RESOLUTION NO. 20-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
FORT LAUDERDALE, FLORIDA, DELEGATING TO THE CITY
MANAGER OR THE CITY MANAGER'S DESIGNEE CERTAIN
EMERGENCY AUTHORITY, AND PROVIDING FOR
SEVERABILITY, RESCISSION OF CONFLICTING
RESOLUTION PROVISIONS AND AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale enters into various contracts, including revocable license agreements to facilitate work in public rights-of-way, approves maintenance of traffic plans in connection with various construction projects, applies for and accepts various grants, grants easements for various purposes, files various lawsuits, and enters into not for profit grant participation agreements, among other municipal functions; and

WHEREAS, Governor Ron DeSantis issued Executive Order Number 20-52 ("Executive Order 20-52"), declaring a state of emergency for the entire State of Florida as a result of Novel Coronavirus Disease 19 (COVID-19), Section 4.D. of which authorizes political subdivisions to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

1.   Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;

2.   Entering into contracts; however, political subdivisions are cautioned against entering into time and materials contracts without ceiling as defined by 2 CFR 200.318(j) or cost plus percentage contracts as defined by 2 CFR 200.323(d);

3.   Incurring obligations;

4.   Employment of permanent and temporary workers;

5.   Utilization of volunteer workers;

6.   Rental of equipment;

7.   Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and,

8.   Appropriation and expenditure of public funds; and

20-45

WHEREAS, Subsection 4.01(b) of the Charter of the City of Fort Lauderdale, Florida, provides:

> All contracts, agreements, leases or other instruments to which the city is a party and under which the city assumes any liability, shall be executed in the name of the city by the mayor-commissioner and city manager, attested by the city clerk, and the form of any such instrument shall be previously approved by the city attorney or assistant city attorney, provided, however, that where by ordinance or resolution, the execution of short-term leases or other instruments is delegated to another person, such instrument may be executed in the manner provided by such ordinance or resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1.   That the normal procedures and formalities regarding the following activities are waived, and the City Manager or the City Manager's designee is delegated the authority to perform the following activities:
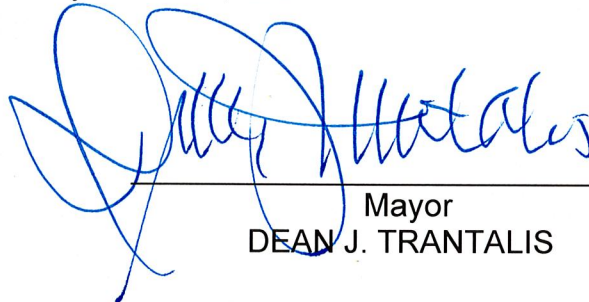
a.   Approve and execute revocable license agreements to facilitate work in public rights-of-way.

b.   Approve maintenance of traffic plans exceeding seventy-two hours in duration in connection with construction projects.

c.   Apply for and accept grants.

d.   Grant utility, right-of-way, and drainage easements.

e.   Authorize the filing of lawsuits.

f.   Extend contracts for up to six months.

g.   Approve and execute FY 2020 not for profit grant participation agreements.

h.   Exercise any other power of the City Commission that is not inconsistent with applicable law or ordinance or the Charter of the City of Fort Lauderdale or Executive Order 20-52 with the advice and consent of the Mayor.

SECTION 2.   That if any clause, section, or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 3.   That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby rescinded.

SECTION 4.   That this resolution shall take effect immediately upon its adoption.

ADOPTED this the 20th day of March, 2020.

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Mayor
DEAN J. TRANTALIS

ATTEST:

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City Clerk
JEFFREY A. MODARELLI

20-45