

PROPOSED RESOLUTION NO. 2019-R-39

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA DECLARING A LOCAL STATE OF EMERGENCY IN THE CITY OF PEMBROKE PINES, PURSUANT TO SECTION 92.14(B) OF THE CITY'S CODE OF ORDINANCES; AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as of August 28, 2019, Hurricane Dorian is projected to travel in a direction which may threaten the City of Pembroke Pines (the "City") with extreme weather conditions which pose an immediate danger to the lives and property of the residents of the City; and

WHEREAS, on August 28, 2019, Governor Ron DeSantis signed Executive Order Number 19-189, thereby declaring a state of emergency in twenty-six (26) counties in the State of Florida, including Broward County; and

WHEREAS, the Mayor may exercise emergency powers enumerated in Florida's Emergency Management Act appropriate to City government; and

WHEREAS, in accordance with 92.14(B) of the City's Code of Ordinances and Section 252.38, F.S., the Mayor may declare that a STATE OF EMERGENCY exists in the City of Pembroke Pines; and

WHEREAS, on August 28, 2019, the Mayor declared a state of emergency in the City due to the impending threat of Hurricane Dorian; and

WHEREAS, it is the innate responsibility of the governing body of each political subdivision of the State of Florida to safeguard the life and property of its residents; and

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WHEREAS, special equipment, personnel and other resources are needed in order to ensure that timely measures are taken for the protection of lives and property in the community; and

WHEREAS, the City Commission finds and determines that it is necessary to ensure that preparations of this City will be adequate to deal with and recover from this disaster or emergency;

WHEREAS, the City Commission finds that it is in the best interests of the citizens and residents of the City of Pembroke to ratify the Mayor's declaration of a state of emergency in the City due to the impending threat of Hurricane Dorian.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified as true and correct and are confirmed by the City Commission and incorporated herein by this reference.

SECTION 2. Due to the foregoing conditions and in accordance with 92.14(B) of the City's Code of Ordinances, the Mayor has declared, on behalf of the City of Pembroke Pines, that a STATE OF EMERGENCY exists in the City of Pembroke Pines, Florida. The City Commission hereby ratifies the Mayor's declaration. The City Manager is hereby authorized to take any and all action necessary to effectuate the intent of this resolution.

SECTION 3. All Resolutions or parts of Resolutions in conflict herewith, be, and the same are repealed to the extent of such conflict.

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SECTION 4. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way effecting the validity of the other provisions of this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THIS _____ DAY OF _____, 2019.

ATTEST: CITY OF PEMBROKE PINES, FLORIDA

MARLENE GRAHAM, CITY CLERK BY: _____
MAYOR FRANK C. ORTIS

APPROVED AS TO FORM: ORTIS _____
GOOD _____

OFFICE OF THE CITY ATTORNEY CASTILLO _____
SCHWARTZ _____
SIPLE _____