

RESOLUTION NO. 22-1862

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; CONFIRMING TOWN MANAGER EDWARD PIDERMANN'S DECLARATION OF A STATE OF EMERGENCY 22-01, IN ACCORDANCE WITH ORDINANCE 21-283; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 23, 2022, in light of the potential for development and the devastating effects of Tropical Storm 9, Governor DeSantis issued Executive Order 22-218, amended by Order 22-219; and

WHEREAS, on September 23, 2022, on the heels of Executive Order Number 22-219, Miami-Dade County issued a Declaration of Emergency; and

WHEREAS, on September 27, 2022, Tropical Depression 9 had grown into a Category 3 Hurricane Ian with sustained winds of over 120 mph; and

WHEREAS, at 5 pm, September 27, 2022, the Town of Miami Lakes (the "Town") was issued a Tropical Storm Warning by National Oceanic and Atmospheric Administration; and

WHEREAS, in light of the devastating effect that Hurricane Ian poses to the life, health, safety and well-being of the Town, the Town Manager has declared a State of Emergency to exist; and

WHEREAS, Town Ordinance 21-283, requires the Town Council to confirm the Town Manager's Declaration of Emergency at the next available Town Council meeting; and

WHEREAS, the Town Council concurs with the Town Manager's Declaration of Emergency, and provides authority to continue the State of Emergency as long as necessary and provided by State law to protect the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. **Confirmation of Declaration of Emergency.** The Town Council confirms Declaration of Emergency 22-01, attached as Exhibit “A,” and provides the Manager with authority to extend the Declaration of a State of Emergency as long as necessary and provided by State law to provide for the safety and welfare of the Town and its residents.

Section 3. **Authorization of Town Officials.** The Town Manager, and, or his designee and the Town Attorney and, or his designee, are authorized to take all steps necessary to implement Declaration of a State of Emergency 22-01.

Section 4. **Effective date.** This Resolution shall become effective immediately upon its passage and adoption.

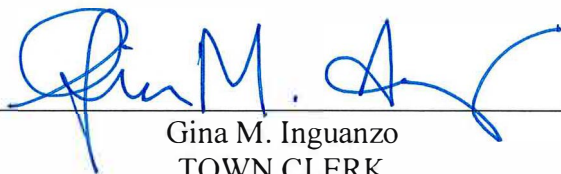
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Passed and adopted this 27 day of September, 2022.

The foregoing resolution was offered by Councilmember Dieguez who moved its adoption. The motion was seconded by Councilmember Collazo and upon being put to a vote, the vote was as follows:

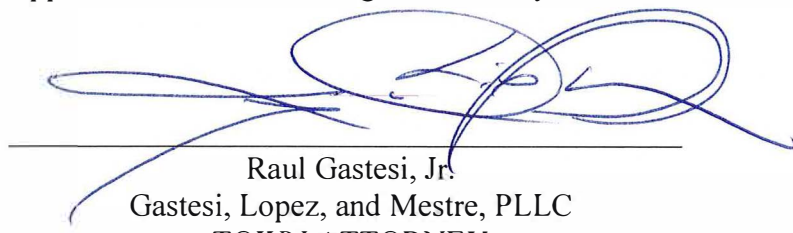
Mayor Manny Cid	<u>Absent</u>
Vice Mayor Jeffrey Rodriguez	<u>Yes</u>
Councilmember Carlos O. Alvarez	<u>Absent</u>
Councilmember Tony Fernandez	<u>Absent</u>
Councilmember Joshua Dieguez	<u>Yes</u>
Councilmember Luis E. Collazo	<u>Yes</u>
Councilmember Marilyn Ruano	<u>Yes</u>

Attest:


Gina M. Inguanzo
TOWN CLERK


~~Manny Cid~~
~~MAYOR~~ Jeffrey Rodriguez
Vice Mayor

Approved as to form and legal sufficiency:


Raul Gastesi, Jr.
Gastesi, Lopez, and Mestre, PLLC
TOWN ATTORNEY



OFFICE OF THE MANAGER
DECLARATION OF A STATE OF EMERGENCY 22-01

WHEREAS: Florida Statute § 252.38(3), provides authority to political subdivisions, to declare and enact State of Local Emergency for up to seven (7) days, thereby waiving procedures which would otherwise be required of the political subdivision by State or local law; and

WHEREAS: on September 23, 2022, in light of the potential for development and devastating effects of Tropical Depression 9, Governor DeSantis issued Executive Order Number 22-219; and

WHEREAS, on September 23, 2022, on the heels of Executive Order Number 22-219, Miami-Dade County issued a Declaration of Emergency; and

WHEREAS, on September 27, 2022, Tropical Depression 9 had grown into a Category 3, Hurricane Ian with sustained winds of over 120 mph; and

WHEREAS, at 5pm, September 27, 2022, the Town of Miami Lakes was issued a Tropical Storm Warning as Hurricane Ian moves closer to the State of Florida; and

WHEREAS, as Hurricane Ian poses a real and imminent threat to the life, health and well-being of the Town and its residents.

THEREFORE: I, Edward Pidermann, Town Manager of Miami Lakes, declare a State of Emergency to persist and pursuant to Emergency Management Powers granted under Florida Statutes §252.38, Section 8.3 of the Town Charter, and Ordinance 21-283 of the Town of Miami Lakes will continue to seek and take action as indicated herein:

- 1) Authority to purchase and enter in agreements necessary for the welfare of the Town of Miami Lakes;
- 2) Performance of public work;
- 3) Incurring obligations;
- 4) Closure of Government Buildings;
- 5) Utilization of volunteer workers;
- 6) Rental of equipment;
- 7) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities;
- 8) Issue Curfews;
- 9) Appropriation and expenditure of public funds; and
- 10) Whatever prudent actions that are necessary to protect the life, health and welfare of our Town Residents.

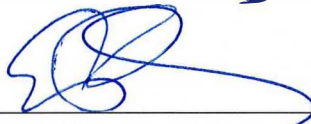

E.P.

Additionally, I elect to adopt orders issued by the State of Florida and Miami-Dade County emergency management agencies.

This state of emergency shall continue in effect for the next seven (7) days, effective September 27, 2022 and this Order may be extended in increments of seven (7) days as necessary.

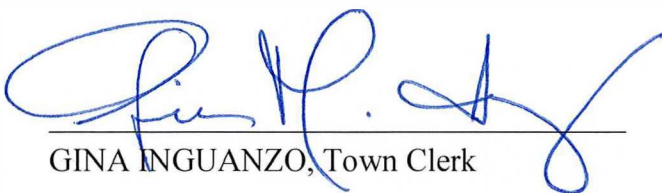
Pursuant to this Declaration, further orders may be issued to protect the health, safety, and welfare of the Town. I hereby direct all Town departments to take whatever steps necessary to protect life and property, public infrastructure, and provide such emergency assistance deemed necessary.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Miami Lakes to be affixed this 27th day of September 2022 at ~~5:30~~ 5:30 p.m./a.m. (EST).



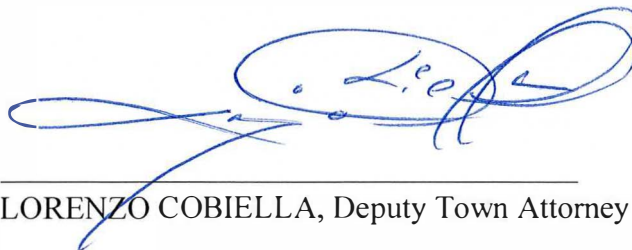
Edward Pidermann, Town Manager

ATTEST:



GINA INGUANZO, Town Clerk

APPROVED AS TO FORM:



LORENZO COBIELLA, Deputy Town Attorney

ATTACHMENT A: GOVERNOR EMERGENCY ORDER 22-219

ATTACHMENT B: MIAMI-DADE COUNTY DECLARATION OF EMERGENCY 9/23/2022



E.P.