

Executive Order No. 20-001

DECLARING A STATE OF EMERGENCY IN DEKALB COUNTY IN RESPONSE TO THE COVID-19 PANDEMIC CRISIS; REAFFIRMING THAT CRITICAL COUNTY SERVICES WILL CONTINUE TO BE PROVIDED; ENSURING THAT THE COUNTY WORKFORCE REMAINS IN A HEIGHTENED STATE OF READINESS; AND LAUNCHING A DUAL STRATEGY TO ADDRESS THE OVERARCHING HEALTH AND ECONOMIC CRISIS

I. LEGAL FOUNDATION

WHEREAS, pursuant to Section 13(a) of DeKalb County, Georgia's Organizational Act, the Chief Executive Officer shall have the exclusive power to supervise, direct and control the administration of DeKalb County's government;

WHEREAS, pursuant to Section 13(h) of DeKalb County's Organizational Act, the Chief Executive Officer shall seek to promote and improve the government of the County and promote and develop the prosperity and well-being of the citizens of the County;

WHEREAS, O.C.G.A. Section 38-3-1 *et seq.* defines the parameters of the Georgia Emergency Act of 1981 and Section 38-3-27 specifically authorizes the chief executive of a county to make county employees available for duty to provide critical and essential county services;

II. FINDINGS OF FACT

WHEREAS, COVID-19 is a contagious viral disease caused by a novel coronavirus that has not been previously identified and the World Health Organization has officially announced that COVID-19 is a pandemic;

WHEREAS, the Centers for Disease Control and Prevention ("CDC") is located in DeKalb County and is the entity that is tasked with providing the entirety of the United States of America with vital timely medical guidance on COVID-19.

WHEREAS, DeKalb County is solely responsible for delivering essential services to the CDC so that it can operate and provide our Nation with vital medical guidance and recommendations;

WHEREAS, the County provides the following essential services to the CDC, hospitals, medical care facilities, citizens, residents, families and businesses: ensuring a safe, clean Countywide water supply; operating the sanitary sewer system; collecting and disposing of garbage and other sanitation services; providing E-911, police, fire, sheriff, and medical examiner protection, disaster management and other services; maintaining safe, passable streets and resolving drainage issues in a timely manner; senior center food services; and keeping the Peachtree DeKalb Airport safe and operational;

WHEREAS, in response to COVID-19, on March 13, 2020, President Donald Trump declared a national emergency and on March 14, 2020, Georgia Governor Brian Kemp declared a public health emergency in the state of Georgia;

WHEREAS, the DeKalb County Board of Health, in concert with the Commissioner for the state Department of Public Health, has, or will in the coming days, declare a public health emergency;

WHEREAS, the COVID-19 pandemic constitutes a public health and economic emergency in DeKalb County and the Chief Executive Officer hereby declares a state of emergency in DeKalb County, and for the period that such state of emergency exists, the County shall take such emergency actions as may be necessary to promote and secure the health, safety and economic well-being of the people within DeKalb County;

WHEREAS, it is imperative to the health, safety and economic well-being of all people in DeKalb County, Georgia, that the County workforce maintain a heightened state of readiness to address the myriad of health, public safety and economic issues that will arise during this pandemic;

WHEREAS, it is imperative to the health, safety and economic well-being of all people in DeKalb County, Georgia, that essential public services be delivered during this emergency by employees who are qualified, trained and fairly compensated; and

WHEREAS, to ensure that the County maintains a seamless delivery of essential services during the public health and economic emergency, the Chief Executive Officer authorized a test of the County's Public Health Emergency Protocol Friday, March 20, 2020, through Monday, March 23, 2020;

WHEREAS, to ensure that the County maintains the function of its water treatment facility, DeKalb County is following a documented Continuity of Operations Plan which details how the DeKalb County Department of Watershed Management will keep the plant functioning to provide safe drinking water to our customers during the pandemic;

WHEREAS, it is imperative that the County recognize and address the economic hardship the COVID-19 pandemic has caused, and will continue to cause, and provide assistance to our employers who are facing severely diminished revenue and possible closure, and to our citizens who have been dislocated or become unemployed as a result of COVID-19;

WHEREAS, the Chief Executive Officer recognizes that when food, clothing and shelter become insecure for our citizenry, the likelihood of COVID-19 infections dramatically increase because the public health and economic challenges arising from this pandemic are inextricably intertwined;

