

**CITY OF BILOXI  
AGENDA ITEM  
FACT SHEET**

Item No.: 4

Council Meeting Date: **August 29, 2017**

**ITEM TITLE:** RESOLUTION  
**INTRODUCED BY:** Mayor Andrew "FoFo" Gilich  
**CONTACT PERSON:** E. Michael Leonard, CAO

**SUMMARY EXPLANATION:**

Resolution declaring a State of Emergency in the City of Biloxi, Mississippi for Tropical Storm Harvey, and authorizing the Mayor to do all things reasonable and necessary to protect the immediate health and safety of the city's citizens; and for related purposes.

Resolution  Ordinance \_\_\_\_\_ Public Hearing \_\_\_\_\_ Routine Agenda \_\_\_\_\_

Exhibits for Review

Contract \_\_\_\_\_ Minutes \_\_\_\_\_ Plans/Maps \_\_\_\_\_ Deed \_\_\_\_\_ Lease \_\_\_\_\_

Other (Specify):

Submittal Authorization: Council President \_\_\_\_\_ Mayor

**STAFF RECOMMENDATION:** Staff recommends approval

**COUNCIL ACTION:** Motion By: \_\_\_\_\_ Second By: \_\_\_\_\_

<b><u>Vote:</u></b>	<b><u>Councilmember</u></b>	<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Other</u></b>	<b><u>Councilmember</u></b>	<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Other</u></b>
	Lawrence	___	___	___	Tisdale	___	___	___
	Gines	___	___	___	Glavan	___	___	___
	Newman	___	___	___	Barrett	___	___	___
	Deming	___	___	___				

**ACTION TAKEN:**

Resolution No. \_\_\_\_\_

**RESOLUTION DECLARING A STATE OF EMERGENCY IN THE CITY OF BILOXI, MISSISSIPPI FOR TROPICAL STORM HARVEY, AND AUTHORIZING THE MAYOR TO DO ALL THINGS REASONABLE AND NECESSARY TO PROTECT THE IMMEDIATE HEALTH AND SAFETY OF THE CITY'S CITIZENS; AND FOR RELATED PURPOSES**

WHEREAS, due to the catastrophic damage which may result from Tropical Storm Harvey, a state of emergency exists in the City of Biloxi and has been so declared by Mayor Gilich and by the Biloxi City Council; and

WHEREAS, pursuant to the laws of the State of Mississippi the City of Biloxi has the power to enter into contracts, incur obligations necessary to combat disaster, provide for the health and safety of persons and property, including emergency assistance to the victims of the disaster, without regard to the time-consuming procedures and formalities prescribed by law pertaining to the performance of public works, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation and expenditure of public funds; and

WHEREAS, Section 15-1-21 of the Code of Ordinances of the City of Biloxi has been amended to specifically provide for the manner of personnel compensation during emergencies declared by the Mayor and City Council; and

WHEREAS, it is necessary to spread on the minutes the schedule to be followed by city employees during this declared emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT:

SECTION 1: That a state of emergency exists in the City of Biloxi, Mississippi, and the Mayor of the City of Biloxi, Mississippi, is hereby authorized to do all things

reasonable and necessary to accomplish the aforesaid purposes; appropriate and expend funds, make contracts and provide for the health and safety of persons and property, including emergency assistance to the potential victims of Tropical Storm Harvey, subject thereafter to the consent and approval of the City Council.

SECTION 2: That the Mayor of the City of Biloxi is further authorized to assign and make available for duty the employees, property or equipment of the City relating to fire fighting, engineering, rescue, health, medical and related service, police, transportation, construction, and similar items or services for emergency management purposes either within or outside the municipal limits.

SECTION 3: That the Mayor of the City of Biloxi may further authorize the use of municipally owned equipment and such public employees as necessary to venture onto private property to aid in removing debris and to prevent further damage to such property at the request of the property owners and to perform any other necessary and needed services to prevent the spread of disease or any other health hazard to the community at large.

SECTION 4: At all relevant times during the period of the emergency declaration, personnel compensation shall be governed by the provisions of Ordinance No. 2016, amending Section 15-1-21 of the Code of Ordinances of the City of Biloxi, Mississippi.

SECTION 5: This Resolution is hereby void at the end of thirty (30) days.