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RESOLUTION  
NUMBER 2024 - 156

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AN EMERGENCY RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY AND PROVIDING FOR EMERGENCY GOVERNMENTAL OPERATIONS RELATED TO POTENTIAL TROPICAL CYCLONE NINE.

RECITALS

WHEREAS, Governor Ron DeSantis issued Executive Order (EO) No. 24-208 on September 23, 2024, declaring a State of Emergency in forty-one counties in the Florida Peninsula including Charlotte County due to the threat of Potential Tropical Cyclone Nine; and

WHEREAS, forecast models indicate the impact of this system will likely extend beyond its center to areas already saturated by Hurricane Debby; and

WHEREAS, there is a significant threat of storm surge, coastal flooding and erosion, heavy rainfall, flash flooding and damaging winds to the Florida Gulf Coast.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

Section 1. A state of local emergency is hereby declared due to the imminent threat to Charlotte County posed by Potential Tropical Cyclone Nine, based upon the potential to create excessive rainfall, storm surge, strong winds, coastal flooding, and hazardous seas, all of which may pose a serious threat to public health and safety and cause serious flooding, beach erosion, and property damage.

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Section 2. An emergency exists such that the immediate enactment of this resolution pursuant to Section 2-1-43, Charlotte County Code, is necessary.

Section 3. The Board of County Commissioners hereby asserts all powers available to Charlotte County government and all Charlotte County constitutional officers provided in Chapter 252, Florida Statutes.

Section 4. The County Administrator and his designees are provided plenary authority on behalf of Charlotte County Board of County Commissioners to take all actions necessary for protection of persons and property provided in Chapter 252, Florida Statutes, and pursuant to Section 2-1-43 of the Code of Laws and Ordinances of Charlotte County, Florida.

Section 5. Specifically, but not for the purpose of limitation, the County Administrator shall have the power to:

- a. perform public work and take whatever action is necessary to ensure the health, safety, and welfare of the community;
- b. enter into contracts;
- c. incur obligations;
- d. employ permanent and temporary workers;
- e. utilize volunteer workers;
- f. rent equipment;
- g. acquire and distribute, with or without compensation supplies, materials and facilities;
- h. transfer, amend, appropriate and/or expend public funds; and

i. suspend the provisions of the County's Collective Bargaining Agreements (CBAs), in accordance with the Emergency provisions contained in the CBAs, provided, however, that wage rates and monetary fringe benefits shall remain in full force and effect. Upon a determination by the County Administrator that emergency conditions no longer exist, the suspended provisions of the CBAs shall be reinstated.

Section 6. The County Administrator and/or the Emergency Management Director are each delegated the authority to (1) extend this initial declaration of local state of emergency as many times as necessary, and (2) dissolve this local state of emergency (or any extensions thereof) if the event no longer poses a threat to the lives and/or property of Charlotte County residents, or to public property. This delegation of authority to the County Administrator and/or the Emergency Management Director to extend or dissolve this local state of emergency does not require further action by this Board and is granted whether or not a quorum of the Board is able to meet.

The foregoing enumeration is not exclusive; the County Administrator shall have power to do all things necessary as conditions dictate, as provided in Chapter 252, Florida Statutes.

Section 7. As provided in Chapter 252, Florida Statutes, all normal formalities related to procurement, hours of employment of County employees, notice provisions and other procedures usually followed or required by law are hereby waived.

Section 8. All actions taken by the County Administrator, or taken at the direction of the County Administrator, on or after September 24, 2024, are hereby ratified.

Section 9. This resolution shall take effect immediately upon signing and shall terminate automatically seven (7) days from this date unless terminated earlier or extended by a document of equal dignity.

PASSED AND DULY ADOPTED this 24th day of September, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Zatrux  
William G. Zatrux, Chairman

The seal is circular with a dotted border. The text "BOARD OF COUNTY COMMISSIONERS" is written along the top inner edge, and "OF CHARLOTTE COUNTY, FLORIDA" is written along the bottom inner edge. In the center, there is a stylized emblem featuring a scale of justice and a book, with the number "5" below it.

ATTEST:  
Roger D. Eaton, Clerk of Circuit  
Court and Ex-officio Clerk of the  
Board of County Commissioners

By: David D. Powell  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton  
Janette S. Knowlton, County Attorney  
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