

RESOLUTION NO. 17 - 58

**WHEREAS**, The weather system presently identified as Hurricane Irma by the National Hurricane Center poses a serious potential threat to the residents and property of Pinellas County; and

**WHEREAS**, the current forecast error of the National Hurricane Center does not allow for a precise track of Hurricane Irma to determine the threat level from wind damage or rain or the related protective measures required; and

**WHEREAS**, Hurricane Irma has the potential for causing substantial damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

**WHEREAS**, the Governor of the State of Florida has promulgated Executive Order No. 17-235, wherein he found that a state of emergency exists within the State of Florida; and

**WHEREAS**, Section 252.38(3)(a)5, Florida Statutes, provides authority for a political subdivision such as Pinellas County 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 prudent 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 expenditures of public funds; and

**WHEREAS**, Section 2.04(k) of the Pinellas County Charter grants to the County all special and necessary power to provide for the development and implementation of civil preparedness programs; and

**WHEREAS**, Chapter 34 of the Pinellas County Code sets forth provisions to ensure the readiness of Pinellas County, provide for the protection of the public health,

safety, and welfare, and preserve the lives and property of the people of Pinellas County in the face of a natural or manmade disaster; and

**WHEREAS**, Hurricane Irma has reached historic levels of intensity and with the increased risk of danger to human life, properly timed and appropriately scaled evacuations necessitate delegation of authority to order evacuations.

**NOW, THEREFORE, BE IT RESOLVED AND DECLARED** by the Board of County Commissioners of Pinellas County, Florida, in emergency session, this 7<sup>th</sup> day of September, 2017:

1.) That in light of the serious threat to the lives and property of Pinellas County residents posed by Hurricane Irma, the Board of County Commissioners hereby exercises its authority and waives the procedures and formalities required by law of a political subdivision, as provided in Section 252.38(3)(a)5, Florida Statutes, by declaring a state of local emergency; and

2.) That this declaration of a state of local emergency is made in accord with the provisions set forth in Chapter 34, Pinellas County Code, and the civil preparedness program provided for in Section 2.04(k), Pinellas County Charter; and

3.) That the state of local emergency shall exist as of 12:01 PM on Thursday, September 7, 2017, for all territory within the legal boundaries of Pinellas County. All unincorporated and incorporated areas shall be embraced by the provisions of this Resolution; and

4.) That all provisions of the Comprehensive Emergency Management Plan relating to this type of event shall be implemented; and

5.) That during the state of local emergency, the Sheriff is designated as the Chief Law Enforcement Officer for Pinellas County in accord with Section 34-29 of the Pinellas County Code; and

6.) That, in accordance with §252.38(2), Florida Statutes, actions of the several municipalities within Pinellas County must be coordinated with County Emergency Management and not conflict with any order of the Official Authority; and

7.) That the Official Authority as designated pursuant to Pinellas County Code Section 34-27 is authorized to issue any necessary order; and

8.) That residents of Pinellas County are urged to pay close attention to the news media for information for news regarding public safety and orders of evacuation should evacuation become necessary; and

9.) That the County Administrator or his successor, as identified pursuant to Pinellas County Code Section 34-27 and as currently reflected on Exhibit A attached hereto

and incorporated by reference herein, is empowered to order mandatory evacuation as evolving conditions may require pursuant to the Board adopted Comprehensive Emergency Management Plan (CEMP). Any such evacuation shall remain in force until ended by further order. Any unauthorized person located in, or attempting to enter, an evacuation area after the stated completion time for an evacuation ordered issued as contemplated herein shall be in violation of F.S. §252.50, and subject to the penalties therein; and

10.) That the Board of County Commissioners hereby delegates authority to the County Administrator for the duration of this emergency declaration to appropriate funds from reserves as necessary to support emergency operations and response in a timely manner, and further, to suspend budgetary controls to the extent necessary to accomplish this purpose. The aforementioned authority is subject to after-the-fact ratification of the Board.

Commissioner Gerard offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Welch, and upon roll call the vote was:

AYES: Long, Welch, Eggers, Gerard, Justice, and Morroni.

NAYS: None.

ABSENT AND NOT VOTING: See 1.

11:45 A.M.  
[time]

Or, in the absence of a quorum of the Board of County Commissioners, and in accordance with Pinellas County Code Section 34-27:

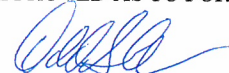
Ordered this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
Official Authority

APPROVED AS TO FORM

Doc No. 113952

By:

  
\_\_\_\_\_  
Office of the County Attorney




OFFICE OF THE COUNTY ADMINISTRATOR

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M E M O R A N D U M

**TO:** The Honorable Chairman and  
Members of the Board of County Commissioners

**FROM:**  Mark S. Woodard, County Administrator

**SUBJECT:** Succession Ordinance – Emergency Management

**DATE:** May 17, 2017

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In the event of an emergency, when the Board of County Commissioners is unable to meet or no quorum can be established, Section 34-27 provides for the designation of an Official Authority to take action.

The order for this Official Authority is determined; the Chairman is the first in line followed by the Vice-Chair and the County Administrator. Pursuant to the requirements of Sec. 34-27, Pinellas County Code, in the event of my unavailability, I designate:

1. John A. Bennett, Assistant County Administrator
2. Jake Stowers, Assistant County Administrator

As required by the Ordinance, I will advise the Board of this succession on an annual basis and whenever changes are made to the order of succession.