response to a pending or potential disaster or emergency condition which may include acts of terrorism, riots, civil disorders, severe weather conditions, health emergencies (pandemics) or similar catastrophes that threaten the safety and well-being of its citizens.

SECTION 2: DEFINITIONS

For the purposes of this Policy, the following working definitions shall apply to the City of Punta Gorda's emergency management plan. These definitions have been divided into three separate categories: 1) All Emergencies; 2) Natural disasters (hurricane, tornado, etc.); and, 3) Pandemic or other health emergency.

A. All Emergencies

1. **Declared State of Emergency:** A state of emergency that is declared by the City Council by emergency ordinance so that emergency preparation activities can begin. This status continues through the event and subsequent recovery period until the City Council rescinds the Declared State of Emergency. Should the Declared State of Emergency be the result of a statewide or national emergency, City Council, the City Manager and Emergency Management Director shall follow the guidance of the relevant state or national authorities.
2. **Emergency Management Director:** The individual to whom the City Manager assigns overall emergency-related authority for the City of Punta Gorda during a Declared State of Emergency.
3. **Emergency Operations:** Those activities that are in direct response to a Declared State of Emergency, before, during, and after the event. Such activities are primarily concerned with public safety, and include, but are not limited to Police and Fire Departments, and emergency communications units (911).
4. **Emergency Operations Center (E.O.C.):** The location where the City's Emergency Management Director, the City Manager, and other key personnel are situated during an event and throughout the duration of the Declared State of Emergency. All key City communications and decisions related to emergency response will emanate from this location.
5. **Essential Functions:** Activities that are not directly public safety-related, but are critical to the well-being of the local population, including, but not limited to water treatment and distribution, waste water collection and treatment, sanitation and other Public Works or Utilities activities.
6. **Essential Personnel:** All City employees shall be considered essential personnel; however, for purposes of the actual Declared State of Emergency, Department Heads

shall identify in advance those individuals who are responsible for carrying out emergency operations and essential functions.

7. **Exempt Employee:** Exempt employees are those whom the City has determined are exempt from certain wage and hour laws, specifically overtime pay. This term generally applies to administrative, executive, or professional employees who receive an annual salary, in equal payments weekly, bi-weekly, or at some other specified time interval.
8. **Furlough:** A status in which employees may be sent home, with pay, during a period of time or shift in which they would normally be at work. In order to receive paid furlough the employee must be available to work as specified in Section 3.C below.
9. **Mandatory Work Assignments:** Employees assigned to work in certain divisions, not necessarily their own, that provide essential functions, or who have skills or licenses that qualify them to work in such divisions, may be assigned to work mandatory shifts for a period of time until their services are no longer necessary. Such assignments may result in overtime work, and shall be compensated according to other provisions of this Policy.
10. **Non-Exempt Employee:** Non-exempt employees who receive hourly wages and are subject to wage and hour laws as they relate to overtime pay.

B. Natural Disasters (Hurricane, Tornado, Etc.)

1. **All Clear:** Refers to the declaration that it is safe to leave a secure location, primarily in the event of a severe weather catastrophe. The City Manager, in conjunction with the Emergency Management Director and the Charlotte County Emergency Operations Center, will make the decision to declare the All Clear with regard to employees returning to work. For purposes of this policy, a declaration of all clear does not necessarily end the Declared State of Emergency.
2. **Bunker:** A City facility that has been determined to be safe for employees and their dependents to be sheltered during a Declared State of Emergency, and that is due to a severe weather catastrophe.
3. **Emergency Pay (Natural Disasters -- Hurricane, Tornado, Etc.) :** Emergency Pay may only be put into effect after the City Council has declared a state of local emergency and upon such time and for such length as determined by the City Manager. Subject to approval by the City Manager, Employees who are required to remain at their work station while other employees are on paid furlough; or who are on a normally scheduled day off and are called in, may be authorized to receive their regular, straight time base pay plus emergency pay at the rate of one and a half times their regular hourly rate of pay, including all shift differentials and premium pay, for all hours worked, during the period of time or hours that the City Manager has authorized emergency pay.
4. **Essential Personnel:** All City employees shall be considered essential personnel; however, for purposes of the actual Declared State of Emergency, Department Heads shall identify in advance those individuals who are responsible for carrying out emergency operations and essential functions. Such employees may be required to remain at their assigned work stations both during and after the event, provided they

are physically capable to perform such duties. Those employees who are not directly involved in emergency operations or essential functions may be directed to stay at home or other secure location during the event, but shall be responsible for reporting to the City after the All Clear has been declared within the timeframe specified by the Emergency Management Tier level to which they have been assigned.

