

CITY COUNCIL RESOLUTION NUMBER 2023-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, EXTENDING THE LOCAL STATE OF EMERGENCY FOR THE CITY OF LAKE CITY PURSUANT TO SECTION 252.38(2) FLORIDA STATUTES, DUE TO THE THREAT OF HURRICANE IDALIA, PROVIDING FOR WAIVER OF PROCEDURES AND FORMALITIES, DELEGATING AUTHORITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, safeguarding the lives and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state; and

WHEREAS, the National Hurricane Center has recognized the danger to residents of Florida from Hurricane Idalia; and

WHEREAS, the City of Lake City, Florida (hereinafter the “City”) has high hazards in the event of a hurricane; and

WHEREAS, the current forecast margin of error of the National Hurricane Center requires avoidance of undue delay in preparing for timely evacuation if need, therefore, is determined; and

WHEREAS, Hurricane Idalia has the potential for causing extensive injury to persons or loss of life, and damage to private property as well as damage to public utilities, public buildings, public communication systems, public streets and road, and public drainage systems; and

WHEREAS, the Governor of the State of Florida has issued Executive Order NUMBER 23-171 (State of Emergency for 33 Counties in Preparation for Invest 93L) recognizing the danger posed and the serious threat to the lives and property of residents of the City; and

WHEREAS, Sections 252.38 (2) and (3), Florida Statutes authorizes and encourages a municipality to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of a municipality by law to take whatever prudent action is necessary to ensure the safety, health, and welfare of the people of the City of Lake City, Florida including, but not limited to:

1. Entering contracts.
2. Incurring obligations.
3. Employment of permanent and temporary workers.
4. Utilization of volunteer workers.
5. Rental of equipment.
6. Acquisition and distribution of supplies, materials either with or without compensation of supplies, materials, and facilities.
7. Appropriation and expenditure of public funds.

WHEREAS, pursuant to City Council Resolution 2023-100, the Mayor is authorized to extend the City's state of emergency.

1. **BE IT RESOLVED** that a State of Local Emergency is hereby declared, effective immediately for all territory within the legal boundaries of the incorporated area of the City of Lake City, Florida.
2. **BE IT FURTHER RESOLVED** that the Mayor on behalf of the City Council hereby waives all procedures and formalities required by law and act to adopt this declaration of local emergency as provided in Section 252.38, Florida Statutes.
3. **BE IT FURTHER RESOLVED** that the Mayor on behalf of the City Council hereby delegates to the City Manager of the City or designee, all authority as provided in Section 252.38, to discharge the duties and exercise the powers of:
 - a) Performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community.
 - b) Entering into contracts.
 - c) Incurring obligations.
 - d) Employment of permanent and temporary workers.
 - e) Utilization of volunteer workers.
 - f) Rental of equipment.
 - g) Acquisition and distribution of supplies and materials with or without compensation.
 - h) Appropriation and expenditure of public funds.
 - i) The specific limits on the authority of the City manager to expend funds and enter into agreements.

4. **BE IT FURTHER RESOLVED** the foregoing enumeration is not exclusive; the City Manager shall have the power to do all things necessary as conditions dictate, as provided in Chapter 252, Florida Statutes.
5. **BE IT FURTHER RESOLVED** as provided in Chapter 252, Florida Statutes, all normal formalities related to procurement, hours of employment of City employees, notice provisions and other procedures usually followed or required by law are hereby waived.
6. **BE IT FURTHER RESOLVED** during the pendency of this emergency and for so long as it is recommended to limit public gatherings, the City Council for the City of Lake City may meet using technology methods which would allow them to appear via remote means and for the public to appear and participate remotely.
7. **BE IT FURTHER RESOLVED** that this Local State of Emergency will be in effect until any multi-jurisdictional state of emergency that includes the City and relates to **IDALIA** is lifted or for a period of seven (7) days from the date hereof, whichever period is longer, unless the City Council votes to end it earlier.

DONE, this 5th day of September 2023.

BY THE MAYOR OF THE CITY OF LAKE CITY, FLORIDA:

Stephen Witt, Mayor

Attest:

Approved as to Form and Legality:

Audrey Sikes, City Clerk

Todd Kennon, III, Esq.,
City Attorney