



PORT ORANGE CITY COUNCIL

SPECIAL MEETING

Council Chambers

Tuesday, November 8, 2022 @ 4:30 PM

SPECIAL MEETING AGENDA

Pursuant to Section 3.06 of the Charter of the City of Port Orange, the Mayor has called a **Special Meeting** of the City Council to be held for the following purposes:

OPENING

1. Silent Invocation
2. Pledge of Allegiance
3. Roll Call

ACTION ITEMS

4. Resolution No. 22-42 - Declaring a State of Local Emergency - Subtropical Storm Nicole

ADJOURNMENT

NOTICES — PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON 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 TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

ANY INVOCATION THAT IS OFFERED BEFORE THE OFFICIAL START OF THE CITY COUNCIL MEETING SHALL BE THE VOLUNTARY OFFERING OF A PRIVATE PERSON, TO AND FOR THE BENEFIT OF THE CITY COUNCIL. THE VIEWS OR BELIEFS EXPRESSED BY THE INVOCATION SPEAKER HAVE NOT BEEN PREVIOUSLY REVIEWED OR APPROVED BY THE CITY COUNCIL OR THE CITY STAFF, AND THE CITY IS NOT ALLOWED BY LAW TO

ENDORSE THE RELIGIOUS BELIEFS OR VIEWS OF THIS, OR ANY OTHER SPEAKER. PERSONS IN ATTENDANCE AT THE CITY COUNCIL MEETING ARE INVITED TO STAND DURING THE OPENING INVOCATION AND PLEDGE OF ALLEGIANCE. HOWEVER, SUCH INVITATION SHALL NOT BE CONSTRUED AS A DEMAND, ORDER, OR ANY OTHER TYPE OF COMMAND. NO PERSON IN ATTENDANCE AT THE MEETING SHALL BE REQUIRED TO PARTICIPATE IN ANY OPENING INVOCATION THAT IS OFFERED. A PERSON MAY EXIT THE CITY COUNCIL CHAMBERS AND RETURN UPON COMPLETION OF THE OPENING INVOCATION IF A PERSON DOES NOT WISH TO PARTICIPATE IN OR WITNESS THE OPENING INVOCATION.



CITY COUNCIL AGENDA ITEM

COUNCIL MEETING DATE 11/8/2022

SUBJECT: (4) Resolution No. 22-42 - Declaring a State of Local Emergency - Subtropical Storm Nicole

DEPARTMENT: City Manager

GOAL: 1 - Public Safety

RECOMMENDED MOTION: Move to approve Resolution No. 22-42.

SUMMARY: Resolution No. 22-42 authorizes the City Manager, or his designee, to act effective November 8, 2022 at 4:30 p.m. as the Emergency Management Director, the NIMS Incident Commander and as otherwise authorized pursuant to Section 252.38, Florida Statutes and Chapter 26 of the City of Port Orange Code of Ordinances for tropical depression nine.

PRESENTER: Wayne Clark

ATTACHMENTS:

1.	Resolution 22-42	Resolution 22-42.pdf
----	------------------	----------------------

Robin Fenwick	Created/Initiated - 11/7/2022
Carly Meek	Approved - 11/7/2022
Wayne Clark	Approved - 11/7/2022
Robin Fenwick	Final Approval - 11/7/2022

RESOLUTION NO. 22-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXERCISE EMERGENCY MANAGEMENT POWERS; RATIFYING ALL ACTIONS TAKEN IN PREPARATION FOR SUBTROPICAL STORM NICOLE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the anticipated Subtropical Storm Nicole Storm Event may cause damage to public utilities, public buildings, public streets and roads, public drainage systems, potentially other public infrastructure, commercial and residential buildings and areas as well as causing life threatening conditions for the residents; and

WHEREAS, Section 252.38, Florida Statutes, and Sections 26.6.1, et seq. of the City of Port Orange Code of Ordinances provides authority for a political subdivision such as the City of Port Orange 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; and

WHEREAS, on November 7, 2022, Governor Ron DeSantis issued Executive Order Number 22-253, declaring that a state of emergency exists in Volusia County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF

THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The anticipated Subtropical Storm Nicole Storm Event poses a serious threat to the lives and property of the residents of the City of Port Orange. The City Council hereby declares a State of Local Emergency. The City Manager or his designee shall act as the NIMS Incident Commander and the Emergency Management Director for the purposes of the Subtropical Storm Nicole Storm Event. The State of Local Emergency shall be limited to seven (7) days from the effective date of this Resolution No. 22-42, but may be extended by subsequent executive order issued by the City Manager or by resolution adopted by City Council in accordance with Section 252.38, Florida Statutes and Chapter 26 of the Code of Ordinances.

Section 2. The Mayor and City Council hereby exercise their emergency authority and waive the procedures and formalities required by law of a political subdivision, as provided in Section 252.38, Florida Statutes, and Chapter 26 of the City of Port Orange Code of Ordinances. The Emergency Management Director (City Manager or his designee) or the successor as provided in Section 26.6.4 of the Code of Ordinances is hereby authorized and empowered to exercise all powers and duties and take all actions deemed appropriate as authorized in Section 252.38, Fla. Stat., and Sections 26.6.1, et seq. of the City of Port Orange Code of Ordinances.

Section 3. The City Council hereby ratifies all actions taken by the City Manager or at the City Manager's direction in preparation for the Subtropical Storm Nicole Storm Event local emergency.

Section 4. This resolution shall become effective immediately upon adoption.

MAYOR DONALD O. BURNETTE

ATTEST:

Robin L. Fenwick, MMC, City Clerk

Adopted on the day of

Reviewed and Approved: _____
Matthew J. Jones, City Attorney