

RESOLUTION NO. 2022- 2853

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA; DIRECTING THE MANAGER TO PURSUE THE CLOSURE OF 88TH STREET EAST OF COLLINS AVENUE TO VEHICULAR TRAFFIC FOR THE PURPOSE OF PROVIDING A MEMORIAL PARK AND PEDESTRIAN PLAZA HONORING THE VICTIMS OF THE CHAMPLAIN TOWERS SOUTH COLLAPSE; AUTHORIZING THE TOWN MANAGER TO EXECUTE AND TAKE ALL ACTION NECESSARY, INCLUDING APPLICATIONS REQUIRED BY MIAMI-DADE COUNTY AND/OR FLORIDA DEPARTMENT OF TRANSPORTATION AND/OR ANY OTHER GOVERNMENTAL AGENCY WITH JURISDICTION; AUTHORIZING THE TOWN MANAGER TO RETAIN DESIGN OR ENGINEERING PROFESSIONALS FOR THE PREPARATION OF PLANS OR STUDIES AS REQUIRED FOR THE CLOSURE OF THE RIGHT-OF-WAY TO VEHICULAR TRAFFIC; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Champlain Towers South (the “CTS”) condominium building collapsed on June 24, 2021, resulting in the deaths of 98 people and injuries to many others; and

WHEREAS, the CTS was located in the Town of Surfside, a majority of the victims were residents of the Town, and the Town and its residents were deeply affected by the collapse; and

WHEREAS, surviving members of the victims’ families have sought a suitable memorial to commemorate the tragic loss of life and life-altering impact of the collapse, and have petitioned the Town Commission and the court in the case of In Re: Champlain Towers South Collapse Litigation, Case No. 2021-015089-CA-01 to create a memorial on the collapse site itself, located at 8777 Collins Avenue; and

WHEREAS, the court has directed the sale of the property without any condition for a memorial to be located on the property which is to be sold with proceeds going into a compensation fund to address victim claims; and

WHEREAS, victims’ families have sought alternate locations for a memorial as close as possible to the collapse site; and

WHEREAS, the Town maintains 88th Street between Collins Avenue and the beach (the “Street-end”) as a vehicular and pedestrian right-of-way directly north of the collapse site; and

WHEREAS, the Town Commission finds it necessary, moral, and important to honor and remember those lives lost and affected by the tragic collapse by commemorating a suitable memorial, and finds that the best site to do so, outside of the collapse site itself, is the Street-end.

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

SECTION 1. RECITALS. All recitals set forth above are incorporated into the body of this Resolution as if same were fully set forth herein.

SECTION 2. DIRECTION TO THE MANAGER TO PURSUE THE CLOSURE OF 88TH STREET EAST OF COLLINS AVENUE TO VEHICULAR TRAFFIC FOR THE PURPOSE OF PROVIDING A MEMORIAL PARK AND PEDESTRIAN PLAZA HONORING THE VICTIMS OF THE CHAMPLAIN TOWERS SOUTH COLLAPSE.

The Manager is hereby directed to take all steps necessary to pursue all governmental approvals necessary to permanently close that portion of 88th Street located in between Collins Avenue on the west and the public beach to the east (the “Street-end”) to vehicular traffic for a memorial park and pedestrian plaza honoring the victims of the Champlain Towers South collapse. The closure of any portion of 88th Street to vehicular traffic is subject to the maintenance of emergency or governmental vehicular access and any access required to reach property north and south of the Street-end.

SECTION 3. RETENTION OF DESIGN PROFESSIONALS. In furtherance of advancing the closure of the Street-end to vehicular traffic and constructing the memorial park and pedestrian plaza, the Manager or his designee(s) may retain design or engineering professionals to prepare plans and studies necessary for the application(s).

SECTION 4. IMPLEMENTATION. The Town Manager and Town Officials are authorized to take any and all action to implement the closure of the right-of-way to vehicular access and any other purpose of this resolution.

SECTION 5. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this 11th day of January, 2022.


Motion by: Commissioner Kesl,

Second by: Vice Mayor Paul.

FINAL VOTE ON ADOPTION

Commissioner Charles Kesl	<u>Yes</u>
Commissioner Eliana Salzhauer	<u>Yes</u>
Commissioner Nelly Velazquez	<u>Yes</u>
Vice Mayor Tina Paul	<u>Yes</u>
Mayor Charles W. Burkett	<u>Yes</u>

ATTEST:

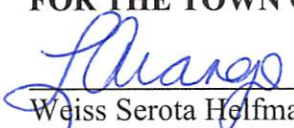


Sandra N. McCready, MMC, Town Clerk



Charles W. Burkett, Mayor

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE TOWN OF SURFSIDE ONLY:**



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