5. **First-In Teams:** Teams that have been created in advance of the Declared State of Emergency at the direction of the Emergency Management Director to assess the welfare of the community and establish and maintain control immediately after the All Clear declaration has been made.
6. **Tier:** The various levels of reporting time frames in which employees are required to report to their assigned work stations in response to a Declared State of Emergency, after the All Clear has been determined.
 - a. **First-In Team:** Multi-functional group of employees that has been created in advance of the Declared State of Emergency at the direction of the Emergency Management Director to assess the welfare of the community and establish and maintain control immediately after the All Clear declaration has been made.
 - b. **First Responder:** An employee whose function falls within the parameters of emergency operations or essential functions and who is required to stay at their work station/area or in one of the City's designated safe or protected facilities for the duration of the event.
 - c. **Tier 1:** Employees placed in this Tier must report to their work station or the EOC within three to six (3-6) hours after the All Clear has been given, provided they are physically able to do so.
 - d. **Tier 2:** Employees placed in this Tier must report to their work station or the EOC within six to twenty-four (6-24) hours after the All Clear has been given, provided they are physically able to do so.
 - e. **Tier 3:** Employees placed in this Tier must report to their work station or the EOC within twenty-four to thirty-six (24-36) hours after the All Clear has been given, provided they are physically able to do so.

C. **Pandemic or Other Health Emergency**

1. **Contagion:** A disease that is or may be transmitted by direct or indirect contact.
2. **Emergency Pay (Pandemic or Other Health Emergency):** Emergency furlough pay may be authorized by the City Manager for a period of time not to exceed 40 hours, or five regularly scheduled shifts for non-bargaining employees. During a Declared State of Emergency, all employees will be paid in accordance with the City's Personnel Rules and Regulations (PRR) and applicable Collective Bargaining Agreements. Employees may also be authorized to receive additional pay, as authorized by the City Manager.
3. **Family Care Succession Plan:** A coordinated plan, created in advance of an emergency, by employees to address care of children and other family members due to being required to report for duty. If possible, these plans should be designed with

- multiple lines of succession in place. This is due to the unpredictable nature of the emergency at hand and the inability of one person to respond as would be necessary.
4. **FFCRA:** The Families First Coronavirus Response Act (FFCRA) is a bill (H.R. 6201) meant to respond to the economic impacts of the ongoing 2019–20 coronavirus pandemic. If it is adopted by the Senate and signed by the President, it will provide certain paid leave benefits for employees who do not have access to such benefits.
 5. **FMLA:** The Family and Medical Leave Act (FMLA) is a federal law that requires covered employers to grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for, among other circumstances not specified here:
 - a. To care for an immediate family member (spouse, child, or parent) with a serious health condition; or
 - b. To take medical leave when the employee is unable to work because of a serious health condition.
 6. **Infectious Disease:** Infectious diseases are disorders caused by organisms such as bacteria, viruses, fungi or parasites. Some infectious diseases can be passed from person to person. Some are transmitted by insects or other animals and others by consuming contaminated food or water or being exposed to organisms in the environment. Infectious diseases common or recently affecting the United States include:
 - a. Influenza (Flu) – On average, influenza leads to more than 200,000 hospitalizations and 36,000 deaths each year in the United States;
 - b. Covid 19 (Coronavirus) – A new (19th) strain of the coronavirus for which humans have not yet developed an immunity;
 - c. Influenza H1N1 – The 2009 H1N1 influenza pandemic caused an estimated 270,000 hospitalizations and 12,270 deaths (1,270 of which were of people younger than age 18) between April 2009 and March 2010;
 - d. Hepatitis (various strains) – Hepatitis A, B, and C are viral infections that together affect an estimated 5% to 6% of Americans. Hepatitis A and B infection rates are falling in the United States, but cases of Hepatitis C infection are on the rise. Typically, infection with hepatitis A or B lasts for 6-months or less, with hepatitis C producing chronic symptoms that may last much longer.
 - e. Pneumonia – Very common with more than 3 million cases per year in US.
 7. **Pandemic:** A new disease or a variant of an existing disease with no human immunity; and that spreads worldwide.
 8. **Quarantine:** Often used in connection with infectious diseases and/or illness, preventing the movement of those who may have been exposed to a communicable disease, but do not have a confirmed medical diagnosis.
 - a. If an employee displays symptoms of a contagion that is the cause of a Declared State of Emergency, they will be directed to go home and quarantine themselves so that they do not infect other employees.

