

RESOLUTION NO. 23-90

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, EMPOWERING THE MAYOR TO WAIVE ALL CITY OF FORT LAUDERDALE REQUIREMENTS FOR PUBLIC MEETINGS TO BE HELD AT CITY HALL AND TO WAIVE ALL CITY OF FORT LAUDERDALE REQUIREMENTS DESIGNATING CITY HALL AS THE LOCATION FOR NOTICE POSTINGS AND TO DESIGNATE ALTERNATE LOCATIONS FOR PUBLIC MEETINGS AND NOTICE POSTINGS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on April 12, 2023, certain areas of Broward County, including the City of Fort Lauderdale, witnessed record breaking, severe and heavy rainfall of over 25 inches, and consequential flooding ("Flash Flooding"); and

WHEREAS, on April 12, 2023, Dean J. Trantalis, Mayor of the City of Fort Lauderdale, Florida ("Mayor"), pursuant to the authority vested in him by Article IX, Section 2-274, Code of Ordinances of the City of Fort Lauderdale, Florida, executed and issued a Proclamation of Local State of Emergency; and

WHEREAS, on April 13, 2023, Ron DeSantis, as Governor of the State of Florida ("Governor"), by virtue of the authority vested in him by Article IV, Section 1(a) of the Florida Constitution, and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgated Executive Order 23-65, a copy of which is attached hereto ("Executive Order 23-65"); and

WHEREAS, the City Commission of the City of Fort Lauderdale Florida, at its City Commission meeting on April 18, 2023, adopted Resolution No. 23-81, ratifying and authorizing the Mayor to extend the proclamation consistent with Florida law; and

WHEREAS, the Mayor extended the Proclamation of Local State of Emergency for an additional seven (7) days on April 19, 2023 and April 26, 2023, the last extension set to expire on May 3, 2023; and

WHEREAS, Executive Order 23-65 is set to expire sixty (60) days from its effective date, which is calculated to be June 12, 2023; and

WHEREAS, Section 2-274(c) of the Code of Ordinances of the City of Fort Lauderdale, Florida, provides in the event of the proclamation of a local emergency as provided by city ordinance, the proclamation of a state of emergency by the Governor or the director of the state office of emergency management, or the existence of a state of war emergency, the mayor is empowered to:

(1) Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the commission;

(2) Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and bind the city for the fair value thereof and, if required immediately, commandeer the same for public use;

(3) Require emergency services of any city officer or employee and, in the event of the proclamation of a state of emergency in the county in which this city is located or the existence of a state of war emergency, command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;

(4) Requisition necessary personnel or material of any city department or agency; and

(5) Execute all of his ordinary power as mayor, all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant hereto adopted by the commission, all powers conferred upon him by any statute, by an agreement approved by the commission, and by any other lawful authority;" and

WHEREAS, City Hall sustained substantial damage as a result of the Flash Flooding which rendered the building inaccessible; and

WHEREAS, certain provisions of the Charter of the City of Fort Lauderdale, Florida, Code of Ordinances of the City of Fort Lauderdale, Florida, ordinances, and resolutions require certain public meetings be conducted at City Hall; and

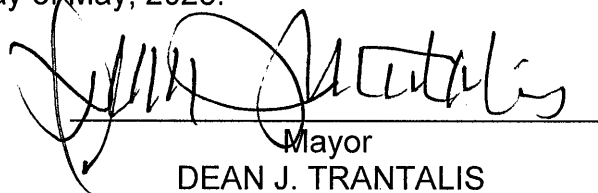
WHEREAS, City Hall has been rendered unusable as a result of the Flash Flooding and alternative locations will need to be designated for public meetings and the location for the posting of public notices;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:


SECTION 1. That the Mayor is hereby empowered pursuant to Section 4.04, of the City Charter and Section 2-274(c)(1) and (5) of the Code of Ordinances of the City of Fort Lauderdale, Florida, to waive any and all provisions of the Charter of the City of Fort Lauderdale, Florida, Code of Ordinances of the City of Fort Lauderdale, Florida, ordinances, and resolutions that require a public meeting be held at City Hall and/or that designate City Hall as the location for the posting of public notices for the duration of the State of Emergency and to designate alternative locations for holding public meetings and for the posting of public notices required under the City's Charter or Code of Ordinances.

