

RESOLUTION 24-10

A RESOLUTION OF THE CITY COMMISSION OF BELLEVIEW, FLORIDA, DECLARING A STATE OF EMERGENCY RELATED TO TROPICAL WAVE INVEST 97L; ESTABLISHING THE MAYOR'S AUTHORITY; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Florida Governor Ron DeSantis by **Executive Order 24-156** declared a state of emergency in 55 Florida counties, which includes Marion County, regarding Tropical Wave Invest 97L, which is expected to develop into a Tropical Storm over the weekend of August 3, 2024; and

WHEREAS, as of Thursday Afternoon, August 1, 2024, the Governor has advised that the National Weather Service has warned of the likelihood of heavy rain and possible flooding; and

WHEREAS, Tropical Wave Invest 97L presents a threat of harm to life and property of the citizens of Marion County, due to wind, flooding, and loss of essential services; and

WHEREAS, the State Emergency Management Act [sections 252.31-252.60, Fla. Stat.] defines “Emergency” as “any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which *results in* or *may result in* substantial injury or harm to the population or substantial damage to or loss of property.” Sec. 252.34(4), Fla. Stat. (Emphasis added); and

WHEREAS, Tropical Wave Invest 97L presents a threat of harm to life and property of the citizens and residents of Marion County and the City of Bellevue due to the possibility of wind, flooding, and loss of essential services; and

WHEREAS, the City Commission finds that advance preparation and planning are critical to meet the needs of those affected by Tropical Wave Invest 97L and the City of Bellevue City government is committed to exerting maximum efforts in addressing the emergency conditions and assisting affected citizens; and

WHEREAS, the City Commission finds that certain additional personnel and specialized equipment may be required on short notice to assist in administering the needs of the citizens and to determine the extent of damage; and

WHEREAS, Section 2.07 of the City Charter provides that the Mayor may govern the city by proclamation, under the discretion of the City Commission, during the times of grave public danger or emergency; and

WHEREAS, the City Commission finds that it is in the public interest for the Mayor/Commissioner to declare a state of emergency at such time as the storm may result in or results in substantial injury or harm to the population or substantial damage to or loss of property and hereby affirms the Mayor's authority to Proclaim a state of emergency regarding Tropical Wave Invest 97L.

WHEREAS, the City Commission finds that it is in the best interest of the Citizens of Bellevue to expeditiously activate emergency management preparations pertaining to any threat to the City of Bellevue and its citizens.

NOW THEREFORE, BE IT RESOLVED, by the City Commission of the City of Bellevue, in accordance with the provisions of Florida Statute 252.38(3), and Section 2.07 of the City Charter as follows:

1. The City Commission finds that, Tropical Wave Invest 97L poses “grave public danger or emergency” to the City, its citizens and residents, and therefore the Mayor is hereby empowered under Section 2.07 of the City Charter to declare a State of Emergency regarding Tropical Wave Invest 97L and to take such actions as are necessary to protect the City, its citizens and residents during the state of emergency.
2. Upon the Mayor’s Proclamation declaring a state of emergency, the City of Bellevue shall implement appropriate procedures to coincide with this emergency event. The City Administrator and Department Heads are given the authority to carry out City business in an efficient and expedient manner. The City Administrator and/or Department Heads will report to the City Commission on a daily basis regarding this state of emergency.
3. Upon the Mayor declaring a state of emergency, the City of Bellevue shall coordinate with appropriate agencies, including the Marion County Division of Emergency Management, regarding any assistance to be provided to protect the health, safety and welfare of the citizens of the City of Bellevue.
4. Upon the Mayor Declaring a state of emergency, the City Administrator shall immediately notify each elected official of any extension of the Declaration of Emergency upon the signature of the Mayor. Any declaration of emergency will be placed on the next regular agenda for ratification.
5. When the state of emergency has ended, the Mayor shall declare the end of the state of emergency. The City Administrator will provide written notification of termination of the declared emergency to each commissioner.

PASSED AND RESOLVED by a ____ to ____ vote of the City Commission of the City of Bellevue this ____ day of August 2024.

Christine Dobkowski
Mayor

ATTEST:

Mariah Moody, CMC
City Clerk

Approved as to Form and Legality

Frederick E. Landt, III
City Attorney