- b. Employees who believe they have been infected by a contagion that is the cause of a Declared State of Emergency must call their supervisor to determine if they should self-quarantine, and not report to work.

SECTION 3: EMERGENCY PAY POLICY (Natural Disasters - Hurricane, Tornado, Etc.)

Whenever an emergency is declared within the City of Punta Gorda, all City employees may be called into work before, immediately prior to, during, and after an event. Employees who are not directly involved in emergency operations or essential functions, or are not members of First-In Teams may be furloughed, with pay, until the City Manager, or his/her designee has declared the All Clear. Emergency furlough pay may be authorized by the City Manager for a period of time not to exceed 40 hours, or five regularly scheduled shifts for non-bargaining employees.

During a Declared State of Emergency, all employees will be paid in accordance with the City's Personnel Rules and Regulations (PRR) and applicable Collective Bargaining Agreements. Employees may also be authorized to receive additional pay, as authorized by the City Manager, subject to the provisions specified below.

A. Members of a Collective Bargaining Unit

1. Employees (shift and 40-hour employees) who are members of a collective bargaining unit shall be paid according to their respective Collective Bargaining Agreements.
2. The City Manager may, at his sole discretion, authorize greater compensation than what is specified in their respective Bargaining Agreements. Such employees may be authorized to receive their base hourly pay plus time and a half (1.5) basis for any or all emergency-related hours, during a Declared State of Emergency.

B. Non-Exempt Employees

1. Non-exempt employees who are available to work (as specified below) and are sent home early or are furloughed for their regularly scheduled work shift because an emergency has been declared and regular City operations have been suspended, shall be paid emergency furlough pay at the employee's base hourly rate for the balance of their shift(s), up to a maximum of the hours that constitute their regular shift(s). Such hours shall be included in the computation for overtime. In order to receive emergency furlough pay, an employee must be either at work or available to work, as specified in Section 3.C below.
2. Non-exempt employees who are required to remain at their work station, or who volunteer to serve in some critical support capacity during a period when they would otherwise be advised to remain at home for safety reasons, shall receive their regular, straight time base pay plus emergency pay at the rate of one and a half times their regular hourly rate of pay, including all shift differentials and premium pay, for all hours worked during that period. (Reference Section 2.B.3 above.).

C. Employees shall be considered available to work if they meet one of the following criteria:

1. The employee initially reported to work and was furloughed due to an emergency declaration;
2. The employee intended to be at work for his/her regular shift, but was told in advance not to report to work due to an emergency declaration;

3. The employee notified his/her Supervisor or Director in advance of his/her intent to evacuate on a short-term basis (less than 24 hours), but that he/she is available for work as soon as the All Clear is sounded. In order to receive emergency furlough pay, such an employee must report as specified by the reporting time associated with the Tier in which the employee has been placed; otherwise some other type of approved leave (paid or un-paid) shall be substituted for emergency furlough pay;
4. The employee is taking approved vacation leave, but notifies his/her Supervisor or Director that he/she is available and willing to report to work prior to, during, or after the emergency. In such cases, the employee will have his/her vacation leave restored, and emergency furlough leave will be substituted;
5. An employee who is on documented and approved Family and Medical Leave (FMLA) shall be considered unavailable to work, and shall be paid sick leave, vacation leave, or vacation escrow leave, provided such hours are available. If the FMLA is due to a workers compensation claim, the employee shall be paid in accordance with Section 30.1 of the City's Personnel Rules and Regulations (PRR).

