

Resolution 2020-30

**A Resolution Declaring an Emergency
Affecting Public Health, Safety and Convenience
Due to Hurricane Delta**

WHEREAS, the Town of Magnolia Springs could be seriously damaged by Hurricane Delta, resulting in the impairment or loss of various critical public facilities and the inability of the Town to provide adequately for the health, safety, and convenience of the public; and

WHEREAS, in the event of such damage there is a need for the Town to enter into various public works contracts to affect the repair of critical public facilities and to provide adequately for the health, safety, and convenience of the public without delay; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MAGNOLIA SPRINGS, ALABAMA, WHILE IN SPECIAL EMERGENCY SESSION ON OCTOBER 6, 2020, as follows:

Section 1. The Town Council of the Town of Magnolia Springs hereby officially declares a state of emergency to exist within the Town of Magnolia Springs within the meaning of Alabama Code Section 39-2-2(e) as a result of deteriorating weather conditions and the anticipated landfall of Hurricane Delta along the Alabama Gulf Coast; and

Section 2. That the Mayor and Town Clerk are hereby authorized and directed to execute and attest, respectively, all contracts determined by the Mayor to be necessary to meet the emergency without public advertisement.


Section 3. That this Resolution shall become effective upon its adoption.

ADOPTED this 6th day of October 2020.



Kim Koniar, Mayor

ATTEST:



**Hannah Driskell
Interim Town Clerk**

**TOWN OF
MAGNOLIA SPRINGS**
LOCAL STATE OF EMERGENCY DECLARATION
BALDWIN COUNTY, ALABAMA

AUTHORITY

Whereas, the Gulf Coast of Alabama, Baldwin County and the Town of Magnolia Springs is immediately threatened by Hurricane Delta. Alabama Governor Kay Ivey and the Baldwin County Commission have both issued a state of emergency that went into effect on October 6, 2020.

Whereas, Hurricane Delta is expected to intensify as it tracks into the northern Gulf Coast where it will bring an extremely dangerous storm surge, flooding rainfall and possible damaging winds. Delta will also pose a threat of flooding rainfall farther inland across parts of the Southeast including the Town of Magnolia Springs.

Now, therefore, I, Kim Koniar, Mayor of the Town of Magnolia Springs, Alabama, declare that a local state of emergency exists in Baldwin County and in the Town of Magnolia Springs and that I hereby invoke and declare those portions of the Alabama Code which are applicable to the conditions and have caused the issuance of this declaration, to be in full force and effect in the Town of Magnolia Springs for the exercise of all necessary emergency authority for protection of the lives and property of the people of this Town and the restoration of local government with a minimum of interruption.

My authority for this Declaration, for this weather emergency and any future weather emergency was approved by the Town of Magnolia Springs Council at a regular meeting of the Town of Magnolia Springs Council held on October 6, 2020 conducted in accordance with Alabama's Open Meetings Law. That the City Council of the Town of Magnolia Springs has determined that if future conditions warrant a local State of Emergency as authorized by the *Code of Alabama 1975*, Section 31-9-2(a), and as described above, the Mayor or Mayor Pro Tempore should the Mayor not be available shall have the authority to declare a Local State of Emergency without delay affecting public health, safety, and convenience as existing as defined within the meaning of the *Code of Alabama* Section 39-2-2(e) as a result of a pending and/or threatening future hurricane.

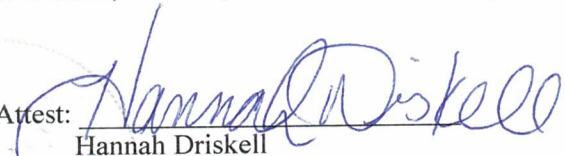
All public offices and employees of the Town of Magnolia Springs are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the state of emergency and in execution of emergency laws, regulations, and directives—state and local.

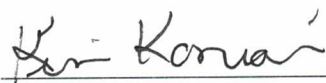
All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and disaster services forces in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officers.

All operating forces will direct their communications and requests for assistance and operations directly to the Baldwin County Emergency Operating Center.

In witness, whereof, I have hereunto set my hand this 6th day of October 2020.

Attest:


Hannah Driskell
Interim Town Clerk


Kim Koniar
Mayor