

# MEMORANDUM

Agenda Item No. 11(A)(16)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

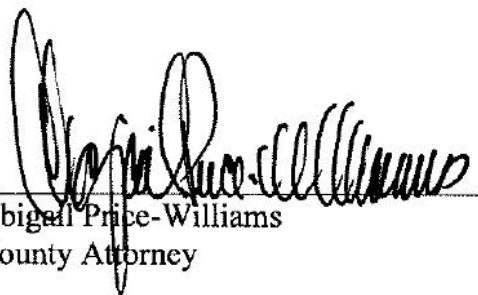
**DATE:** October 6, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution relating to  
emergency management;  
canceling Emergency Order  
No. 27-20 and canceling the  
current countywide curfew

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



Abigail Price-Williams  
County Attorney

APW/smm

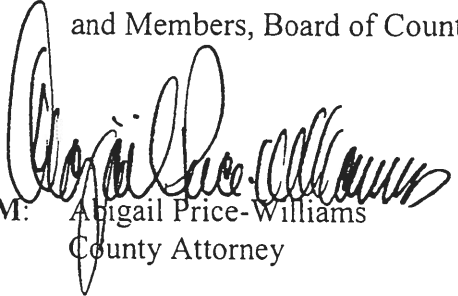


# MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

DATE: October 6, 2020

FROM:   
Abigail Price-Williams  
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(16)  
10-6-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO EMERGENCY MANAGEMENT;  
CANCELING EMERGENCY ORDER NO. 27-20 AND  
CANCELING THE CURRENT COUNTYWIDE CURFEW

**WHEREAS**, section 252.38(3)(a) grants political subdivisions power to declare local states of emergency and to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community; and

**WHEREAS**, chapter 8B of the Code of Miami-Dade County, the Board delegated the emergency management authority to the County Mayor; and

**WHEREAS**, the County Mayor's emergency powers include the authority to impose countywide curfews to limit the movement of persons inside the County in order to safeguard the public health, safety, and welfare; and

**WHEREAS**, chapter 8B requires ratification of the County Mayor's emergency orders by the Board of County Commissioners; and

**WHEREAS**, on July 2, 2020, the County Mayor issued Emergency Order No. 27-20; and

**WHEREAS**, Emergency Order No. 27-20 provided for a countywide curfew between the hours of 10 p.m. each night and 6 a.m. the next morning; and

**WHEREAS**, Emergency Order No. 27-20 provided exceptions for police, fire rescue, first responder, medical, health care, media, and utility repair service personnel in addition to those working or making deliveries from essential establishments as defined in the order, those returning to work or going directly to work at such essential establishments, and persons walking their dogs within 250 feet of their residences; and

**WHEREAS**, on July 27, 2020, pursuant to Resolution No. R-775-20, this Board ratified Emergency Order No. 27-20; and

**WHEREAS**, this Board finds that the present curfew is no longer necessary for the protection of the public health, safety and welfare; and

**WHEREAS**, this Board wishes to cancel Emergency Order No. 27-20,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that Emergency Order No. 27-20 is canceled and the countywide curfew imposed by such order is canceled.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 6<sup>th</sup> day of October, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Lauren E. Morse