D. Declared State of Emergency on a Holiday

1. Non-exempt regular full-time employees who meet the eligibility requirements for holiday pay, and were not scheduled to work on the holiday, and who are not called in as a result of the declared state of emergency, shall be paid their normal holiday pay as per PRR. Employee is not eligible for Furlough pay.
2. Non-exempt regular full-time employees who meet the eligibility requirements for holiday pay, and were scheduled to work (generally 24 hour operations), and were sent home early or furloughed for their scheduled shift by the City, will be paid their straight time holiday pay and the straight time furlough pay for hours not worked in their normal shift. This provision excludes employees who wish to leave work and would follow normal holiday guidelines as per City's PRR Section 15.
3. Non-exempt employees who are required to remain at their work station, are called in, or who volunteer to serve in some critical support capacity during a period when they would otherwise be at home on paid holiday, in compliance with Section 15.2 of the City's PRR may be paid at one and one half times the employee's base hourly rate for all hours worked during that period; and,
 - (a) Shall receive holiday pay as specified in Section 15.4 of the City's PRR; and,
 - (b) May be paid emergency pay as specified elsewhere in this policy

DI. Exempt Employees

1. In order for exempt employees to be eligible for consideration for overtime pay under this policy, they must either be present at work, or provide documentation of all hours worked from home. Being available to work will not be considered hours worked.
2. Such exempt (salaried) employees may be authorized to receive base hourly pay on a double time (2.0) basis for all emergency-related hours, during a Declared State of Emergency.

The provisions of this Section shall be effective for the entire time period encompassed as per Section 2.B.3 or 2.C.2 of this policy.

SECTION 4: DEPARTMENTAL RESPONSIBILITY

- A. It is the responsibility of the individual Departments to determine and designate those personnel who will be responsible for emergency operations and essential functions (First In Teams and First Responders); and those who will be placed elsewhere within the City's Emergency Management Tier Organizational Structure.
- B. It is the responsibility of the individual Departments and Division Heads to ensure that all of their employees provide Human Resources with current, up-to-date information, including:
 - 1. Employee's Full Name
 - 2. Position Title
 - 3. Current contact numbers (i.e. home, cell, relative, etc.)
 - 4. Current Address

SECTION 5: ESSENTIAL PERSONNEL

- A. For purposes of this regulation, all employees of the City of Punta Gorda shall be considered Essential Personnel.
- B. All City personnel should be informed of their anticipated duties during a Declared State of Emergency, including the following information:
 - 1. All City employees are considered essential personnel;
 - 2. Instructions regarding pre-emergency preparation, including document and equipment storage and protection, facilities protection, etc.;
 - 3. Each employee's Tier status and time frames for reporting to his/her assigned work stations or the E.O.C.
 - 4. The dedicated 24-hour Emergency Number(s) to call to report his/her status in the event he/she is unable to report to work, and why;
 - 5. Alternative methods of receiving reporting instructions in the event that the employee is unable to call the dedicated contact number(s) due to communications equipment failure;
 - 6. Disciplinary action that may be taken in the event that employees do not comply with the contact and reporting provisions of this policy.

SECTION 6: NOTIFICATION REQUIREMENT

Employees who are unable to report to their assigned work stations or the E.O.C. as specified elsewhere in this regulation shall be required to call the City's 24-hour Emergency Number to notify the City of this fact and the reason for being unable to comply with this regulation. If employees are unable to make contact with the City due to communications equipment failure, they should follow the alternative method specified during the pre-emergency information each employee received for instructions regarding reporting to work.

SECTION 7: FAILURE TO REPORT AS EXPECTED

- A. Employees are expected to report to work according to the time frame associated with the Tier level to which they have been assigned. If an employee does not report as expected and has not made attempts to contact the City with a valid reason for not reporting, employees may be subject to disciplinary action. (See Section 8: RECOMMENDED DISCIPLINARY ACTION matrix.)
- B. If an employee does not call or report as directed, yet has a reasonable explanation for not doing so, disciplinary action may or may not be issued at the discretion of the Department Head and concurrence by the City Manager.
- C. Supervisors of employees who do not report for work as directed should notify Human Resources as soon as reasonably possible for a determination of whether or not disciplinary action is warranted.

SECTION 8: RECOMMENDED DISCIPLINARY ACTION

In the event that an employee does not report as expected, or contact the City with a valid reason for not reporting, the table below specifies the discipline that may be applied for such violations during or after a Declared State of Emergency. Nothing in this policy shall prohibit the City Manager from exercising discretionary judgment for disciplinary action based on the merits, or lack of merit, for individual situations.