WHEREAS, the Chief Executive Officer, working in cooperation with the DeKalb County Board of Commissioners, will utilize and leverage all available County resources and call upon our public and private partners, at the local, state and federal levels to assist and support our

citizens and employers as they cope with the devastating health and economic impacts of this COVID-19 pandemic;

WHEREAS, the Chief Executive Officer calls on the affected institutions, like funeral homes, churches, restaurants, bars, nail salons, banks, mortgage companies, credit card companies, landlords, fitness centers, retail stores, and movie theaters to partner with DeKalb County to ensure that this health pandemic is addressed in a thoughtful, deliberate two-pronged approach to effectively address the health issues while also considering the severe economic impact on our citizens and employers;

WHEREAS, the Chief Executive Officer has prioritized the seamless delivery of essential services and successfully tested Public Health Emergency Protocols to ensure DeKalb County has a qualified, well-trained workforce that will provide frontline and remote access services. The County will also work with its private and public partners to develop a long-term, strategic plan that will address the public health and economic challenges associated with the COVID-19 pandemic;

WHEREAS, the Chief Executive Officer has consulted with Commissioner Stephen Bradshaw, the Presiding Officer, and the individual members of the DeKalb County Board of Commissioners to ensure the County's legislative branch is informed and engaged in ongoing efforts to mitigate the impacts of the COVID-19 pandemic;

WHEREAS, the Chief Executive Officer has consulted with the Chief Judge of the DeKalb County Superior Court and other members of the judicial and prosecutorial branch regarding the continuity of essential operations within the judicial complex;

WHEREAS, the Chief Executive Officer has consulted with Mayors and other officials in the DeKalb Municipal Association regarding the development and implementation of a comprehensive, Countywide, two-pronged response to this pandemic;

WHEREAS, the Chief Executive Officer has consulted with DeKalb County's representatives and senators in the Georgia General Assembly regarding the expedited delivery of state-governed support services such as unemployment benefits, Supplemental Nutrition Assistance Program (SNAP) and direct cash assistance payments to qualified County citizens and residents;

WHEREAS, the Chief Executive Officer has established the DeKalb County COVID-19 Strategic Task Force. This task force will provide professional, technical, and strategic counsel during this COVID-19 pandemic. Members of this task force, appointed by the Chief Executive Officer, will include the Presiding Officer of the Board of Commissioners, representatives from DeKalb County Public Schools, the DeKalb County House and Senate Delegations and DeKalb County Public Safety leaders. Other members may include business and civic leaders, educational institutions, faith organizations, and non-profit leaders;

WHEREAS, the County's District Health Director, S. Elizabeth Ford, M.D., has advised the Chief Executive Officer that she agrees that the terms of this Executive Order are necessary to protect the health and well-being of the citizens of DeKalb County; and

NOW THEREFORE, the Chief Executive Officer hereby issues the following Executive Order:

III. EXECUTIVE ORDER

1. There exists a public health and economic emergency within DeKalb County, Georgia, due to the COVID-19 pandemic and the following emergency actions must be taken to promote and secure the health, safety, and economic well-being of all people in DeKalb County;
2. The Public Health Emergency Protocol dated March 19, 2020, is hereby activated, effective as of the date of this Order, and describes in detail the services to be provided by the various categories of employees: front line employees, the remote access workforce, and the reserve auxiliary workforce (See attached March 19, 2020 Protocol);

WORKFORCE READINESS

3. Front Line Workforce

Essential government services will be delivered in a seamless manner by the County's front line workforce whose job function does not allow them to work remotely and who will report to work in the following departments:

- watershed;
- sanitation;
- 911;
- police;
- fire;
- sheriff;
- medical examiner;
- roads and drainage;
- senior center food services;
- parks;
- DeKalb-Peachtree Airport; and
- additional departments and/or individual employees to report for front line duty, as directed by the Chief Operating Officer

Front line employees will be compensated at their regular salary PLUS 50% admin pay and 50% comp time. Further detail on front line compensation may be described by separate written policy;

4. Remote Access Workforce

Employees who can and will perform their job responsibilities remotely will be compensated at their regular salary with regular accrual of annual and sick leave;

5. Reserve Auxiliary Workforce

Employees who perform non-essential services and cannot work remotely will be compensated at their regular salary with regular accrual of annual and sick leave. Auxiliary employees must agree to remain available for all assignments for which they are deemed qualified by their supervisors if needed, regardless of department;

