

**CITY OF BONITA SPRINGS
RESOLUTION NO. 08- 83
TROPICAL STORM FAY**

**AN EMERGENCY RESOLUTION OF THE CITY OF BONITA
SPRINGS DECLARING A STATE OF LOCAL EMERGENCY
RESULTING FROM TROPICAL STORM FAY; AND PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, Governor Charlie Crist signed Executive Order 08-170, in response to the anticipated landfall of Tropical Storm Fay on Florida's western coast and has declared a state of local emergency, pursuant to Chapter 252, Florida Statutes; and,

WHEREAS, the State Emergency Operations Center (SEOC) is activated to a Level 2, or partial activation in anticipation of the tropical storm strengthening into Category 1 hurricanes with a projected landfall by Fay; and,

WHEREAS, the National Hurricane Center recognizes the danger to coastal residents of Florida from Tropical Storm Fay, and

WHEREAS, forecasting specific to Lee County indicates a strong likelihood of significant impact on this area; and

WHEREAS, the City of Bonita Springs has high evacuation times in order to evacuate residents from the hazards of a hurricane; and

WHEREAS, Tropical Storm Fay 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, Chapter 252, Florida Statutes, provides authority for a political subdivision such as the City of Bonita Springs to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

1. Performance of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;

- 7. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
- 8. Appropriation and expenditure of public funds; and

WHEREAS, the City of Bonita Springs, pursuant to its home rule powers has adopted certain emergency procedures,

NOW, THEREFORE, BE IT RESOLVED by the Mayor of the City of Bonita Springs, Lee County, Florida;

Section 1. Tropical Storm Fay poses a serious threat to the lives and property of residents of the City of Bonita Springs and hereby declares a State of Local Emergency, effective as of 12:00 P.M., August 18, 2008 for all territory within the legal boundaries of the City of Bonita Springs.

Section 2. This resolution is an emergency measure necessary for the protection of the public safety, due to the proximity of Tropical Storm Fay

Section 3. The City Manager is hereby designated as the declaring official for purposes of implementing the City of Bonita Springs Code.

Section 4. Effective Date

This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Bonita Springs, Lee County, Florida, this 18th day of August, 2008.

AUTHENTICATION:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Vote:

Ferreira _____
 Lonkart _____
 Martin _____
 McCourt _____

Nelson _____
 Simons _____
 Spear _____

Date Filed With City Clerk: _____