Violation	Violation Citation	Disciplinary Action
Any employee who did not call in or report to work for one (1) shift/work day during a Declared State of Emergency, without valid reason.	PRR Group II Offenses #13: Absent without permission or leave (AWOL)	Written Reprimand, or up to a three-day suspension without pay.
Any employee who did not call or report to work for two (2) or more consecutive shifts/ workdays during or after a Declared State of Emergency, without valid reason.	PRR Group II Offenses #13: Absent without permission or leave (AWOL)	Three-day suspension, or up to a five-day suspension without pay.
Any employee who did not call or report to work for three (3) or more consecutive shifts/ workdays during or after a Declared State of Emergency, without valid reason.	PRR Group II Offenses #8: . . . the refusal to perform the work assigned; #13: Absent without permission or leave (AWOL)	Five-day suspension, or up to termination of employment.

SECTION 9: OTHER RELATED PROVISIONS

- A. If an employee is unable to return to work for any reason, the situation will be assessed by the Department Head and the City Manager to determine that employee's status (i.e. AWOL, on approved leave, etc.).

- B. The City Manager reserves the right to consider unique situations as they arise throughout the Declared State of Emergency. In situations deemed appropriate by the City Manager, adjustments to this policy may be made.

INFECTIOUS DISEASES AND CONTAGIONS POLICY

SECTION 1: GENERAL PROVISIONS

- A. This Section focuses on emergency events in which infectious diseases and other widespread health risks or contagions have manifested themselves in the community. Refer to **Section 2: Definitions** in the City's general Declared State of Emergency Policy for clarification of terms which will be used in this Policy.
- B. A Declaration of a State of Emergency due to an infectious disease outbreak or other widespread health risks shall generally follow the guidance of State and Federal officials with respect to timing and curtailment of mass gatherings and events.
- C. A Declared State of Emergency due to a pandemic, some other infectious disease outbreak or other widespread health risks carries with it certain elements that are indeterminate and are unlike a natural disaster such as a hurricane or tornado. Such natural disasters tend to be confined geographically and generally follow a specific timeline for preparation, recovery, and post recovery periods. City employees are often not directly impacted physically so staffing issues tend to be focused on putting all available talent at the right place at the right time.
- D. In a pandemic emergency, the City could experience severe reductions in staffing due to quarantine or actual infection. As a consequence, each Department Head shall be responsible to carry out the following:
 - 1. Determine the essential functions that must continue because they have a direct impact on the welfare of the community;
 - 2. Identify employees that are required to continue to provide such services, and who perform those tasks on a regular basis;
 - 3. Identify employees, in their Departments or others, who may have transferrable skills that enable the City to continue to provide such services, develop a roster of these individuals, and make this roster available to the Emergency Management Director and Human Resources; and,
 - 4. Clearly communicate to all staff of their potential assignments should an infectious disease breakout occur where there is a likelihood of widespread staff shortages. If it is determined that some of those employees are in other departments or divisions, work with the appropriate Director or supervisor to ensure they are aware of the potential for re-assignment.
- E. **Mandatory Work Assignments:** Employees assigned to work in certain divisions that provide essential functions, or who have skills or licenses that qualify them work in such divisions, may be assigned to work mandatory shifts for a period of time until their services are no longer necessary. Employees who work in the following departments/divisions may be required to work mandatory shifts if acute staffing shortages occur:
 - 1. **Police Department:** All sworn officers, emergency tele-communicators, and Evidence Tech;

2. **Fire Department:** All sworn officers;
 3. **Water and Wastewater Treatment Plants:** All licensed operators and those who have been identified in advance as having critical transferable skills;
 4. **Water Distribution and Wastewater Collection:** All employees and those who have been identified in advance as having critical transferable skills;
 5. **Information Technology:** All employees must be available to report to the office or to work from home via remote setup;
 6. **Finance:** All employees must be available to report to the office or to work from home via remote setup;
 7. **Sanitation:** All employees.
- B. **Telecommuting:** Employees may be allowed to work from home by computer in the event that City facilities are closed by a Declared State of Emergency. To determine if you are eligible to telecommute, your supervisor or Department Head must contact the Information Technology Manager with regards to access, equipment, and security concerns. Any telecommuting arrangements must comply with the City's Temporary Telework Policy.
- C. **Pay Plan:** Unless otherwise specifically approved by the City Manager, all employees will be paid in accordance with the City's Personnel Rules and Regulations (PRR) and applicable Collective Bargaining Agreements.
- D. **Furloughed Employees**
1. Employees who are assigned to a department or division that provides essential services to the community may be furloughed during the infectious disease Declared State of Emergency. Although the City Manager has the authority to grant paid furlough up to five working shifts, or 40 hours, depending on employees' normal work shift, the granting of paid furlough is strictly at the City Manager's pleasure, and is not guaranteed. This also applies to specifying the duration of paid furlough.
 2. Unless specifically granted by the City Manager, furlough shall be considered to be unpaid unless employees have paid vacation time available. In such cases they will be required to substitute paid vacation time in place of unpaid furlough. The City Manager may approve the use of sick leave, subject to the provisions elsewhere in this policy.
 3. Employees who are concerned about being furloughed, and have what they believe are transferable skills, may ask their supervisor or Director to be placed on the roster as specified in Section 1.C above.
- E. **Quarantine Processes**
- Use of sick leave during a Declared State of Emergency shall comply with Section 17 of the City's Rules and Regulations (PRR), and other laws as they become effective:
1. Employees who self-quarantine despite not showing any signs or symptoms shall be required to meet with or speak with the Benefits Coordinator or Human Resources Manager 24 hours prior to their shift to determine the circumstances surrounding the need for the quarantine;

