CITY OF TAMPA

OFFICE OF THE MAYOR

Jane Castor, Mayor

EXECUTIVE ORDER 2021-35

WHEREAS, on March 13, 2020, then-President Donald J. Trump issued Proclamation 9994 declaring a **National Emergency** concerning Coronavirus Disease 2019 (COVID-19); and

WHEREAS, on February 24, 2021, President Joseph R. Biden Jr. issued notice of the Continuation of the **National Emergency** Concerning the Coronavirus Disease 2019 (COVID-19) pandemic, declared in Proclamation 9994, which declaration remains in effect; and

WHEREAS, then Secretary of Health and Human Services ("HHS") Alex M. Azar II declared a **National Public Health Emergency** on January 31, 2020, which determination was renewed on April 21, 2020, July 23, 2020, October 2, 2020, January 7, 2021, and most recently on April 15, 2021 by HHS Secretary Xavier Becerra; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order Number 20-51 declaring a Public Health Emergency in the State of Florida due to the spread of COVID-19; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order Number 20-52, declaring a State of Emergency for the State of Florida, extending to all sixty-seven (67) counties, including Hillsborough County and the City of Tampa, due to COVID-19, which Executive Order Number 20-52 was extended numerous times and was last extended for another sixty (60) days on April 27, 2021 by Executive Order 21-94, which Executive Order has expired; and

WHEREAS, between March 12, 2020 and May 3, 2021, pursuant to Section 2-402 of the City of Tampa Code, as Mayor of the City of Tampa, I issued City of Tampa Executive Order 2020-01 declaring that a state of local emergency has occurred in the City of Tampa in response to a city-wide threat of the spread of COVID-19, which Executive Order was extended several times and was last extended on April 26, 2021 by Executive Order 2021-23; and

WHEREAS, between March 12, 2020, and May 3, 2021, as Mayor of the City of Tampa, I issued several City of Tampa Executive Orders in response to the city-wide threat of the spread of COVID-19, which Executive Orders have now been terminated or expired; and

WHEREAS, as Mayor of the City of Tampa, pursuant to Section 4.01 of the City of Tampa Charter and Section 2-403 of the City of Tampa Code, I also make and effectuate policy determinations with regard to the safety of City of Tampa facilities and the health and well-being of City employees and visitors to City facilities; and in doing so, I make a good faith effort to substantially comply with authoritative or controlling government-issued health standards or guidance in effect; and

WHEREAS, on May 5, 2021, pursuant to Section 2-402 of the City of Tampa Code, as **Mayor of the City of Tampa,** I issued **City of Tampa Executive Order 2021-24,** declaring that a state of local emergency has occurred in the City of Tampa, based upon the COVID-19 pandemic, which has had and continues to have a negative financial impact on the City of Tampa, including lost revenues due to cancelled events, and the significant costs associated with mitigative measures and other protective actions the City of Tampa undertook and continues to undertake to reduce the spread of COVID-19 within its facilities and throughout the community, which declaration of emergency was extended by City of Tampa Executive Order 2021-25 on May 12, 2021, Executive Order 2021-27 on May 19, 2021, by Executive Order 2021-28 on May 26, 2021, by Executive Order 2021-29 on June 2, 2021, by Executive Order 2021-30 on June 9, 2021, by Executive Order 2021-31 on June 16, 2021, by Executive Order 2021-33 on June 23, 2021, and was amended, restated, and extended by Executive Order 2021-34 on June 30, 2021 ; and

WHEREAS, the declaration of a state of local emergency may enable the City of Tampa to more easily access funds from state and federal agencies to assist with the costs incurred by the City of Tampa in taking mitigative measures and other protective actions to reduce the spread of COVID-19 within its facilities and throughout the community; and

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of Tampa by Article VII, Civil Emergencies, Sections 2-401, et. seq., of the City of Tampa Code, the Charter of the City of Tampa, and the Laws of the State of Florida, and in coordination with Hillsborough County, I hereby issue this Executive Order:

1. State of Local Emergency. The justifications set forth in City of Tampa Executive Order 2021-24 for declaring a state of local emergency still exist, and based on the additional reasons set forth in the recital clauses above, the state of local emergency declared in Executive Order 2021-24 on May 5, 2021, as extended by Executive Order 2021-25 on May 12, 2021, Executive Order 2021-27 on May 19, 2021, by Executive Order 2021-28 on May 26, 2021, by Executive Order 2021-29 on June 2, 2021 by Executive Order 2021-30 on June 9, 2021, by Executive Order 2021-31 on June 16, 2021, by Executive Order 2021-33 on June 23, 2021, and as amended, restated, and extended by Executive Order 2021-34, is hereby extended within the City of Tampa for another seven (7) day period, effective as of the date hereof.

2. Governor's Executive Orders. The Executive Orders issued by the Governor of the State of Florida addressing the state-wide COVID-19 state of emergency, specifically, Executive Order Numbers 20-51, 20-52, 20-114, 20-166, 20-213, 20-276, 21-45, 21-94 and all subsequent Executive Orders of state-wide application based thereon are incorporated herein by reference and made part of this Order and shall have force and effect in the City of Tampa as provided by Chapter 252, Florida Statutes.

3. No Conflict with Governor's Executive Orders 21-101 or 21-102, or Senate Bill No. 2006 (Chapter 2021-8); Severability. Nothing herein or in any policy adopted by the City is intended to conflict with the Governor's Executive Orders 21-101 or 21-102 or with Chapter 2021-8; specifically, nothing herein is intended to limit the rights or liberties of individuals or businesses within the City of Tampa. If any policy or provision herein is found to be eliminated or superseded by Executive Orders 21-101 or 21-102, or by Chapter 2021-8, the remainder shall remain in full force and effect.

4. Effective Date and Duration. This Executive Order shall take effect immediately on the date set forth below and all provisions herein shall apply during the duration of this Executive Order, and pursuant to Section 2-402, of the City of Tampa Code, this Executive Order shall terminate seven (7) days after the date set forth below unless suspended or extended by subsequent executive order by the Mayor as necessary in seven (7) day increments.

DONE and ORDERED this 7 day of July, 2021.

Jane Castor, Mayor

PREPARED AND APPROVED BY:

Andrea Zelman, Deputy City Attorney