

EMERGENCY ACTION 2021-22
DECLARATION OF STATE OF GENERAL EMERGENCY
IN ALACHUA COUNTY DUE TO DELTA VARIANT OF COVID-19

WHEREAS, on February 24th 2021 President Biden extended, for another year, the national state of emergency due to Covid-19 contained in Proclamation 9994 by President Trump; and

WHEREAS, both President Biden and Governor Ron DeSantis have recommended that all individuals who are able to be vaccinated get vaccinated, and both have stated that the COVID vaccine saves lives; and

WHEREAS, on August 3rd, 2021 the CDC issued an eviction moratorium for U.S. Counties experiencing substantial and high levels of community transmission levels of SARS-CoV-2 as defined by the CDC; and

WHEREAS, the CDC has indicated that Alachua County is in the high community transmission category, meaning 100 or more cases for every 100,000 people and/or lab test positivity rate for COVID that is 10% or higher; and

WHEREAS, because of the increased incidence of infection being caused by the Delta variant of COVID-19 the CDC now recommends that face masks be worn indoors by individuals who are vaccinated as well as those who are not vaccinated since the Delta variant has proven to be more virulent than other widespread variants; and

WHEREAS, according to the CDC, the Delta variant of the COVID-19 virus is as contagious as the chickenpox virus and can result in unvaccinated individuals getting much sicker than prior variants and can result in break through infections in vaccinated individuals, although with far milder symptoms; and

WHEREAS, while the Board of County Commissioners allowed its prior state of emergency to expire based upon the increased level of availability of effective and safe vaccines in Alachua County and the continuing increase in vaccination by the residents of Alachua County; and,

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WHEREAS, a vaccine is available for all individuals above the age of 12 and while the vaccination rate in Alachua County is just over 60% the vaccination rate has slowed from where it was in May; and

WHEREAS, since July 9, 2021 there has been an increase in local cases week by week so that by the last time figures are available from the Florida Department of Health, July 30th, Alachua County had new positive cases of 1,082 which is a new case positivity rate of 14.6%; and

WHEREAS, because of the regional nature of our health facilities, our hospitals have had a significant increase in the number of individuals requiring hospitalization and placement in the ICU's; and

WHEREAS, with the continuing increase in hospitalizations and community spread there is likely to be an impact on county operations and the ability to provide public services in a timely manner; and

WHEREAS, with the increase in hospitalizations due to the increase in virulence of the Delta variant when compared with previous variants and the increase in breakthrough infections of the vaccinated, the County strongly recommends that the members of the public who have not been vaccinated get vaccinated, and all members of the public, including those who are vaccinated, should follow the guidelines of the CDC regarding washing hands frequently, social distancing and wearing masks indoors; and

WHEREAS, the Board of County Commissioners continues to receive regular briefings from the Department of Health regarding local conditions and from other medical advisors and will continue to seek out that information and be informed by those opinions; and

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WHEREAS, the declaration of a local state of emergency under Section 252.38, Fla. Stat. does not meet the definition of an emergency order as defined in Sec. 252.38(4)(a), Fla. Stat. (2021) as this Action does not limit the rights or liberties of individuals or businesses in the County; and

WHEREAS, the Alachua County Code allows certain streamlined operations during the pendency of a local declared state of emergency which allows the County Administration and the Board of County Commissioners flexibility in the utilization of Federal, State and local Funds; and

WHEREAS, the Chair of the Board of County Commission is the Official Authority as prescribed in County Code §27.07; and

WHEREAS, Alachua County Code Sec. 27.08 (6) as amended by Ordinance 2020-19 allows the Official Authority to take actions between meetings of the Board as long as the Board is advised of such action so they may take whatever action it deems appropriate at the time and in the absence of action of the Board, such action stands as ratified; and

WHEREAS, the Board of County Commissioners is being kept advised of all matters related to this Emergency and briefed at every regular meeting or special meetings as they wish.

NOW THEREFORE, pursuant to Alachua County Code Section §27.07, the Chair of the Board of County Commissioners sitting as the Official Authority hereby resolves, finds, and declares:

1. The above recitals are true.
2. There shall be in effect a local state of emergency as of August 5th 2021 beginning at 1:00 pm. and shall continue uninterrupted for 7 days.
3. Should circumstances warrant I may extend this Action for another seven days no later than August 12^h, 2021 at 1:00 p.m.

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4. In accordance with §252.46(2), Fla. Stat., this Order shall take effect immediately upon filing with the Clerk of Courts for Alachua County.

Dated this 5th day of August, 2021 at 10:55 a.m.

BOARD OF COUNTY COMMISSIONERS
OF ALACHUA COUNTY, FLORIDA

By: 
Ken Cornell, Chair

APPROVED AS TO FORM:


County Attorney's Office