



Memorandum

To: Wildwood City Commission
From: Jason F. McHugh, City Manager
Date: April 3, 2020
Re: COVID-19 Pandemic

Dear Mayor and Commissioners:

As of 12:01am this morning Executive Order 20-91 issued by Governor DeSantis is in effect. The Governor's executive order states that "all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities." The order defines "essential services" as the detailed list by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, v 2 dated March 28, 2020 and the Miami-Dade County Emergency Order 07-20 (attached). The Guidance contains a very broad list of what may be considered essential. With coordination and advice from the City Attorney's office, I made the determination that Executive Order forced the City to determine essential vs non-essential activities and services and allowed the City to classify every City employee as essential due to the public benefit of the services the City provides.

I took the responsibility to make that decision until the issues could be discussed further with the City Commission and have scheduled a Special Called meeting for Monday morning. I sent out a memo to all City employees informing them of my decision to classify every employee as essential and stated that I would be seeking City Commission guidance on how to move forward. I have attached a copy of my memorandum to the employees for reference.

Once determination of essential vs non-essential employees was made, Policy 6.17 "Emergency Response Pay" of the City's Personnel Policies takes effect and all employees will be paid time-and-a-half (1.5x) for their scheduled work shifts. I have attached the policy for reference.

I do not believe this policy is appropriate to address the ongoing extenuating circumstances of this pandemic. This policy was enacted after the response to Hurricane Irma and was based on guidance from the Federal Emergency Management Agency (FEMA) to ensure the City was eligible for reimbursement of staff's time in response to the event. This policy is appropriate for short duration events, but is not suitable for what we are facing with COVID-19. I believe the policy should be suspended for as long as the City is under the state of local emergency declaration.

The City Commission should consider modifying the local state of emergency to suspend Policy 6.17 and to determine which City services are considered essential. The City Attorney and I have prepared a resolution for consideration at Monday's meeting that would do the following:

- Extend the local state of emergency to May 1st to cover the extend of Executive Order 20-91
- Classify all City employees as "essential"
- Suspend Policy 6.17 so that all employees earn their normal wage
- Directs the Chief of Police to enforce the prohibition of social gatherings of more than 10 people in public spaces

In response to the pandemic, the City Commission may want to discuss additional actions not contained within the resolution. Issues that could be discussed include but are not limited to:

- Closing public parks
- Public access to City Hall
- Whether all City services are essential
- Construction on city projects
- How the Police Department enforces the social gathering prohibition

The resolution could be modified to accommodate additional actions the City Commission feels appropriate. I look forward to discussing these options during Monday's meeting. After the meeting, I need to have clear direction from the City Commission on how best to proceed.