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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 8(E)(1)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution authorizing the County Mayor to enter into agreements with federal and state agencies related to responses to chemical terrorism and other chemical emergencies that threaten the public health and safety where those agreements contain any information that is confidential or otherwise exempt from disclosure pursuant to Sections 381.95 or 395.1056 of the Florida Statutes, after consultation with and subject to approval as to form and legal sufficiency by the County Attorney's Office; and directing the County Mayor to provide an annual report
Resolution No. R-383-15

The accompanying resolution was prepared by Miami-Dade Fire and Rescue Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum

MIAMI-DADE COUNTY

Date: May 5, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing the County Mayor or County Mayor's Designee to Enter Into Agreements With Federal and State Agencies to Coordinate Responses to Chemical Terrorism and Other Emergencies that Threaten Public Health, Safety and Welfare

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RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the County Mayor or County Mayor's Designee to enter into agreements with federal and state agencies to coordinate responses to chemical terrorism and other chemical emergencies that threaten the public health, safety and welfare of Miami-Dade County residents and visitors, where those agreements contain any information that is confidential or otherwise exempt from disclosure pursuant to sections 381.95 or 395.1056 of the Florida Statutes.

SCOPE

The resulting Agreements will have a countywide impact.

DELEGATION OF AUTHORITY

The County Mayor or County Mayor's designee would be delegated the authority to execute these Agreements after consultation with and subject to approval as to form and legal sufficiency by the County Attorney's Office. The County Mayor or the County Mayor's designee will provide an annual report to the Board indicating the number of agreements entered into under the authority granted by this resolution and the fiscal impact, if any, of such agreements, and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65. Currently it is expected that these agreements will have no fiscal impact.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact with the Agreements.

TRACK RECORD/MONITOR

Miami-Dade Fire Rescue's Office of Emergency Management Director, Curtis Sommerhoff, will monitor the Agreements.

BACKGROUND

Miami-Dade County must be prepared to effectively respond to large scale emergencies and events. Typically these emergencies involve coordination with multiple outside agencies to ensure accurate information is available and resource allocations are carried out efficiently. These agreements are entered into for the sole purpose of effectively responding to chemical terrorism and other chemical emergencies that threaten the public health, safety and welfare of the County's residents and visitors. These agreements may contain information that is confidential or otherwise exempt from disclosure pursuant to sections 381.95 or 395.1056 of the Florida Statutes.

Russell Benford
Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(E)(1)

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**

_____ **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 ____, 3/5's ____, unanimous _____) 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. 8(E)(1)
5-5-15

RESOLUTION NO. R-383-15

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENTER INTO AGREEMENTS WITH FEDERAL AND STATE AGENCIES RELATED TO RESPONSES TO CHEMICAL TERRORISM AND OTHER CHEMICAL EMERGENCIES THAT THREATEN THE PUBLIC HEALTH AND SAFETY WHERE THOSE AGREEMENTS CONTAIN ANY INFORMATION THAT IS CONFIDENTIAL OR OTHERWISE EXEMPT FROM DISCLOSURE PURSUANT TO SECTIONS 381.95 OR 395.1056 OF THE FLORIDA STATUTES, AFTER CONSULTATION WITH AND SUBJECT TO APPROVAL AS TO FORM AND LEGAL SUFFICIENCY BY THE COUNTY ATTORNEY'S OFFICE; AND DIRECTING THE COUNTY MAYOR OR COUNTY'S MAYOR DESIGNEE TO PROVIDE AN ANNUAL REPORT

WHEREAS, pursuant to Section 2.02(A) of the County Charter, the Mayor serves as the head of the County for emergency management purposes; and

WHEREAS, it is essential that the County is prepared to swiftly respond to emergency situations that threaten the public health, safety and welfare of the County's residents and visitors,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes the County Mayor or County Mayor's designee to enter into agreements with agencies and departments of the State of Florida and the federal government related to responses to chemical terrorism and other chemical emergencies that threaten the public health and safety, where those agreements contain any information that is confidential or otherwise exempt from disclosure pursuant to sections 381.95 or 395.1056 of the Florida Statutes, after consultation with and subject to approval for legal sufficiency by the County Attorney's Office. The County

Mayor or the County Mayor's designee shall provide an annual report to the Board indicating the number of the agreements entered into under the authority granted by this resolution and the fiscal impact, if any, of such agreements, and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman			**aye**
Esteban L. Bovo, Jr., Vice Chairman			**aye**
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2015. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. D.F.

Daniel Frastai