VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2022 – 30

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 IAN IF DEEMED NECESSARY AND IN CONJUNCTION WITH LEE COUNTY AND THE STATE OF FLORIDA 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 IAN poses a serious potential threat to the residents and property of the Village of Estero; and

WHEREAS, Hurricane Ian 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 other areas; and

WHEREAS, the Governor of the State of Florida has promulgated Executive Order No. 22-218, wherein he found that a State of Emergency exists within certain counties within the state of Florida, including Lee County; and Executive Order No. 22-219, in which he added the State of Emergency throughout the entire State of Florida;

WHEREAS, Chapter 252, Florida Statutes, and the Executive Orders of the Governor authorize 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, through its Charter, assigns the Village Council and the Village Manager and staff the duties of leadership during storm events; and

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

WHEREAS, the Village Council desires to recognize, to designate and to 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 within the Village and further provides the following:

Section 1. The Village Council of the Village of Estero, Florida, if deemed necessary and in conjunction with Lee County, hereby declares a state of local emergency and the Council desires the Village Manager to avail himself of all powers available to Village government provided in Chapter 252, Florida Statutes, or the Executive Orders of the Governor.

Section 2. The Village Manager is provided plenary authority on behalf of the Village Council of the Village of Estero to take all actions necessary for health, safety, welfare and protection of persons and property as authorized by law.

Section 3. As provided in Chapter 252 and in the Executive Orders of the Governor, all normal formalities related to procurement, incurring of obligations, and expenditure of public funds usually followed or required by law are hereby waived.

Section 4. All actions taken by the Village Manager, or taken at the direction of the Village Manager pursuant to this Resolution are hereby ratified.

Section 5. This Resolution shall take effect immediately upon adoption.

ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this 27th day of September, 2022.

Attest:

By: _____
Carol Sacco, Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: _____
Katy Errington, Mayor

Reviewed for legal sufficiency:

By: _____
Robert D. Pritt, Esq., Interim Village Attorney