



Legislation Details (With Text)

File #: Item # 2017-156 **Version:** 1 **Name:**

Type: Resolution **Status:** Passed

File created: 9/19/2017 **In control:** Town Council

On agenda: 9/27/2017 **Final action:** 9/27/2017

Title: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING A DECLARATION OF STATE OF EMERGENCY DUE TO HURRICANE IRMA; AND PROVIDING FOR AN EFFECTIVE DATE.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Manager Memo-Confirming State of Emergency-Hurricane Irma, 2. Manager Memo-Attachment A-State of Emergency Declaration, 3. Manager Memo-Attachment B-State of Emergency Termination, 4. Resolution-Confirming State of Emergency-Hurricane Irma, 5. Resolution-Exhibit A-State of Emergency Declaration, 6. Resolution-Exhibit B-State of Emergency Termination

Date	Ver.	Action By	Action	Result
9/27/2017	1	Town Council	adopted	Pass

MEMORANDUM

To: Honorable Mayor and Town Council

From: Rafael G. Casals, Town Manager

Date: September 27, 2017

Re: Ratifying Town Manager’s Declaration of State of Emergency

REQUEST

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CONFIRMING A DECLARATION OF STATE OF EMERGENCY DUE TO HURRICANE IRMA; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS

On Sunday, September 10, 2017, Hurricane Irma made landfall in South Florida. Hurricane Irma was predicted by the National Hurricane Center to be a major hurricane affecting the entire State of Florida and required timely precautions to be taken to protect the communities, critical infrastructure, and general welfare.

In preparation for the Hurricane, Florida Governor Rick Scott declared a State of Emergency by Executive Order No. 17-235 effective on Monday, September 4, 2017. Subsequently, Miami-Dade County Mayor Carlos

Gimenez of Miami-Dade County declared a State of Emergency for Miami-Dade County effective on Tuesday, September 5, 2017.

It was imperative for the Town of Cutler Bay to move swiftly to protect our residents and community resources. A State of Emergency for the Town was declared on September 6, 2017 in accordance to Chapter 12, Article II, Section 12-23 of the Town of Cutler Bay's (the "Town") Code of Ordinances. The Declaration was sent to the Town Clerk's Office for posting, as well as local media outlets (*Attachment "A"*). The Ordinance states, "*The Town Manager shall have the sole authority to declare a state of emergency hereunder [...] Any declaration of a state of emergency and all emergency regulations activated under the provisions of this article and any emergency expenditures made hereunder pursuant to section 12-22(9) shall be confirmed by the town council by resolution no late than the next regular meeting, or as reasonably as possible, unless the nature of the emergency renders a meeting of the town council impossible*".

The State of Emergency declaration was terminated on September 18, 2017, and the Declaration was sent to the Town Clerk's Office for posting as well as local media outlets (*Attachment "B"*) as conditions causing the emergency no longer existed and the Town's departments were able to manage the situation without extraordinary assistance.

RECOMMENDATION

It is recommended that the Town Council adopt the attached Resolution, confirming the Town Manager's declaration of State of Emergency due to Hurricane Irma.

ATTACHMENTS

- Attachment "A" - State of Emergency Declaration (*September 6, 2017*)
- Attachment "B" - State of Emergency Termination (*September 18, 2017*)