

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
Monday, October 03, 2022
9:00 AM
600 S. Commerce Ave. Sebring, FL 33870
AGENDA

1 MEETING CALLED TO ORDER

2 INVOCATION:

3 PLEDGE OF ALLEGIANCE:

4 ACTION AGENDA:

- 4.A *Request approval of an extension to the declaration of state of local emergency.*
Brian Newhouse, Emergency Manager
n/a
[Resolution 21-22-__Extension 1.STATE OF EMERGENCY.Hurricane Ian.pdf](#)

ADJOURN

**HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM**

DATE OF ACTION REQUEST: October 3, 2022

PRESENTER: Brian Newhouse, Emergency Manager

SUBJECT/TITLE: Request approval of an extension to the declaration of state of local emergency.

STATEMENT OF ISSUE

The approval of a Resolution extending the declaration of state of local emergency will authorize taking any other action necessary to carry out the services and responsibilities of the County associated with the declared State of Emergency, including the opening of and emergency transportation to shelters, and provision of supplies, equipment and other resources.

RECOMMENDED ACTION

Move approval to extend the declaration of state of local emergency.

FISCAL IMPACT

n/a

Attachments: [Resolution 21-22-__Extension 1.STATE OF EMERGENCY.Hurricane Ian.pdf](#)

RESOLUTION NO. 21-22-__

**A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA,
PERTAINING TO THE LOCAL STATE OF EMERGENCY
STEMMING FROM HURRICANE IAN; PROVIDING FOR
LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR
EXTENSION AND EXPIRATION OF DECLARED LOCAL
STATE OF EMERGENCY; PROVIDING FOR THE
IMPLEMENTATION OF ADMINISTRATIVE ACTIONS;
PROVIDING A SAVINGS CLAUSE; PROVIDING FOR
SCRIVENER'S ERRORS, PROVIDING FOR CONFLICTS;
PROVIDING FOR SEVERABILITY; PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, on September 23, 2022, Governor DeSantis issued Executive Order Number 22-218, and amended the same on September 24, 2022, through the issuance of Executive Order Number 22-219, declaring a state of emergency for the entire State of Florida, including Highlands County, related to Hurricane Ian; and

WHEREAS, Florida Statutes, Section 252.38, declares it the innate responsibility of local government to safeguard the life and property of its citizens; and

WHEREAS, on September 26, 2022, Highlands County adopted Resolution 21-22-199, declaring a local state of emergency related to Hurricane Ian; and

WHEREAS, Florida Statutes, Section 252.38(4), provides authority for political subdivisions to declare a state of local emergency in seven (7) day increments; and

WHEREAS, the County has determined that it is in the best interest of its employees, citizens and visitors to extend the local state of emergency declared stemming from Hurricane Ian and the after-effects of the same.

**NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY,
FLORIDA, AS FOLLOWS:**

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Extension and Expiration of Declared Local State of Emergency.

A. The state of emergency stemming from Hurricane Ian as declared for the entire State of Florida by Governor DeSantis, and as declared locally for Highlands County under Highlands County Resolution 21-22-199, is hereby extended for a period of seven (7) days from the date hereof with all declarations made under Resolution 21-22-199, remaining in full force and effect.

B. The local state of emergency shall automatically expire seven (7) days after the adoption of this Resolution but may be extended by a majority vote of the County, as necessary, pursuant to Resolution 21-22-199.

SECTION 3. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. Savings Clause. All prior actions of Highlands County pertaining to the local state of emergency stemming from Hurricane Ian, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and City Attorney, may be corrected.

SECTION 6. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon adoption.

DONE AND ADOPTED, this _____ day of October, 2022.

**BOARD OF COUNTY COMMISSIONERS
OF HIGHLANDS COUNTY, FLORIDA**

By: _____
Kathleen G. Rapp, Chairperson

(SEAL)

ATTEST:

Jerome Kaszubowski, Clerk