

RESOLUTION NO 2024 - 127

CITY OF LAKE CITY, FLORIDA

A RESOLUTION OF THE CITY OF LAKE CITY, FLORIDA DECLARING A LOCAL STATE OF EMERGENCY PURSUANT TO SECTION 252.38(2), FLORIDA STATUTES FOR THE CITY OF LAKE CITY DUE TO THE THREAT OF THAT CERTAIN TROPICAL WEATHER SYSTEM IDENTIFIED AS MAJOR HURRICANE MILTON; WAIVING PROCEDURES AND FORMALITIES AS PROVIDED IN CHAPTER 252, FLORIDA STATUTES; DELEGATING CERTAIN AUTHORITY TO THE CITY MANAGER FOR THE DURATION OF THE DECLARED STATE OF EMERGENCY; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, safeguarding the lives and property of its citizens is an innate responsibility of the governing body of a municipality in the state; and

WHEREAS, that certain tropical weather system identified as Major Hurricane Milton has been recognized as a danger to residents of north Florida, including Columbia County and the City of Lake City (the "City"); and

WHEREAS, based on meteorological reports, there is significant threat of heavy rainfall and tropical storm force winds over most of the northern portion of the State of Florida, including Columbia County and the City, with the possibility of significant and prolonged rainfall over the next five (5) days; and

WHEREAS, prolonged heavy rainfall will result in flash flooding, river flooding, coastal flooding, erosion, and gusty winds; and

WHEREAS, these conditions could damage the operational capability of critical infrastructure to include major interstates and roadways, bridges, airports, schools, hospitals, power grids, and other critical infrastructure; and

WHEREAS, the water tables in the affected areas are already nearing peak capacity and incoming heavy rainfall will cause significant river flooding that may last for several weeks; and

WHEREAS, the incoming heavy rainfall, flooding, and gusty winds will cause widespread power outages due to downed trees and powerlines; and

WHEREAS, the current forecast requires avoidance of undue delay in preparing for timely evacuation if need therefor is determined; and

WHEREAS, Major Hurricane Milton has the potential to cause 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 24-215 recognizing the danger posed and the serious threat to the lives and property of residents of the City by Major Hurricane Milton; and

WHEREAS, the Board of County Commissioners of Columbia County has this day adopted Resolution Number 2024-R-48 declaring a state of emergency for the entirety of Columbia County in contemplation of the dangerous effects of Major Hurricane Milton; and

WHEREAS, Sections 252.38 (2) and (3), Florida Statutes authorize and encourage 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:

- a. Performing public work and taking all necessary action to ensure the health, safety, and welfare of the community;
- b. Entering contracts; and
- c. Incurring obligations; and
- d. Employment of permanent and temporary workers; and
- e. Utilization of volunteer workers; and
- f. Rental of equipment; and
- g. Acquisition and distribution of supplies, materials either with or without compensation of supplies, materials, and facilities; and
- h. Appropriation and expenditure of public funds; and

WHEREAS, said threat to the health, safety, and welfare of the residents of the City represents a true and active emergency; and

WHEREAS, the declaration of a local state of emergency is in the best interests of the City and its residents; now, therefore

BE IT RESOLVED by the City of Lake City, Florida:

1. 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; and
2. The City Council hereby waives all procedures and formalities required by law and does adopt this declaration of local state of emergency as provided in Section 252.38, Florida Statutes; and

3. The City Council hereby delegates to the City Manager of the City or the City Manager's 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; and
 - b. Entering into contracts; and
 - c. Incurring obligations; and
 - d. Employment of permanent and temporary workers; and
 - e. Utilization of volunteer workers; and
 - f. Rental of equipment; and
 - g. Acquisition and distribution of supplies and materials with or without compensation; and
 - h. Appropriation and expenditure of public funds; and
 - i. The specific limits on the authority of the City manager to expend funds and enter into agreements; and
4. The foregoing enumeration is not exclusive, and the City Manager or City Manager's designee shall have the power to do all things necessary as conditions dictate, as provided in Chapter 252, Florida Statutes; and
5. 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; and
6. During the pendency of this emergency and for so long as it is recommended to limit public gatherings, to the extent otherwise permitted by law, the City Council for the City of Lake City may meet by means of communications media technology provided all other requirements of law are met; and
7. This Local State of Emergency will be in effect until any multi-jurisdictional state of emergency that includes Columbia County and relates to the storm system identified as Major Hurricane Milton 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; and
8. All prior resolutions of the City Council of the City of Lake City in conflict with this resolution are hereby repealed to the extent of such conflict; and

9. This resolution shall become effective and enforceable upon final adoption by the City Council of the City of Lake City.

APPROVED AND ADOPTED, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lake City, Florida, at an special called emergency meeting, this ____ day of October, 2024.

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Stephen M. Witt, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF
THE CITY OF LAKE CITY, FLORIDA:

Audrey E. Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney