

**CITY COUNCIL SPECIAL MEETING
AUGUST 11, 2004**

Mayor Harrity called the meeting to order at 7:03 p. m.

Members present: Mayor Harrity, Councilman Brown and Councilmember Workman. Vice Mayor Walsh and Councilman Jennings were absent.

Councilman Brown gave the Invocation and led in the Pledge of Allegiance.

Council excused Vice Mayor Walsh and Councilman Jennings.

Ms. Zimomra asked Major Michael Murray to give Council an update.

Major Murray gave Council a brief update regarding the current situation with Hurricane Charley.

Ms. Zimomra reported that City staff had met with City partners regarding Hurricane Charley.

Discussion regarding Hurricane related legislation:

Ms. Zimomra explained the legislation below and how it would affect the City and it would only become effective when Lee County calls for a mandatory evacuation.

Discussion ensued regarding the time the City should enact a state of emergency, the authority the state of emergency implies, how the state of emergency works, Collier County issuing a voluntary evacuation, calculated time limit for a full evacuation, possible 10-foot storm surge, giving staff the authority to issue a voluntary evacuation and changing to a mandatory evacuation as necessary.

PROCLAMATION AND RESOLUTION 04-088 OF THE CITY OF SANIBEL DECLARING A STATE OF LOCAL EMERGENCY, EFFECTIVE IMMEDIATELY UPON THE DECLARATION BY LEE COUNTY OF A STATE OF LOCAL EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Zimomra read the title of Proclamation and Resolution 04-088.

Discussion ensued regarding the title being amend after the word effective, *“7:00 A. M. on Thursday, August 12, 2004,”* delete *“immediately upon the declaration by Lee County of a state of local emergency,”* and in Section 1 after the word immediately add *“7:00 A. m. Thursday, August 12, 2004”* and delete, *“upon the declaration by Lee County of a State of Local Emergency.”*

Mayor Harrity made a motion, seconded by Councilman Brown, to adopt Resolution 04-088 as amended above.

The motion passed unanimously.

PROCLAMATION AND RESOLUTION 04-089 RELATING TO THE STATE OF LOCAL EMERGENCY DECLARED BY THE CITY OF SANIBEL; PROVIDING FOR A GENERAL NIGHTTIME CURFEW DURING THE STATE OF LOCAL EMERGENCY RESULTING FROM HURRICANE CHARLEY; PROVIDING FOR PROHIBITION ON SALE, POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES, EXCEPT ON ONE’S OWN PREMISES; PROVIDING FOR MANDATORY EVACUATION; PROVIDING PENALTIES; PROVIDING FOR AREA EMBRACED; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Zimomra read the title of Proclamation and Resolution 04-089.

Mr. Cuyler explained in Section 1. Curfew it would restrict movement from dusk to dawn. He further explained that Section 2. spoke to the prohibition of sale, possession and consumption of alcohol. He also explained that Section 3. spoke to mandatory evacuation.

Discussion ensued regarding state law giving the Police Department the legal ability to make people leave under a mandatory evacuation, but has never been carried out by the Police Department, City Hall or the Library not set up to be an emergency shelter, the number of shelters Lee County would be opening Thursday, August 12, effective ways to let residents, businesses and property owners know that a voluntary evacuation would take effect at 7:00 p. m., changing the voluntary evacuation from 7 a. m. on Thursday, August 12 to 9:00 p. m., Wednesday, August 11, 2004

Councilmember Workman made a motion, seconded by Councilman Brown to adopt Resolution 04-089.

The motion passed unanimously.

There being no further business the meeting was adjourned at 7:48 p. m.

Respectfully submitted by,

Pamela Smith, CMC
Deputy City Clerk