6. Retiree Auxiliary Workforce

Comprised of retired County employees who we have volunteered to return to active duty, if necessary;

PUBLIC HEALTH EMERGENCY RESPONSE

7. The Chief Executive Officer recognizes that the various cities wholly or partially located in DeKalb County have enacted various Orders and Resolutions declaring a State of Emergency with varying rules and limitations within their respective city limits;

8. The Chief Executive Officer invites all of the cities to adopt this Order so that the Rules within all of DeKalb County are uniform and easily accessible and understood by our citizenry, employers and businesses;

9. Beginning on the effective date of this Order and continuing until revoked or amended by subsequent Executive Order, the following restrictions shall be imposed in DeKalb County:

- Any person showing symptoms recognized by the CDC as indicators of COVID-19 shall refrain from entering public buildings, restaurants, shops, public transportation facilities and all other areas where the public ingresses or egresses. Such person should seek medical attention and follow the directions of their Primary Care Physician until given the clearance to return to public interaction.
- All businesses and employers are directed to take the necessary steps, to the maximum extent possible, to provide employees with the means and equipment to perform their job functions remotely.
- All individuals in public places must maintain and restrict in person contact as much as possible and maintain a distance of 6 feet between individuals.
- All DeKalb County playgrounds are closed. Individuals shall not utilize playground or outdoor fitness equipment.
- All individuals are asked to participate in a voluntary curfew beginning at 9:00 pm and ending at 6:00 am, except for necessary trips to and from work, for medical treatment, food or medication, or other emergency.
- All public gatherings of 10 or more are prohibited in accordance with current CDC guidance. Such numerical limitation shall be deemed changed if and when the CDC increases or decreases such number, without necessity of further action by Executive Order.
- All individuals and families are encouraged to shelter in place as much as possible;

10. Beginning on March 24, 2020 at 12:01 am and continuing until revoked or amended by subsequent Executive Order, the following restrictions shall be imposed in DeKalb County:

- The judicial branch of government has agreed to a moratorium on evictions within DeKalb County and such moratorium shall stay in place for as long as directed by Order of the Supreme Court of Georgia, now and as such Order may be amended hereafter.
- The moratorium on County-initiated termination of water service to residential customers for non-payment will remain in effect until revoked by the Chief Executive Officer.
- Termination of water service to business accounts for non-payment is suspended until this Executive Order is revoked or amended.
- All businesses except “Essential Businesses,” as defined below, shall have hours of operation beginning no earlier than 6:00 a.m. and ending no later than 9:00 p.m.
- There shall be no dine-in service at any restaurant, brewery or bar. Such establishments shall only be open for take-out or delivery services.
- Any establishment that is licensed for on premises consumption of alcoholic beverages shall be allowed to sell such unopened beverages curbside or to take-out customers only during the times specified on the establishment’s license. The County makes no representations as to the effect of these types of sales on an establishment’s state liquor license.
- Bowling alleys, gyms, fitness centers, nail salons, spas, beauty salons, barbers, or other establishments offering personal grooming services shall reduce maximum occupancy to 10 persons.
- All indoor funeral gatherings shall be limited to no more than 10 persons or so many persons as indicated by future CDC guidance on large gatherings; Graveside services of 10 or less participants are highly encouraged.
- Funeral homes shall strive for density reduction in all activities and shall ensure vehicles used to transport families are thoroughly cleaned between uses in accordance with CDC guidelines.
- All houses of worship shall also strive for density reduction in all services, whether scheduled or based upon a life event such as a funeral or baptism, and wherever practical shall practice physical distancing. Houses of worship are further encouraged to use social media or other video outlets to broadcast worship services.
- All employers and businesses which remain open for use by the public must take the necessary steps to restrict in person contact and maintain a distance of 6 feet between individuals while in the establishment;

11. Essential Businesses are defined as the following:

- Health care operations, including research and laboratory operations
- Federal, State, County and Municipal services
- Utilities (gas, electricity, phone, cable)
- Banks and credit unions
- Essential Infrastructure--telecommunications, airports, airlines, transportation (buses, MARTA, Lyft, Uber, taxis)
- Delivery services (businesses that deliver or ship foods or goods to homes or businesses)
- Essential Manufacturing/Construction to maintain public health, safety and welfare
- Businesses selling food

