

EMERGENCY ACTION 2021-27
EXTENSION 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, 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, the Board of County Commissioners allowed its prior state of emergency to expire in May 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,

WHEREAS, a vaccine is available for all individuals above the age of 12 and while the vaccination rate in Alachua County is currently just over 66% the vaccination rate has slowed from where it was in May; and

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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, August 27th, Alachua County had 1,520 new positive cases with a positivity rate of 11.9%; 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, at their meetings on August 10th, August 17th and, August 24th 2021 the Board of County Commissioners received briefings from the Department of Health and experts from the University of Florida regarding the increase in positive cases and the impact on the Delta Variant on the local healthcare system; and

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

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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, pursuant to Chapter 27 of the Alachua County Code the Chair, acting as the Official Authority has declared a state of emergency in Emergency Actions 2021-26. These Actions have been ratified by the Board of County Commissioners at their following meeting; and

WHEREAS, on August 31st the Board of County Commissioners met in a regular meeting and after considering a briefing from the Department of Health acted to extend the declaration of emergency for an additional 7 days starting September 2nd 2021; and

WHEREAS, Sec. 27.07(4) provides that a declaration of emergency shall be declared by the Board of County Commissioners if they are available.

NOW THEREFORE, pursuant to Alachua County Code Section §27.07, 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 September 2nd 2021 beginning at 1:00 pm. and shall continue uninterrupted for 7 days.
3. Should circumstances warrant this Action may be extended for another seven days no later than September 9th, 2021 at 1:00 p.m.
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.

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Dated this 2nd day of September, 2021 at 10:40 a.m.

BOARD OF COUNTY COMMISSIONERS
OF ALACHUA COUNTY, FLORIDA

By: 
Ken Cornell, Chair

APPROVED AS TO FORM:


County Attorney's Office