

RESOLUTION NO. 2021- 2803

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 more than 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: Vice Mayor Paul

Second By: Commissioner Velasquez

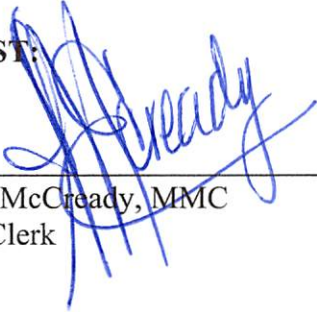
FINAL VOTE ON ADOPTION:

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




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