- Pharmacies
- Businesses that perform repair work for businesses and homes
- Trash and recycling collection, processing, and disposal
- Mail and shipping services
- Laundromats/dry cleaning
- Janitorial Services (Building/Residential cleaning and maintenance)
- Providers of basic necessities to economically disadvantaged populations
- Auto repair and gas stations
- Warehouse/distribution and fulfillment
- Funeral homes, crematories, and cemeteries
- Storage for essential businesses
- Animal shelters or animal care or management and crematories
- Bike shops
- News Media
- Logistical and Tech Support
- Cafeterias located within medical, industrial, government or other such production facilities that are performing essential functions that are necessary to promote health, welfare and vital resources in DeKalb County. These facilities are strongly encouraged to stagger meal times, limit use as much as feasible to achieve physical distancing, and to thoroughly follow CDC protocols of cleaning.
- Childcare or elderly care facilities located within medical, industrial, government or other such production facilities that are performing essential functions that are necessary to promote health, welfare and vital resources in DeKalb County.
- Any service that is deemed by the Chief Executive Officer to be essential for the protection of public health, safety and welfare;

ECONOMIC EMERGENCY RESPONSE

12. The Chief Executive Officer recognizes that edicts and mandatory closures have a significant detrimental effect on all of our citizens and cause unintended consequences if not made in a deliberate and careful manner. Thus, the Chief Executive Officer calls upon all our public and private partners to assist and advise the County concerning appropriate economic and health measures during this pandemic;
13. The County's Workforce agency which is charged with the responsibility of administering job training and workforce assistance will be directed to immediately make available approximately \$1.3 million to DeKalb County residents who have or will become dislocated due to this pandemic. Funds will be distributed in accordance with applicable law;
14. The County will appropriate emergency funding of approximately \$400,000.00 to the DeKalb Works Summer Youth Employment Program to increase the number of summer youth employment participants from 400 to 800 youth;

15. Due to the projected scarcity of summer jobs for youth, the County will expedite implementation of the DeKalb Works Academy, in collaboration with the DeKalb County School District, to implement virtual training and learning opportunities for participating youth;
16. The Chief Executive Officer calls upon DeKalb County's private and public partners, at both the federal and state level, to work cooperatively with DeKalb County to alleviate the public health and economic impacts of the COVID-19 pandemic on DeKalb County's families, individuals, businesses and other entities;
17. All County departments under the control and supervision of the Chief Executive Officer are directed to consider every opportunity to partner with our citizens and businesses to alleviate and ameliorate the economic impact of this pandemic. Examples could be extensions in deadlines for filing county-related applications, paying various required fees, etc.;
18. The Chief Executive Officer requests that businesses and other public sector partners consider implementation of effective strategies to ameliorate the economic impact of this pandemic, including but not limited to:
 - Developing a protocol to allow:
 - residential and business tenants additional time to make rental payments in qualifying situations;
 - homeowners additional time to make mortgage payments in qualifying situations;
 - additional time for qualifying business and individuals, without penalty or interest, to make payments on credit cards and other types of personal debt; and
 - Develop strategies to redirect/re-employ the private sector workforce in a way that assists our citizens and businesses as they struggle to balance the health issues with the reality of having to make a living;

This Order will be amended as necessary in order to adapt to the ever-changing health and economic situation in DeKalb County. This Order is not intended to and does not create any right or benefit, substantive or procedural, enforceable in law or equity by any party against DeKalb County, its officials, employees, or agents. County employees will continue to be provided separate detailed written guidance on pay and reporting to work during this period. This Order is effective immediately and remains in effect until further notice; all provisions of this Order are subject to change or termination at any time, without prior notice.

So ORDERED this 23rd day of March 2020.



Michael L. Thurmond
Chief Executive Officer
DeKalb County, Georgia

ATTEST:



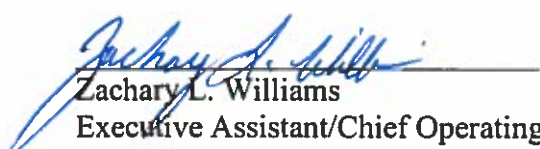
Barbara H. Sanders-Norwood, CCC
Clerk to the Chief Executive Officer and
The Board of Commissioners

APPROVED AS TO FORM:



Viviane H. Ernstes
County Attorney

APPROVED AS TO SUBSTANCE:



Zachary L. Williams
Executive Assistant/Chief Operating Officer