SECTION 2. That this resolution shall be effective retroactive to April 13, 2023 and shall expire upon the termination of Executive Order 23-65.

ADOPTED this 2nd day of May, 2023.

  
\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

  
\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis      Yea

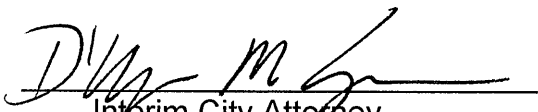
John C. Herbst      Yea

Steven Glassman      Yea

Pamela Beasley-Pittman      Yea

Warren Sturman      Yea

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Interim City Attorney  
DWAYNE M. SPENCE



# **PROCLAMATION OF LOCAL STATE OF EMERGENCY (Localized Flooding - April 12, 2023)**

WHEREAS, on April 12, 2023, the City of Fort Lauderdale experienced excessive rain resulting in localized flooding; and

WHEREAS, heavy rain and flooding poses an imminent threat to the safety of residents of and visitors to the City of Fort Lauderdale, Florida; and

WHEREAS, heavy rain and flooding poses an imminent threat to property located in the City of Fort Lauderdale, Florida; and

WHEREAS, Section 2-274, Code of Ordinances of the City of Fort Lauderdale, Florida, empowers the Mayor of the City of Fort Lauderdale to proclaim the existence or threatened existence of a local emergency when the City Commission is not in session; and

WHEREAS, the City Commission is not currently in session; and

WHEREAS, upon proclamation of a local emergency the Mayor of the City of Fort Lauderdale is empowered to:

1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Commission;
2. Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and bind the city for the fair value thereof and, if required immediately, commandeer the same for public use;
3. Require emergency services of any City officer or employee and, in the event of the proclamation of a state of emergency in Broward County, Florida, command the aid of as many citizens of this community as he deems necessary in the

execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;

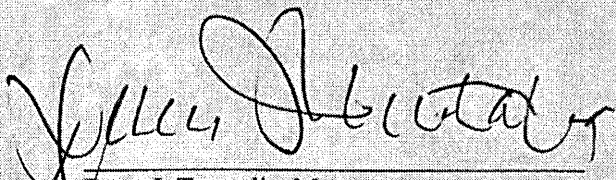
4. Requisition necessary personnel or material of any City department or agency; and
5. Execute all of his ordinary power as Mayor, all of the special powers conferred upon him by Chapter 2, Code of Ordinances of the City of Fort Lauderdale, Florida, or by resolution or emergency plan adopted by the City Commission pursuant to Chapter 2, Article IX, Code of Ordinances of the City of Fort Lauderdale, Florida, all powers conferred upon him by any statute, by an agreement approved by the City Commission, and by any other lawful authority.

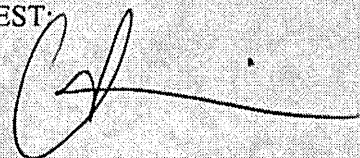
WHEREAS, pursuant to Section 16-51, Code of Ordinances of the City of Fort Lauderdale, Florida, the Mayor is empowered to declare that a state of emergency exists within the boundaries of the City of Fort Lauderdale and to exercise the emergency powers conferred in Florida Statutes Sections 870.041 through 870.047;

NOW, THEREFORE, the undersigned, Dean J. Trantalis, Mayor of the City of Fort Lauderdale, Florida, pursuant to the authority vested in him by Sections 16-51 and 2-274, Code of Ordinances of the City of Fort Lauderdale, Florida, does hereby proclaim a local state of emergency in the City of Fort Lauderdale, Florida.

The Local State of Emergency declared hereby shall continue for seven (7) days from the date and time hereof unless modified or rescinded by proper authority.

PROCLAIMED, in the City of Fort Lauderdale, Florida, this 12 day of April, 2023, at 11:57 p.m.

  
\_\_\_\_\_  
Dean J. Trantalis, Mayor  
City of Fort Lauderdale, Florida

ATTEST:  


\_\_\_\_\_  
David R. Solomon, City Clerk  
*Greg Chaverra, City Manager*