


MEMORANDUM
City of St. Petersburg, Florida

TO: The Honorable Chair and Members of the City Council;
Mayor Rick Baker

FROM: Al Galbraith, Assistant City Attorney 

RE: Ordinance relating to post-disaster emergency powers and removal of disaster-generated debris, and increasing emergency spending limits

DATE: August 13, 2009

One objective of this proposed ordinance is to increase the limit on emergency spending by the Mayor.

Currently, the limit is a cumulative total of \$100,000.00 unless a higher limit is authorized by resolution of the City Council or by unanimous written authorization of City Council members able to attend an emergency meeting if less than a quorum are able to attend. (section 2-327(c), City Code). The proposed ordinance would raise the limit to a cumulative total of \$500,000.00,

The current limit was set in May of 1995 when Ordinance 197-G was adopted.

When asked to justify this increase, Tom Lehmann, Assistant Director of the Sanitation Division, prepared this explanation:

In 2004, after dodging Hurricane Charley's direct hit, the City received fringe winds from Hurricanes Francis and Jeanne in a period of two weeks. Wind gusts of 72 miles per hour were experienced as the storm exited Florida's west coast after crossing the state. The storms generated 162,000 cubic yard of debris which equates to 25,000 tons.

The city chose to implement storm recovery operations of its own, rather than employ a disaster recovery contractor. In contrast, the counties and cities that suffered direct hits contracted out debris recovery operations because their work forces were overwhelmed by the storm-inflicted damage.

The City of St. Petersburg has a disaster operating plan. We estimate that if a category 3 storm (111 - 130 mph) is experienced by our city it would generate 3,500,000 cubic yards of debris. This material far exceeds the city work force capabilities to clear and remove debris from roads and right-of ways. The City has a standing contract with Crowder Gulf to help meet this work load if a disaster of this magnitude is experienced by our city. The estimated cost for a contractor to handle material generated by a Category 3 storm is \$42 million.

The proposed changes in the Emergency Powers Ordinance allow the City Council or the Mayor (in the absence of a quorum of the City Council upon not less than 24 hours notice of an emergency meeting) to declare that a state of emergency exists. The ordinance then specifies actions that may be taken by the Mayor or the Mayor's designee in response to threats to life, public health, and safety. This would include removing or pushing debris from the roads to create access by police, fire, and emergency medical personnel and their vehicles. The work of pushing or removing debris may be accomplished by city work forces unless the storm damage is so great that contractors may be necessary to get the job done.

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Copies:

Tish Elston, City Administrator

John C. Wolfe, City Attorney

Mark A. Winn, Chief Assistant City Attorney

Eva Andujar, City Clerk