

**RESOLUTION NO. 20-\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE FLORIDA DEPARTMENT OF HEALTH AND/OR MIAMI-DADE COUNTY TO DEVELOP OR PROCURE A CONTACT TRACING SMARTPHONE APPLICATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Cutler Bay (the “Town”) Council is empowered to provide for the health, safety, and welfare of the community; and

**WHEREAS**, with the ongoing threat of the Coronavirus Disease 2019 (COVID-19) pandemic still upon us, it is imperative that measures be taken to ensure people in close contact with someone who is infected with the disease are closely monitored, provided guidance on care, and treatment to further prevent transmission of the disease; and

**WHEREAS**, one of the most successful methods of counteracting the growing spread of the disease is through the use of contact tracing; and

**WHEREAS**, contact tracing is a tried and true public health measure that has been successfully used to contain communicable diseases, such as HIV, sexually transmitted infections, and tuberculosis; and

**WHEREAS**, when systematically applied, contact tracing will break the chains of transmission of an infectious disease and is thus an essential public health tool for controlling infectious disease outbreaks; and

**WHEREAS**, considering the availability of personal, internet-connected devices throughout society, as well as advancements in the development of contact tracing technologies by companies like Apple, Inc. and Google which protect and encrypt individual information, it would be beneficial to develop or procure a smartphone-based application to use in contact tracing; and

**WHEREAS**, contact tracing applications can and should be developed or procured to protect personal and private information, while providing an additional line of defense against exposure and infection of COVID-19; and

**WHEREAS**, the proposed smartphone application should operate in an opt-in basis and should not require an individual to participate if they do not want to; and

**WHEREAS**, the Town urges the State of Florida and/or Miami-Dade County to develop or procure a smartphone application that can successfully identify persons who may have come into contact with an infected person and subsequently collect further information about these contacts; and

**WHEREAS**, the Town Council finds that this Resolution is in the best interest of the public health, welfare, and safety of the Town's residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, THAT:**

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Urging.** The Town Council urges the State of Florida Health Department and/or Miami-Dade County to develop or procure a Contact Tracing Smartphone Application, if permitted by state law, in an effort to successfully identify persons who may have come into contact with a person infected with COVID-19 and subsequently collect further information about these contacts.

**Section 3. Transmittal by Clerk.** The Town Clerk is hereby directed to transmit this Resolution to Florida Governor Ron DeSantis, Secretary of the Florida Department of Health Dr. Rivkees, Miami-Dade County Mayor Carlos A. Gimenez, and Administrator of the Florida Department of Health in Miami-Dade County Dr. Villata.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this \_\_\_\_ day of July, 2020.

Attest:

\_\_\_\_\_  
TIM MEERBOTT  
Mayor

\_\_\_\_\_  
DEBRA E. EASTMAN, MMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L.  
Town Attorney

Moved By: \_\_\_\_\_  
Seconded By: \_\_\_\_\_

FINAL VOTE AT ADOPTION:

Mayor Tim Meerbott \_\_\_\_\_

Vice Mayor Sue Ellen Loyzelle \_\_\_\_\_

Council Member Robert “BJ” Duncan \_\_\_\_\_

Council Member Michael P. Callahan \_\_\_\_\_

Council Member Roger Coriat \_\_\_\_\_