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**VILLAGE OF ESTERO, FLORIDA**

**RESOLUTION NO. 2017 - 26**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA DECLARING A  
STATE OF LOCAL EMERGENCY AND PROVIDING  
FOR EMERGENCY GOVERNMENTAL OPERATIONS  
RELATED TO HURRICANE IRMA IF DEEMED  
NECESSARY AND IN CONJUNCTION WITH LEE  
COUNTY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Estero places the highest premium on safety of life and property in the Village during storm events; and

**WHEREAS**, Hurricane Irma poses a serious potential threat to the residents and property of the Village of Estero; and

**WHEREAS**, Hurricane Irma has the potential for causing extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

**WHEREAS**, the Governor of the State of Florida has promulgated Executive Order No. 17-235, wherein he found that a State of Emergency exists within the state of Florida; and

**WHEREAS**, Chapter 252, Florida Statutes, authorizes municipalities to declare a state of local emergency and to waive procedures and formalities otherwise required of municipalities to take whatever prudent action is necessary to ensure the health, safety, and welfare of the Village in the event of a state of local emergency; and

**WHEREAS**, the Village of Estero relies on the Village Council and staff for leadership during storm events; and

**WHEREAS**, there may be instances when it is difficult or impossible to obtain a quorum of Council membership for the purpose of convening an emergency meeting during a state of local emergency; and

**WHEREAS**, the Village Council desires to designate and delegate to the Village Manager the authority provided under Chapter 252 to respond to the emergency should a quorum of the Village Council be physically unable to meet.

**NOW, THEREFORE**, be it resolved by the Village Council of the Village of Estero, Florida that the Village of Estero hereby declares a State of Local Emergency.

45        **Section 1.**     The Village Council of the Village of Estero, Florida, if deemed  
46 necessary and in conjunction with Lee County, hereby declares a state of local emergency and  
47 the Council desires the Village Manager to avail himself to all powers available to Village  
48 government provided in Chapter 252, Florida Statutes.  
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50        **Section 2.**     The Village Manager is provided plenary authority on behalf of the  
51 Village Council of the Village of Estero to take all actions necessary for protection of persons  
52 and property authorized by law.  
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54        **Section 3.**     As provided in Chapter 252 all normal formalities related to  
55 procurement, incurring of obligations, and expenditure of public funds usually followed or  
56 required by law are hereby waived.  
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58        **Section 4.**     All actions taken by the Village Manager, or taken at the direction of  
59 the Village Manager pursuant to this Resolution are hereby ratified.  
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61        **Section 5.**     This Resolution shall take effect immediately upon adoption.  
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64        **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this 6<sup>th</sup>  
65 day of September, 2017.  
66

67     Attest:

**VILLAGE OF ESTERO, FLORIDA**

68  
69  
70     By: Kathy Hall  
71        Kathy Hall, MMC Village Clerk  
72

By: James R. Boesch, Mayor  
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74     Reviewed for legal sufficiency:

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76  
77     By: Burt Saunders  
78        Burt Saunders, Esq., Village Attorney