



**Town of Surfside
Emergency Town Commission Meeting
AGENDA
June 25, 2021
3 p.m.**

1. Opening

A. Call to Order

B. Roll Call of Members

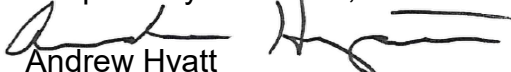
2. Resolutions

A. Declaring a Local State of Emergency – Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING A LOCAL STATE OF EMERGENCY DUE TO THE BUILDING COLLAPSE OF THE RESIDENTIAL BUILDING CHAMPLAIN TOWERS SOUTH CONDOMINIUM LOCATED AT 8777 COLLINS AVENUE; PROVIDING FOR THE TERM OF THE STATE OF EMERGENCY; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

3. Adjournment

Respectfully submitted,


Andrew Hyatt
Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT www.townofsurfsidefl.gov.

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING A LOCAL STATE OF EMERGENCY DUE TO THE BUILDING COLLAPSE OF THE RESIDENTIAL BUILDING CHAMPLAIN TOWERS SOUTH CONDOMINIUM LOCATED AT 8777 COLLINS AVENUE; PROVIDING FOR THE TERM OF THE STATE OF EMERGENCY; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in the early morning hours of June 24, 2021, the residential condominium building Champlain Towers South Condominium located at 8777 Collins Avenue (“Condominium”) in the Town of Surfside (“Town”) experienced a major structural collapse of a substantial portion of the building (“Building Collapse”); and

WHEREAS, the Town’s municipal first responders immediately mobilized to rescue as many Condominium residents as possible and to address the major threats posed by the Building Collapse to the health, safety, and welfare of the Town’s residents; and

WHEREAS, on June 24, 2021, the Governor of Florida issued Executive Order Number 21-148 declaring a State of Emergency in Miami-Dade County due to the Building Collapse in order to assist in the response and recovery of the Building Collapse and the development of mitigation plans necessary to address hazards posed by the Building Collapse; and

WHEREAS, similarly, on June 24, 2021, the Mayor of Miami-Dade County (“County”) issued a Declaration of Local State of Emergency in connection with the Building Collapse in order to assist in the search and rescue operation in the Town; and

WHEREAS, despite the courageous rescue efforts of Town, County, and State first responders, the Building Collapse has resulted in a tragic loss of life and approximately one hundred individuals that remain unaccounted for; and

WHEREAS, the Building Collapse poses serious threats to the public health, safety, and welfare of the residents of the Condominium who have been forced to vacate the premises due to the structural damage; and

WHEREAS, as a result of the Building Collapse, the structural integrity of the remaining portion of the Condominium and surrounding area pose an extraordinary threat to the health, safety, and welfare of the Town's residents, businesses, and property owners into the foreseeable future; and

WHEREAS, the Town Council, in accordance with Article VIII, "Emergency Management Procedures," of Chapter 2 of the Town Code of Ordinances and the Florida Emergency Management Act, finds it necessary to declare a local state of emergency due to the threats posed by the Building Collapse for the foreseeable future; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest of the health, safety, and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. **Declaration of Local State of Emergency.** The Town Commission hereby declares a Local State of Emergency due to the Building Collapse within the Town.

Section 3. **Term of State of Emergency.** The State of Emergency shall be effective immediately and continue until the Town Manager certifies that the conditions leading to the State of Emergency no longer exist, or until the Town Commission adopts a resolution terminating the State of Emergency.

Section 4. Authorization and Implementation. The Town Mayor and/or Town Manager are hereby authorized to effectuate all orders and take whatever prudent actions are necessary and authorized by Article VIII, “Emergency Management Procedures,” Chapter 2, of the Town Code of Ordinances, and Chapter 252, “Emergency Management,” Florida Statutes, to protect the health, safety and welfare of the community.

Section 5. Transmittal. That the Town Clerk is directed to transmit this Resolution to all appropriate parties and as may be required by law.

Section 6. Effective Date. That this Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED on this 25th day of June, 2021.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl _____
Commissioner Eliana R. Salzhauer _____
Commissioner Nelly Velasquez _____
Vice Mayor Tina Paul _____
Mayor Charles W. Burkett _____

Charles W. Burkett, Mayor

ATTEST:

Sandra McCready, MMC
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 21-148
(Emergency Management – Miami-Dade County)

WHEREAS, in the early morning hours of June 24, 2021, a residential condominium building located at 8777 Collins Avenue in Surfside, Florida experienced a major structural collapse; and

WHEREAS, the structural collapse of the building has resulted in fatalities and approximately one hundred individuals are currently unaccounted for; and

WHEREAS, a substantial portion of the structure has been destroyed and the remainder of the structure has been rendered uninhabitable; and

WHEREAS, multiple agencies have immediately mobilized to respond to this incident, including the Division of Emergency Management, Department of Transportation, Department of Economic Opportunity, Department of Financial Services, and the Florida Department of Law Enforcement, which are conducting day-to-day mutual aid operations in coordination and cooperation with local officials; and

WHEREAS, as Governor, I am responsible to meet the dangers presented to this State and its people by this emergency.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, I declare that a state of emergency exists in Miami-Dade County.

Section 2. I designate the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Executive Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Invoke and administer the Emergency Management Assistance Compact ("EMAC") (sections 252.921-252.9335, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as best to meet this emergency.

B. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.

C. Direct all state, regional and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the response, recovery, and mitigation needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency.

D. Designate additional Deputy State Coordinating Officers as necessary.

E. Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this

emergency, including to the extent necessary to provide budget authority for state agencies to cope with this emergency.

F. Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer. No such order shall remain in effect beyond the expiration of this Executive Order, to include any extension.

Section 3. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 4. Pursuant to section 501.160, Florida Statutes, it is unlawful and a violation of section 501.204, Florida Statutes, for a person to rent or sell or offer to rent or sell at an unconscionable price within the area for which the state of emergency is declared, any essential commodity including, but not limited to, supplies, services, provisions, or equipment that is necessary for consumption or use as a direct result of the emergency.

Section 5. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

Section 6. All actions taken by the Director of the Division of Emergency Management with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire thirty (30) days from this date unless extended.

Section 7. This order is effective immediately.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 24th day of June, 2021.

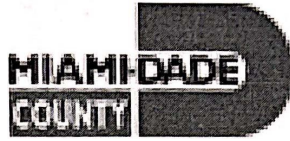

GOVERNOR

ATTEST:


SECRETARY OF STATE

2021 JUN 24 PM 5:32
DEPARTMENT OF STATE
TALLAHASSEE, FL

FILED



MIAMI-DADE COUNTY DECLARATION OF LOCAL STATE OF EMERGENCY

WHEREAS, section 252.38(3)(a) Florida Statutes, gives authority to political subdivisions to declare and enact a State of Local Emergency for a period of up to seven days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, chapter 8B of the Code of Miami-Dade County grants the County Mayor the authority to declare a Local State of Emergency and authorizes the County Mayor to issue and to take various actions to address such emergency; and

WHEREAS, in the early morning of June 24, 2021, a portion of the residential building located at 8777 Collins Avenue, known as Champlain Towers South Condo, collapsed in on itself; and

WHEREAS, County and municipal first responders were immediately deployed to the area to aid in the search and rescue operation in the Town of Surfside; and

WHEREAS, search and rescue and family reunification operations are still ongoing; however, a substantial number of people are still unaccounted for; and

WHEREAS, Miami-Dade County recognizes the extreme potential for significant loss of life,

THEREFORE, as County Mayor of Miami-Dade County, I hereby declare a State of Local Emergency that will continue for seven days or if cancelled before that period of time. This Local State of Emergency includes all of Miami-Dade County, both incorporated and unincorporated areas.

Pursuant to this Declaration, further orders may be issued to protect the health, safety, and welfare of the community. Such orders specifically include, but are not limited to, orders related to the items listed in 1.a-n attached. The Deputy Mayors, through the Director of the Office of Emergency Management, are hereby ordered to take whatever prudent actions are necessary to effectuate such orders and to otherwise protect the health, safety, and welfare of the community.

Enacted:
Signed:

Danielle Reine Carr

COUNTY MAYOR

Date: 6/24/21

Time: 4:33 PM

Witness:

Johanna Corone

Miami-Dade County Declaration of Local State of Emergency

Cancelled:

Signed: _____

COUNTY MAYOR

Date: _____

Time: __: __

Witness: _____

Action Options for State of Local Emergency

1. Executive Orders of the Mayor to include:
 - a) Employee Recall order: An order recalling Miami-Dade County employees from vacation, canceling days off, and mobilizing all personnel required for disaster response;
 - b) Authorize the Internal Services Department to suspend normal leasing and bid procedures to procure space, structures or other items under their normal authority for disaster response determined necessary by the Director;
 - c) Authorize procurement of supplies, equipment, and services without formal bidding procedures;
 - d) Evacuation Order: A mandatory order(s) directing the evacuation of appropriate area(s) of the County deemed to be in imminent danger from disaster;
 - e) Curfew: In the period before, or during and immediately after an event, an order imposing a general curfew applicable to the County as a whole, or to geographical area(s) of the County and during hours the Mayor deems necessary, and from time to time, to modify the hours the curfew will be in effect and what area(s) it applies to;
 - f) An order requiring any and all commercial establishments located in area(s) of imminent or actual danger to close and remain closed until further order;
 - g) An order requiring the closure of any or all bars, taverns, liquor stores, and other business establishments where alcoholic beverages are predominantly sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sales of alcoholic beverages, and in which such alcoholic beverages may be removed or made secure from seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, at the discretion of the Mayor, be allowed to remain open;
 - h) An order requiring the discontinuance of the sale, distribution or giving away of alcoholic beverages in any or all parts of Miami-Dade County;
 - i) An order requiring the discontinuance of the sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly attached to a gas powered vehicle;

Miami-Dade County Declaration of Local State of Emergency

- j) An order closing to the public any or all public places including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings;
- k) In addition to the provisions of Chapter 8A-5 of the Code of Miami-Dade County, orders to prevent price gouging for any essential commodity, dwelling unit, or storage facility;
- l) Orders requesting the conservation of water supplies; and
- m) Such other orders as are immediately necessary for the protection of life and property; provided, however, that any such orders shall, at the earliest practicable time, be presented to the Board for ratification or confirmation in accordance with this chapter;
- n) The Mayor shall cause any proclamation ordered by the Mayor or the Board pursuant to the authority in this chapter to be delivered to all news media within the County, and shall utilize whatever available means to give public notice of such proclamation.