

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20041124

1. REQUESTED MOTION:

ACTION REQUESTED: Approve third extension of Declaration of State of Local Emergency originally declared on August 2004, and extended for an additional seven (7) days on both August 17, 2004 and August 24, 2004, relating to Hurricane Charley. This extension will be in effect from August 31, 2004 until September 7, 2004.

WHY ACTION IS NECESSARY: State of Local Emergencies are only effective for seven (7) days and must be extended in seven (7) day increments until rescinded.

WHAT ACTION ACCOMPLISHES: Allows the County to waive the procedures and formalities otherwise required, in order to take whatever actions are necessary to ensure the health, safety and welfare of the County.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT # CW

3. MEETING DATE:
08-31-2004

4. AGENDA:

CONSENT

ADMINISTRATIVE

APPEALS

PUBLIC

WALK ON

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

STATUTE §252.38(3)
(2)(5), F.S.

ORDINANCE

ADMIN. CODE

OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER

B. DEPARTMENT County Attorney

C. DIVISION General Services

BY: Andrea R. Fraser
Assistant County Attorney

7. BACKGROUND:

On Friday, August 13, 2004, Hurricane Charley, a Category 4 hurricane, impacted Lee County causing major damage to public utilities, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings in the area. The extension of the State of Local Emergency continues to allow the County to take whatever action is necessary to ensure the health, safety and welfare of the community.

On August 17, 2004 and August 24, 2004, the Board of County Commissioners extended Lee County Resolution No. 04-08-61 for an additional seven (7) days in order to address County needs as the result of Hurricane Charley. This third extension will be in effect from August 31, 2004 until September 7, 2004.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

Approve a third seven (7) day extension to Lee County Resolution No. 04-08-61.

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>Andrea Fraser</i>	OA <i>RK 8/30</i>	OM <i>8/30/04</i>	RISK <i>OK 8/30</i>	GC <i>OK 8/30</i>	<i>[Signature]</i>

10. COMMISSION ACTION:

APPROVED

DENIED

DEFERRED

OTHER

CO. ATTY 8/30/04
FORWARDED
TO CO. ADMIN.
9:00 AM

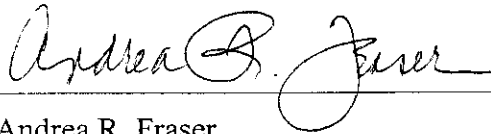
RECEIVED BY
COUNTY ADMIN: *[Signature]*
08/30/04
9:05 AM
COUNTY ADMIN
FORWARDED TO:
8/30/04
9:30 AM

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

DATE: August 27, 2004

TO: Kathy Geren
Public Resources

FROM:



Andrea R. Fraser
Assistant County Attorney

**RE: WALK-ON BLUESHEET NO. 20041124 FOR MEETING
OF AUGUST 31, 2004**

Kathy;

The above bluesheet needs to be "walked on" tomorrow, August 31, 2004, in order to continue the legislative actions taken by the Board concerning Hurricane Charley.

If you need anything else from me, please let me know. Thanks.

ARF/dm

xc: Robert W. Gray, Deputy County Attorney
David M. Owen, Chief Assistant County Attorney
Donald D. Stilwell, County Manager
Pete Winton, Assistant to the County Manager
Elizabeth Walker, Director, Public Resources
Lisa Pierce, Supervisor, Minutes Department

**LEE COUNTY, FLORIDA
EMERGENCY RESOLUTION NO. _____**

**EXTENDING DECLARATION OF STATE OF LOCAL
EMERGENCY ENACTED WEDNESDAY, AUGUST 11, 2004
AND EXTENDED AUGUST 17, 2004 AND AUGUST 24, 2004**

WHEREAS, the Board of County Commissioners declared a State of Local Emergency on Wednesday, August 11, 2004 in anticipation of approaching Hurricane Charley; and,

WHEREAS, the Board of County Commissioners extended the State of Local Emergency on Tuesday, August 17, 2004 and August 24, 2004, at regularly scheduled Board meetings; and,

WHEREAS, Hurricane Charley caused major damage to public utilities, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and,

WHEREAS, Section 252.38(3)(2)(5), Fla. Stat., provides authority for political subdivisions, such as Lee County to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of political subdivisions in order to take whatever action is necessary to ensure the health, safety and welfare of the community.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA that:

1. Hurricane Charley impacted Lee County as a Category 4 hurricane on Friday, August 13, 2004, causing major damage to public utilities, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas.
2. The Board of County Commissioners hereby exercises its authority and waives the procedures and formalities required by law for political subdivisions, as

provided in Section 252.38(3)(2)(5), Fla. Stat..

- 3. The extension of the State of Local Emergency is limited to seven (7) days; however, it may be extended, as deemed necessary by the Board of County Commissioners for additional terms in seven (7) day increments.
- 4. The extension of the State of Local Emergency will be in effect from Tuesday, August 31, 2004 to Tuesday, September 7, 2004.

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, this 31st day of August, 2004.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman or Vice Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

_____:_____.M.
(Time)