2. Employees who are directed by a physician, their supervisor, manager, or Department Head to be quarantined at home because they are symptomatic, and are absent for more than three days, must see a licensed medical practitioner and receive written clearance in order to return to work;
3. Quarantine procedures, whether self-quarantine or being sent home are as follows:
 - a) Employee shall be required to stay at home, except for instances that require the employee to go to a licensed medical professional, or other necessities;
 - b) Employee shall be required to contact the Benefits Coordinator or the Human Resources Manager at least every other day during the period of quarantine.

F. Travel and Meetings

1. During a Declared State of Emergency as a result of a pandemic or other infectious disease or contagion, travel related to City business and attendance at meetings where more than 10 people are present is prohibited unless specifically approved by the City's Emergency Management Director or the City Manager in advance of travelling or attending the meeting(s).
2. The City will require employees to self-quarantine and where possible work from home for a period of 14 days in the following circumstances, before returning symptom-free to the workplace, and bearing a medical professional's release:
 - a) Any travel on a cruise ship (14 days runs from date of disembarking from ship, not counting the day of disembarking).
 - b) Any travel on a commercial flight (14 days runs from date of disembarking from plane, not counting the day of disembarking).
 - c) Any public transportation travel across state lines (14 days runs from date of disembarking from method of public transport, not counting the day of disembarking).
 - d) Any travel to states with 11 or more reported cases as shown at the CDC website (14 days runs from date of re-entry to Florida, not counting the day of re-entry).

- 24.8.4 The Department Director, Procurement Manager, Finance Director or City Manager may submit a referral to the Human Resources Division for formal discipline or termination at any time.

24.9 DISCIPLINE FOR FRAUDULENT PURCHASES

- 24.9.1 First Offense - The account (purchasing card) will be permanently closed. Written notification will be issued to the offender, the offender supervisor and Department Director citing the violation. The offender shall be required to provide Procurement with a written statement of explanation.
- 24.9.2 The Department Director, Procurement Manager, Finance Director or City Manager may submit a referral to the Human Resources Division for formal discipline or termination.

25. **EMERGENCY OPERATIONS PROCUREMENT POLICY**

25.1 GENERAL

- 25.1.1 Upon the City's declaration of an emergency the standard Procurement Policy will be suspended and the City's EMERGENCY OPERATIONS Procurement Policy shall govern procurement activities until the City returns to normal operations or the need for emergency response is no longer required.
- 25.1.2 The City's Procurement Division will in all instances operate and process emergency procurement requirements under the Federal Uniform Guidance regulations of 2 CFR 200, which identifies purchasing dollar thresholds and solicitation process.
- 25.1.3 The Procurement Manager will be granted the authority to decrease the time period for soliciting solicitations based on the emergency need. Sealed formal solicitations will be in accordance with the current Federal Simplified Acquisition threshold.
- 25.1.4 The Procurement Manager shall have the authority to negotiate a contract with the apparent low bidder as may be deemed necessary to comply with FEMA established and acceptable pricing guidelines and to meet the City's emergency requirements.
- 25.1.5 The City's award authority policy shall be waived during emergency operations. The City Manager shall be granted the authority to award contracts, which are normally reserved for City Council approval, as is determined to be in the best interest of the City.
- 25.1.6 The City's Procurement Manager shall control all purchases for emergency response and recovery procurement needs for the City. However, the Procurement Manager is authorized to seek assistance from the County and State of Florida Emergency Operations Center in procurement events as may be deemed necessary.

