

CITY OF SANIBEL

PROCLAMATION AND RESOLUTION NO. 18-065

**AN EMERGENCY PROCLAMATION AND RESOLUTION OF
THE CITY OF SANIBEL DECLARING A STATE OF LOCAL
EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Governor of the State of Florida has issued Executive Order Number 18-191 declaring that a State of Emergency exists in Glades, Hendry, Lee, Martin, Okeechobee, Palm Beach and St. Lucie Counties in the State of Florida due to harmful water discharges from Lake Okeechobee and the Caloosahatchee watershed and the increase in algae blooms, including overwhelming amounts of cyanobacteria (blue-green algae) which can produce hazardous toxins, interfering with the health, safety and welfare of the State of Florida and its residents; and

WHEREAS, the waterways in and around the City of Sanibel are experiencing extraordinary concentrations of the marine alga *Karenia brevis*, causing an extensive harmful algal bloom (red tide) which can produce hazardous toxins, interfering with the health, safety and welfare of the City of Sanibel and its residents; and

WHEREAS, the blue-green algae and red tide are causing an unprecedented kill of fish, sea turtles, and other marine organisms in and around the waterways of the City of Sanibel; and

WHEREAS, certain beaches and waterways of the City of Sanibel are inundated with dead marine organisms; and

WHEREAS, Lee County has adopted Lee County Resolution 18-07-01 declaring a State of Local Emergency for Lee County, Florida; and

WHEREAS, Chapter 252, Florida Statutes, provides authority for a political subdivision such as the City of Sanibel to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of political subdivisions by law including, but not limited 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 Sanibel, pursuant to its home rule powers, has adopted certain emergency procedures, including the designation of the City Manager as having full authority to perform any administrative duties as may be necessary to alleviate the emergency, including without limitation the authority to designate certain essential City employees for special status and emergency pay;

NOW, THEREFORE, BE IT PROCLAIMED AND RESOLVED by the City Council of the City of Sanibel, Florida;

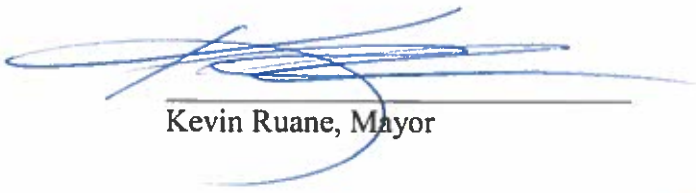
SECTION 1. Declaration of State of Local Emergency. The Sanibel City Council hereby declares a State of Local Emergency for all areas within the legal boundaries of the City of Sanibel. Said State of Local Emergency may be terminated by the Mayor of the City of Sanibel, in writing, or by Resolution of City Council.

SECTION 2. This Proclamation and Resolution is an emergency measure necessary for the protection of the public health, welfare and safety, due to the Lake Okeechobee water releases by the Army Corps of Engineers and Caloosahatchee watershed causing toxic blue-green algae, as well as due to the red tide harmful algal bloom and the resulting mass kills of marine organisms.

SECTION 3. Effective Date

Upon adoption, this Resolution shall take effect as of July 28, 2018, as the date on which significant beach and waterway clean-up efforts began.

DULY PASSED AND ENACTED by the City Council of the City of Sanibel, Florida, this 7th day of August, 2018.



Kevin Ruane, Mayor

AUTHENTICATION:



Pamela Smith, City Clerk

APPROVED AS TO FORM: 
John D. Agnew, City Attorney

8/7/18
Date

Vote of Council Members:

Ruane	<u> yea </u>
Denham	<u> yea </u>
Goss	<u> yea </u>
Maughan	<u> yea </u>
Smith	<u> yea </u>

Date filed with City Clerk: August 7, 2018