



**Emergency City Council Meeting
City of Belleair Beach, Florida**

**Monday, August 28, 2023
Community Center, 10:30 PM**

**PUBLIC MEETING NOTICE
AGENDA**

Call to Order
Pledge of Allegiance
Roll Call

1. Approval of Agenda.
2. Consideration of Resolution 23-05, A Resolution Of The City Council Of The City Of Belleair Beach, Florida, Declaring A State Of Local Emergency In Belleair Beach Due To Tropical Storm Idalia And Its Potential Threat Of Harm To The Residents And Property Of The City Of Belleair Beach; And Providing For An Effective Date. (City Manager Riefler)
 - To Declare a State of Emergency
3. Emergency Management Update. (City Manager Riefler)

Adjournment

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes 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 law does not require the City Clerk to transcribe verbatim minutes, therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-595-4646 or fax a written request to 727-593-1409.

Patricia A. Gentry, CMC
City Clerk

RESOLUTION 2023-05

A RESOLUTION OF THE CITY OF BELLEAIR BEACH, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY IN BELLEAIR BEACH DUE TO TROPICAL STORM IDALIA/HURRICANE IDALIA AND ITS POTENTIAL THREAT OF HARM TO THE RESIDENTS AND PROPERTY OF THE CITY OF BELLEAIR BEACH.

WHEREAS, as of August 28, 2023, Tropical Storm Idalia/Hurricane Idalia poses a serious potential threat to the residents and property of Belleair Beach; and

WHEREAS, Tropical Storm/Hurricane Idalia has the potential to cause extensive damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

WHEREAS, it is therefore necessary for the City of Belleair Beach to take protective measures to ensure the safety of its residents; and

WHEREAS, on August 26, 2023, the Governor of the State of Florida issued Executive Order 23-171 declaring a State of Emergency as a result of Tropical Storm Idalia/Hurricane Idalia (referred to therein as “Invest 93L”); and

WHEREAS, it is anticipated that on August 28, 2023, in a meeting that has already been noticed to begin at 10 a.m., that the Pinellas County Board of County Commissioners shall, by Resolution, declare a State of Emergency in connection with Tropical Storm Idalia/Hurricane Idalia, and thereby implement all provisions of the Comprehensive Emergency Management Plan; and

WHEREAS, Chapter 252.38, Florida Statutes, provides authority for the City of Belleair Beach to declare a State of Emergency allowing the City to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

1. Performance of public work and taking whatever action is necessary to ensure the health, safety and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employment of permanent and temporary workers;
5. Utilization of volunteer workers;
6. Rental of equipment;
7. Acquisition and distribution, with or without compensation of supplies, materials and facilities;

8. Appropriation and expenditures of public funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belleair Beach that:

Section 1. Each of the above recitals are incorporated herein as the findings of the City Council.

Section 2. Tropical Storm Idalia/Hurricane Idalia poses a serious threat to the lives and property of residents of Belleair Beach, Florida.

Section 3. A state of Local Emergency exists effective the 28th day of August 2023, at 11 a.m., and shall be extended in seven day increments as necessary, and shall be effective until rescinded for all territory within the legal boundaries of the City of Belleair Beach, Florida.

Section 4. The procedures and formalities required by law are hereby waived as provided in Chapter 252, Florida Statutes.

Section 5. The City Council is authorized to promulgate such reasonable regulations as deemed necessary to protect life and preserve critical resources. These regulations may include, but shall not be limited to, the following:

- (1) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives, and combustibles.
- (2) Establish curfews, including but not limited to the prohibition or restrictions on pedestrian and vehicular movement, standing and parking, except for the provision of designated, essential services such as fire, law enforcement, emergency medical and hospital services, including the transportation of patients, utility emergency repairs and emergency calls by physicians.
- (3) Utilize all available resources of the city government as reasonably necessary to cope with the disaster or emergency, including emergency expenditures not to exceed \$100,000.00.
- (4) Declare certain areas of the city off limits.
- (5) Make provisions for availability and use of temporary emergency housing and emergency warehousing of materials.
- (6) Establish emergency operating centers and shelters in addition to or in place of those provided for in the city's emergency plan.
- (7) Declare that during an emergency it shall be unlawful and an offense against the city for any person to use the potable water supplied by the city for any purpose other than for cooking, drinking, or bathing.

- (8) Declare that during an emergency it shall be unlawful and an offense against the city for any person within the city to charge more than the normal average retail price for any merchandise, goods, or services sold during the emergency. The “average retail price” as used in this subsection is defined to be that price at which similar merchandise, goods, or services was being sold during the 90 days immediately preceding the emergency or a markup which is a larger percentage over wholesale cost than was being added to wholesale cost prior to the emergency.
- (9) Confiscate merchandise, equipment, vehicles, or property needed to alleviate the emergency. Reimbursement shall be within 60 days and at a customary value charged for the items during the 90 days previous to the emergency.
- (10) Allow the vice-mayor in the Mayor’s absence, or in her absence the city manager, or their designees, on behalf of the city, to request the National Guard, Coast Guard, or other law enforcement divisions as may be necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

Section 6. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, THIS 28th day of August, 2023.

CITY OF BELLEAIR BEACH

Dave Gattis, Mayor

Patricia Gentry, City Clerk

APPROVED AS TO FORM:

Randy Mora, City Attorney