25.2 FEDERAL APPROVED PROCUREMENT METHODS

- 25.2.1 Micro-Purchases: the threshold for Micro-Purchases shall be the current dollar threshold amount defined in 2 CFR 200.067. The City's procedures for micro-purchases must be used.
- 25.2.2 Small purchase procedures: an informal method for securing services or supplies that do not cost more than the current Federal Simplified Acquisition threshold. The process for the purchase must be in accordance with 2 CFR 200.320
- 25.2.3 Sealed bids: a formal method where bids are advertised and solicited, and the contract is awarded to the responsive and responsible bidder whose proposal is the lowest in price.
- 25.2.4 Competitive proposals: a method similar to sealed bid procurement in which contracts are awarded on the basis of contractor qualifications instead of on price. This may or may not be a sealed process depending on the urgency of the goods or services required.
- 25.2.5 Non-competitive proposals: a method whereby a proposal is received from only one source, because the item is available only from a single source; there is an emergency requirement that will not permit delay; or the competition is inadequate to seek additional sources. If these conditions exist, FEMA may find this method acceptable. Otherwise, noncompetitive proposals generally are ineligible.

25.3 FEDERAL APPROVED CONTRACT METHODS

- 25.3.1 Lump sum: contract for work within a prescribed boundary with a clearly defined scope and a total price
- 25.3.2 Unit price: contract for work done on an item-by-item basis with cost determined per unit
- 25.3.3 Cost plus fixed fee: either a lump sum or unit price contract with a fixed contractor fee added into the price
- 25.3.4 Time and materials contracts should be avoided, but may be allowed for work that is necessary immediately after the disaster has occurred when a clear scope of work cannot be developed. Generally, FEMA will accept time and materials contracts with work duration of 70 hours immediately after a disaster. CITY must carefully document contractor expenses, and a cost ceiling or "not to exceed" provision must be included in the contract and if the contractor exceeds the maximum amount they do so at their own risk. If a time and materials contract has been used, the CITY must document why a unit or lump sum cost would not be feasible. Cost plus a percentage of cost contracts and contingency contracts are not eligible.

26. PUBLIC-PRIVATE PARTNERSHIPS

26.1 GENERAL

- 26.1.1 The process for conducting a Public Private Partnership must be in accordance with FL Statute 255.064 and processed through Procurement if such procurement facilitates the timely development or operation of a qualifying project.
- 26.1.2 The City may receive unsolicited proposals or may solicit proposals for qualifying project and may thereafter enter into a comprehensive Agreement with a private entity for the building, upgrading, operating, ownership, or financing of facilities.
 - 26.1.2.1 Written justification must be provided to the Procurement Manager if the procurement process does not promote the timely execution of a Public-Private Partnership.
- 26.1.3 The City may request an application fee from a private entity who submits an unsolicited proposal. In the event the initial application fee does not cover the City's cost process the request, the City may request additional amount in writing.
 - 26.1.3.1 If the City does not evaluate the unsolicited proposal, the City must return the application fee.

26.2 CITY'S RESPONSIBILITIES:

- 26.2.1 The City must ensure a professional review and evaluation of the design and construction proposed by the initial or subsequent proposers.
- 26.2.2 The City may either:
 - 26.2.2.1 Request a proposal from private entities for a qualifying project; or
 - 26.2.2.2 If the City receives an unsolicited proposal for a qualifying project and the City intends to enter into a comprehensive Agreement for the project; the City must publish notice in the Florida Administrative Register and a newspaper of general circulation in accordance with the statute. All requirements for the procurement process must be in accordance with FS 255.065.
- 26.2.3 If the qualifying project includes design work, the solicitation must include a design criteria package prepared by an architect, landscape architect or engineer licensed in the state of Florida. The requirements for the design criteria package must be in accordance with FS 255.065.

26.3 PROJECT QUALIFICATION, PROCUREMENT, EVALUATION AND SELECTION PROCESSES

- 26.3.1 The procurement, evaluation and selection must be in accordance with FS 255.065

26.4 PREPARATION, APPROVAL AND EXECUTION OF A COMPREHENSIVE AGREEMENT

- 26.4.1 The approval and execution of a Comprehensive Agreement will be conducted in accordance with FS 255.065