

**RESOLUTION NO. 2019-133**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT (“FDEM”) AND THE CITY OF HIALEAH, FLORIDA FOR THE PROVISION OF STATEWIDE ALERT AND MASS NOTIFICATION SERVICES, INCLUDING THE TRANSMISSION OF ALERTS AND OTHER AUTHORIZED PUBLIC SAFETY MESSAGING TO RESIDENTS, BUSINESS AND VISITORS LOCATED IN OR TRANSITING THROUGH THE CITY OF HIALEAH; AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY OF HIALEAH, TO EXECUTE THE MEMORANDUM OF AGREEMENT, A COPY OF WHICH IS ATTACHED HEREAFTER AND INCORPORATED HEREIN AS EXHIBIT “A”; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Section 252.35(2)(a)6 of the Florida Statutes, requires FDEM to establish a system of communication warning to ensure that the State’s population and emergency management agencies are warned of developing emergency situations and can communicate emergency response decisions; and

**WHEREAS**, FDEM has entered into a contract with Everbridge, Inc. for the provision of Statewide alert and mass notification services in support of FDEM’s AlertFlorida Initiative; and

**WHEREAS**, FDEM is funding and providing the notification system at no local cost to eligible subdivisions for the term of July 1, 2019 through June 30, 2024 and subsequent contract renewals (if any), contingent upon an annual appropriation by the Florida Legislature; and,

**WHEREAS**, Section 252.38 of the Florida Statutes establishes Emergency Management powers of political subdivisions such as the City of Hialeah, and constructs safeguarding the life and property of its citizens as an innate responsibility of the governing political body of each political subdivision of the State; and

**WHEREAS**, the City of Hialeah desires to utilize the notification system provided by FDEM to transmit alerts, notifications, and other authorized public safety messaging to residents, businesses, and visitors located in or transiting through their political subdivision, while performing its powers under Section 252.38 of the Florida Statutes, in accordance with the terms and conditions set forth in the Memorandum of Agreement, a copy of which is attached hereafter and incorporated herein as Exhibit “A”.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

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**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2:** The City of Hialeah, Florida hereby approves a Memorandum of Agreement between the Florida Division of Emergency Management (“FDEM”) and the City of Hialeah, Florida for the provision of Statewide alert and mass notification services, including the transmission of alerts and other authorized public safety messaging to residents, business and visitors located in or transiting through the City of Hialeah, and authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute the Memorandum of Agreement, a copy of which is attached hereafter and incorporated herein as Exhibit “A”. All action taken to date by officers of the City in furtherance of the acceptance and performance of this Memorandum of Agreement is hereby approved, confirmed and ratified.

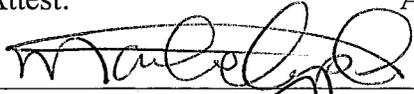
**Section 3:** This resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

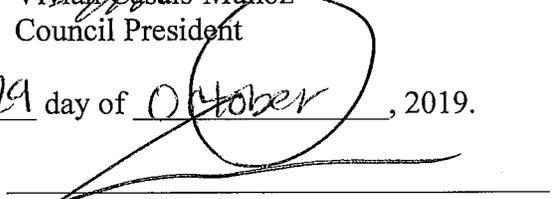
PASSED and ADOPTED this 22 day of October, 2019.

  
Vivilan Casals-Muñoz  
Council President

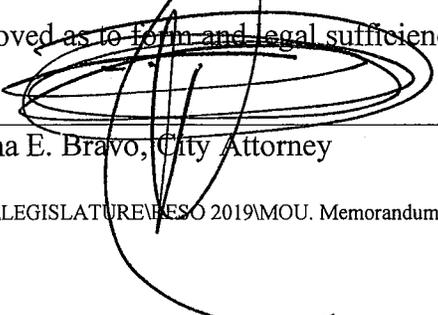
Attest:

Approved on this 29 day of October, 2019.

  
Marbelys Fatjo, City Clerk

  
Mayor Carlos Hernandez

Approved as to ~~form and legal sufficiency:~~

  
Lorena E. Bravo, City Attorney

Resolution was adopted by a 6-0-1 vote with Councilmembers, Caragol, Zogby, Hernandez, Casals-Munoz, Garcia-Martinez and Cue-Fuente voting “Yes” and with Councilmember Lozano absent.