

RESOLUTION 2023-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BOWLING GREEN, FLORIDA (CITY), DECLARING SEVEN (7) DAYS OF LOCAL STATE OF EMERGENCY AND AUTHORIZING THE CITY MANAGER TO LEAD COOPERATION WITH HARDEE COUNTY OFFICIALS IN DEBRIS REMOVAL AND TO EXTEND THIS RESOLUTION IN SEVEN (7) DAY INCREMENTS PURSUANT TO SECTION 252.38(3)(a) FLORIDA STATUTES, AS NECESSARY; AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE WHATEVER PRUDENT ACTIONS WHICH MAY BE NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND CUSTOMERS OF THE CITY'S UTILITIES SYSTEMS PURSUANT TO THIS DECLARATION; RATIFYING AND AFFIRMING SUCH ACTIONS TAKEN BY THE CITY MANAGER PRIOR TO THIS DECLARATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by Executive Order, Number 23-171, Ron DeSantis, Governor of the State of Florida declared that a state of emergency existed for counties in the State of Florida (State) in the apparent path of Invest 93L, a broad area of low pressure off the west coast of Central America; and

WHEREAS, due to strengthening of Invest 93L into Tropical Storm Idalia, with maximum sustained winds of 60 miles per hour and is moving north-northeast towards the southeastern Gulf of Mexico and a forecast that Idalia will become a major hurricane before making landfall along areas of the Florida Gulf Coast, in Executive Order Number 23-172, the Governor has amended EO 23-171 and declared a state of emergency for many counties including Hardee County; and

WHEREAS, Section 252.38, Florida Statutes, provides for emergency management powers of political subdivisions of the State of Florida, including, without limitation, counties such as Hardee County, municipalities such as the City of Bowling Green (City); and

WHEREAS, pursuant to Section 252.38(3)(a) Florida Statutes, empower municipalities to declare a state of local emergency for seven (7) days, which may be extended, as necessary in seven (7) day increments; and

WHEREAS, Section 252.38(3)(a), Florida Statutes, empowers municipalities to waive the procedures and formalities otherwise required by law pertaining to:

- A. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;
- B. Entering into contracts;
- C. Incurring obligation;
- D. Employment of permanent and temporary workers;
- E. Utilization of volunteer workers;

- F. Rental of Equipment;
- G. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities;
- H. Appropriation and expenditure of public funds.

WHEREAS, Tropical Storm (or Hurricane) Idalia may produce significant damage, flooding and the possibility of other unusual weather conditions associated with this may require expedient action to protect the health, safety and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF CITY OF BOWLING GREEN, FLORIDA, THAT:

1. A state of local emergency is hereby declared for all of the City of Bowling Green, Florida effective August 29, 2023 for a period of seven (7) days, that is, until September 6, 2023, unless sooner terminated by the City Commission. The City Manager is hereby authorized to extend this Resolution for additional incremental seven (7) day periods of state of emergency as provided by section 253.38(3)(a) F.S., without the delay of additional meetings of the City Commission.
2. The City Manager is hereby authorized and directed to take whatever prudent actions that may be necessary to protect the health, safety, and welfare of the citizens of the City and customers of the City's utilities systems, pursuant to his powers, duties and responsibilities under Article III of the City Charter. The City Manager is specifically authorized to lead the City's cooperation with Hardee County for emergency debris removal.
3. The procedures and formalities otherwise required by law pertaining to the actions enumerated as 1 & 2 herein above are hereby waived for the duration of this declaration and any extensions thereof.
4. This resolution shall be effective immediately upon its adoption by the City Commission.

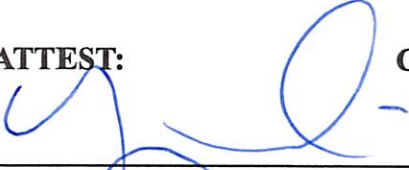
IN WITNESS WHEREOF, the City of Bowling Green, Florida, has duly adopted this Resolution and caused it to be executed by the officers below as follows:

The reading of this Resolution was held on 29 day of August, 2023, at a regular special session of the City Commission, and this Resolution was adopted rejected . The vote was as follows:

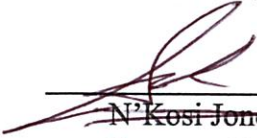
	Yes	No	Abstain	Absent
Commissioner/Mayor Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commissioner Fite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Lunn ^{1st}	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Durastanti ^{2nd}	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Arreola	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ATTEST:

CITY OF BOWLING GREEN, FLORIDA



Virginia Gordillo, Interim City Clerk



~~N'Kosi Jones, Mayor~~

SAM FITZ, VICE MAYOR

APPROVED AS TO FORM:

Gerald T. Buhr, City Attorney