

# CITY OF GREEN COVE SPRINGS CITY COUNCIL SPECIAL EMERGENCY SESSION

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA  
TUESDAY, AUGUST 29, 2023 – 9:00 AM



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*Anyone wishing to address the city council regarding any topic on this agenda is requested to complete a card available at the city clerk's desk. Speakers are respectfully requested to limit their comments to three (3) minutes.*

*The city council prohibits the use of cell phones and other electronic devices which emit an audible sound during all meetings with the exception of law enforcement, fire and rescue or health care providers on call. Persons in violation may be requested to leave the meeting*

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## AGENDA

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Invocation & Pledge of Allegiance to the Flag

Roll Call

Mayor to call on members of the audience wishing to address the Council on matters not on the Agenda.

### COUNCIL BUSINESS

1. City Council approval of Emergency Resolution No. R-14-2023, declaring a Local State of Emergency due to Hurricane Idalia.

Adjournment

**The City Council meets the first and third Tuesday of each month beginning at 7:00 p.m., unless otherwise scheduled. Meetings are held in City Hall at 321 Walnut Street. Video and audio recordings of the meetings are available in the City Clerk's Office upon request.**

**City may take action on any matter during this meeting, including items that are not set forth within this agenda.**

**Minutes of the City Council meetings can be obtained from the City Clerk's office. The Meetings are usually recorded, but are not transcribed verbatim for the minutes. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recordings, if available, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.**

**Persons who wish to appeal any decision made by the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The City is not responsible if the in-house recording is incomplete for any reason.**

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### ADA NOTICE

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In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

### **PUBLIC PARTICIPATION:**

Pursuant to Section 286.0114, Florida Statutes, effective October 1, 2013, the public is invited to speak on any "proposition" before a board, commission, council, or appointed committee takes official action regardless of whether the issue is on the Agenda. Certain exemptions for emergencies, ministerial acts, etc. apply. This public participation does not affect the right of a person to be heard as otherwise provided by law.

### **EXPARTE COMMUNICATIONS**

Oral or written exchanges (sometimes referred to as lobbying or information gathering) between a Council Member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the City Council. The exchanges must be disclosed by the City Council so the public may respond to such exchanges before a vote is taken.



# STAFF REPORT

## CITY OF GREEN COVE SPRINGS, FLORIDA

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**TO:** Special Session

**MEETING DATE:** 8/29/2023

**FROM:** Erin West, City Clerk

**SUBJECT:** City Council approval of Emergency Resolution No. R-14-2023, declaring a Local State of Emergency due to Hurricane Idalia.

### BACKGROUND

### FISCAL IMPACT

### RECOMMENDATION

Approve Emergency Resolution No. R-14-2023, declaring a Local State of Emergency due to Hurricane Idalia.

## EMERGENCY RESOLUTION NO. R-14-2023

### **AN EMERGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA DECLARING A STATE OF LOCAL EMERGENCY FOR THE CITY OF GREEN COVE SPRINGS DUE TO HURRICANE IDALIA.**

**WHEREAS**, the Public Safety Emergency Management Director of the Department of Public Safety, in his capacity as the County's Emergency Management Director, and the Clay County Emergency Operations Center has been monitoring the progress of Hurricane Idalia which may affect Clay County and Green Cove Springs, Florida through the next week; and

**WHEREAS**, the Public Safety Emergency Management Director has reported to the City Manager on August 26, 2023, that there is a high likelihood that the current and expected weather conditions may result in extensive flooding and wind damage in Clay County and Green Cove Springs, Florida, in the next week thus creating an emergency situation which will require an extraordinary response by the County and the City; and

**WHEREAS**, Section 252.38, Florida Statutes, states that "[s]afeguarding the life and property of [the City's] citizens is an innate responsibility of the governing body of each political subdivision of the state" and further grants to the City the power to provide for the health and safety of persons and property and to waive the procedures and formalities otherwise required of the City pertaining to taking whatever prudent action is necessary to ensure the health, safety and welfare of the community; and

**WHEREAS**, as a result of the forecast of this major storm impacting the City of Green Cove Springs and in order to be in a position to provide the most effective assistance to the citizens of the City of Green Cove Springs in the event weather conditions become dangerous, it is necessary that the declaration of an emergency be invoked on August 29, 2023 at 9:00 a.m.; and

**WHEREAS**, as of the entry of this Resolution, official weather reporting sources indicate and current forecast models predict that Hurricane Idalia will make landfall along areas of the Florida Gulf Coast and portions of the Florida Panhandle as a major Hurricane and impact the majority of the State of Florida, and the Governor of the State of Florida has signed an Executive Order declaring a State of Emergency for several counties of the State including Clay County; and

**WHEREAS**, Hurricane Idalia poses a severe threat to the State of Florida and requires that timely precautions are taken to protect communities, critical infrastructure, and general welfare of this State; and

**WHEREAS**, Hurricane Idalia is expected to continue moving in a north-northeast direction across the State of Florida bringing with it steady and torrential rainfall and possibly heavy winds and extensive flooding may be experienced in Clay County in the next week thus creating an emergency situation which will require an extraordinary response by the County and the City; and

**WHEREAS**, as a result of the combination of a major hurricane impacting Clay County and the City of Green Cove Springs over the next few days and in order to be in a position to provide the most effective assistance to the citizens of Green Cove Springs, Clay County and the State of Florida in the event weather conditions become dangerous, and further in order to be able to undertake immediate protective action to prepare for the possible arrival of this storm in or near Green Cove Springs, it is necessary that the declaration of an emergency be invoked on August 29, 2023 as of 9:00 a.m.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS AS FOLLOWS:**

**SECTION 1.** That pursuant to the authority granted by Sections 252.31 through 252.62, Florida Statutes, the City's home rule powers and the Clay County Comprehensive Emergency Management Plan, a declaration of local emergency is declared as of 9:00 a.m., on August 29, 2023, and shall remain in effect through 9:00 a.m., on September 5, 2023 (seven days) unless extended prior to that time by the City Manager for an additional seven (7) days.

**SECTION 2.** That the Clay County Comprehensive Emergency Management Plan is activated and the utilization of the emergency powers under Sections 252.31 through 252.62, Florida Statutes, is authorized.

**SECTION 3.** This Emergency Resolution shall be applicable throughout the City of Green Cove Springs.

**DONE AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, IN SPECIAL SESSION THIS 29TH DAY OF AUGUST, 2023.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Constance W. Butler, Mayor

**ATTEST:**

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Erin West, City Clerk

**APPROVED AS TO FORM ONLY:**

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L. J. Arnold, III, City Attorney