STATE OF FLORIDA
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

IN THE MATTER OF: SJRWMD F.O.R. No. 2020-10

EMERGENCY AUTHORIZATION FOR CONTINUITY OF OPERATIONS, PROCUREMENT, AND CERTAIN OTHER MEASURES MADE NECESSARY BY COVID-19

FOURTH AMENDED EMERGENCY ORDER 2020-10

Under the authority of the State of Florida Office of the Governor, Executive Orders 20-52, 20-114, 20-166, 20-179, and 20-213, and sections 120.569(2)(n), 252.36, 252.38, 252.46, and 373.119 of the Florida Statutes, St. Johns River Water Management District (District), by and through its Executive Director, enters this Fourth Amended Emergency Order to extend the provisions of the District’s Amended and Restated Emergency Order 2020-10 (Amended Order), as extended by the District’s Second Amended Emergency Order 2020-10 (Second Amended Order) and the District’s Third Amended Emergency Order 2020-10 (Third Amended Order), addressing continuity of operations, procurement, and certain other measures necessitated by the Public Health Emergency and impacts associated with the Novel Coronavirus Disease 2019 (COVID-19), and makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The District, a special taxing district created by chapter 373 of the Florida Statutes, is empowered to administer that chapter and the rules promulgated thereunder.

2. On March 9, 2020, the Governor of Florida issued Executive Order No. 20-52, declaring that a state of emergency exists in the State of Florida, based upon the serious threat to
the public health, safety, and welfare posed by the Public Health Emergency as a result of COVID-19. On March 20, 2020, the District entered Emergency Order 2020-10, which was due to expire May 8, 2020.

3. On May 8, 2020, the Governor issued Executive Order No. 20-114, extending the state of emergency in Florida. That same day, the District entered the Amended Order, which extended its previous Emergency Order 2020-10 through May 31, 2020. On May 29, 2020, the District entered the Second Amended Order, extending the Amended Order through July 7, 2020.

4. On July 7, 2020, the Governor issued Executive Order No. 20-166, extending the state of emergency in Florida through September 5, 2020. On the same day, the District’s Executive Director entered the Third Amended Order, extending the Amended Order through September 5, 2020.

5. On September 4, 2020, the Governor issued Executive Order No. 20-213, extending the state of emergency in Florida through November 3, 2020. The District’s Executive Director finds that an emergency continues to exist and that emergency action is required to address continuing operations of the District. Immediate, strict compliance with the provisions of the statutes, rules, or orders noted within the Amended Order, as extended by the Second Amended Order, would prevent, hinder, or delay necessary action to cope with and mitigate the emergency. The actions authorized under the Amended Order, as extended by the Second Amended Order and Third Amended Order, are narrowly tailored to address the immediate need for action and are procedurally appropriate under the circumstances.
CONCLUSIONS OF LAW

6. Based on the findings recited above and those in the Amended Order, as extended by the Second Amended Order and Third Amended Order, it is hereby concluded that the emergency caused by COVID-19 continues to pose an immediate danger to the public health, safety, or welfare and requires an extension of the Amended Order.

7. This Fourth Amended Emergency Order is issued to carry out the directives in the Governor's Executive Order 20-52, as extended by Executive Orders 20-114, 20-166, and 20-213, and the Governor's Executive Order 20-179, and issued under the authority of article IV, section 1(a) of the Florida Constitution, chapter 252, Florida Statutes, and all other applicable laws. Additionally, the District is authorized to issue this Fourth Amended Emergency Order under sections 120.569(2)(n), 252.36, 252.38, 252.46, and 373.119 of the Florida Statutes.

8. Continued suspension of statutes and rules as noted within the Amended Order, as extended by the Second Amended Order and Third Amended Order, is required so that necessary action to cope with and mitigate the emergency is not prevented, hindered, or delayed.

THEREFORE, IT IS ORDERED:

9. Within the District’s jurisdictional area, the requirements and effects of statutes and rules which conflict with the provisions of the Amended Order, as extended by the Second Amended Order and Third Amended Order, are and continue to be suspended to the extent necessary to implement the Amended Order.

10. This Fourth Amended Order shall only extend District Amended and Restated Emergency Order 2020-10, which will remain in effect for the duration of this Fourth Amended
Order. This Fourth Amended Order is not intended to repeal or amend any other Emergency Orders.

11. Any millage and budget hearing conducted pursuant to Chapter 200, Florida Statutes, before October 15, 2020, will be conducted in accordance with the Governor’s Executive Order 20-179.

12. This Fourth Amended Order shall take effect immediately upon execution by the Executive Director of the District, and shall expire on November 3, 2020, unless otherwise extended or terminated by the Executive Director or Governing Board, or modified or extended by further order.

DONE AND ORDERED on September 4, 2020, in Palatka, Florida.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

ANN B. SHORTELLE, Ph.D.
EXECUTIVE DIRECTOR

RENDERED September 4, 2020, in Palatka, Florida.

Sandra Bertram
SANDRA BERTRAM
DISTRICT CLERK
NOTICE OF RIGHTS

Any party substantially affected by this Fourth Amended Emergency Order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the District at 4049 Reid Street, Palatka, Florida 32177, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Fourth Amended Emergency Order is filed with the Clerk of the District.