



## Board of County Commissioners Emergency Meeting

**District #1**

John Manning  
Vice Chair

**District #2**

Cecil L. Pendergrass

**District #3**

Larry Kiker

**District #4**

Brian Hamman

**District #5**

Frank Mann  
Chair

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Roger Desjarlais  
County Manager

Richard Wm. Wesch  
County Attorney

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**August 31, 2016**

**Commission Chambers, 2120 Main Street, Fort Myers, Florida  
9:30 AM**

Call to Order

- 1. Approve a State of Local Emergency Resolution relating to local flooding conditions**  
(Estimated costs \$30,000; All Hazards Reserve; Not included in budget.):  
Declares State of Local Emergency for a period not to exceed seven (7) days for area east of  
Eisenhower Road between State Road 82 and Corkscrew Road.  
(#20160492-COUNTY MANAGER)

Adjourn

<b>Blue Sheet No. 20160492</b>	<b>Lee County Board Of County Commissioners Agenda Item Report Meeting Date: 8/31/2016</b>	<b>Item No. 1</b>
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**TITLE:**  
Approve a State of Local Emergency Resolution relating to local flooding conditions

**ACTION REQUESTED:**  
Approve a State of Local Emergency (SoLE) relating to local flooding conditions that pose a serious and immediate threat to the lives and property to residents east of Eisenhower Road between State Road 82 and Corkscrew Road.

**FUNDING:**  
Estimated costs \$30,000; All Hazards Reserve; Not included in budget.  
  
All Hazards KF5250418200.503490

**WHAT ACTION ACCOMPLISHES:**  
Declares State of Local Emergency for a period not to exceed seven (7) days for area east of Eisenhower Road between State Road 82 and Corkscrew Road.

**MANAGEMENT RECOMMENDATION:**  
Approve.

<b>Requirement/Purpose: (specify)</b>	<b>Request Initiated</b>
<input type="checkbox"/> Statute <input type="checkbox"/> Ordinance <input type="checkbox"/> Admin Code <input type="checkbox"/> Other	<b>Commissioner:</b> <b>Department:</b> COUNTY MANAGER <b>Division:</b> No Divisions <b>By:</b> Christine Brady

**Background:**

Attachment:  
Resolution  
Budget Transfer

<b>Required Review:</b>					
<b>Christine Brady</b>	<b>Andrea R. Fraser</b>	<b>Lori Borman</b>	<b>Anne Henkel</b>	<b>Peter Winton</b>	<b>Peter Winton</b>
COUNTY MANAGER	County Attorney	Budget Analyst	Budget Analyst	Budget Services	County Manager

**LEE COUNTY, FLORIDA**

**EMERGENCY RESOLUTION NO. \_\_\_\_\_**

**DECLARING A STATE OF LOCAL EMERGENCY**

WHEREAS, Section 252.38 (3)(a)(5), Florida Statutes, provides authority for a political subdivision such as Lee County to declare a State of Local Emergency in order to take whatever action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, Lee County Public Safety and Lee County Public Works have identified dangers to residents east of Eisenhower Road between State Road 82 and Corkscrew Road in the county as a result of the heavy rains and localized flooding associated with the rains; and

WHEREAS, the flooding has inundated private roads, thereby giving rise to an emergency situation with the potential for causing life threatening conditions should emergency vehicles be unable to access the residents; and

WHEREAS, the Board of County Commissioners of Lee County, Florida, finds and declares that a State of Local Emergency for a period not to exceed seven (7) days is necessary to protect and safeguard the safety, health, and welfare of the citizens of Lee County.

NOW THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA.

1. That the situation poses a serious threat to the lives and property of the residents of Lee County and that a State of Local Emergency shall be declared, effective immediately for Lee County, Florida.
2. That the Board of County Commissioners hereby exercises its authority, as provided in §252.38 (3)(a)(5), Florida Statutes, and hereby waive the procedures and formalities otherwise required of the County 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 obligations;
  - d. Employment of permanent and temporary workers;
  - e. Utilization of volunteer workers;
  - f. Rental of equipment;
  - g. Appropriation and expenditure of public funds.
3. That the Chairman of the Board of County Commissioners, or the Vice-Chairman in his absence, is hereby designated to extend the geographical boundary of the emergency area should the flooding continue and/or encroach into other areas of Lee County, based upon supporting documentation from County Staff and/or duly authorized public safety officers.

4. This Emergency Resolution declaring a State of Local Emergency shall be for seven (7) days unless sooner rescinded by the Board of County Commissioners of Lee County, Florida.

Commissioner \_\_\_\_\_ made a motion to adopt the foregoing resolution, seconded by Commissioner \_\_\_\_\_. The vote was as follows:

John Manning	_____
Cecil L Pendergrass	_____
Larry Kiker	_____
Brian Hamman	_____
Frank Mann	_____

DULY PASSED AND ADOPTED this 31<sup>st</sup> day of August, 2016.

ATTEST:  
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Franklin B. Mann, Chair

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

\_\_\_\_\_  
County Attorney's Office

**REQUEST FOR TRANSFER OF FUNDS**

FUND NAME: All Hazards Protection DATE: 08/31/16 BATCH NO. \_\_\_\_\_

FISCAL YEAR: FY16-17 FUND #: 18200 DOC TYPE: YB LEDGER TYPE BA

TO: Public Safety Public Safety All Hazards Protection  
(DIVISION NAME) (PROGRAM NAME)

<u>ACCOUNT NUMBER</u>	<u>OBJECT NAME</u>	<u>DEBIT</u>
KF5250418200.503490	Other Contracted Services	\$30,000

TOTAL TO: \$30,000

FROM: Non-Departmental Reserves  
(DIVISION NAME) (PROGRAM NAME)

<u>ACCOUNT NUMBER</u>	<u>OBJECT NAME</u>	<u>CREDIT</u>
GC5890118200.509910	Reserves	\$30,000

TOTAL FROM: \$30,000

**EXPLANATION:**

Emergency Repair

**BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA**

\_\_\_\_\_  
Chair

BA NO: \_\_\_\_\_ AUTH CODE: \_\_\_\_\_ TRANS DATE: \_\_\_\_\_