

RESOLUTION NO. 2024 - 3292

A RESOLUTION OF THE MAYOR AND TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE NATIONAL CONSTRUCTION SAFETY TEAM OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY, AN AGENCY OF THE UNITED STATES DEPARTMENT OF COMMERCE (“NIST”) TO EXPEDITE ISSUANCE OF ITS FINAL REPORT INTO THE PARTIAL COLLAPSE OF CHAMPLAIN TOWERS SOUTH; PROVIDING FOR TRANSMITTAL OF RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Champlain Towers South (“CTS”) located in the Town of Surfside, Florida (“Town”) partially collapsed on June 24, 2021 and this year marks the third anniversary of this tragedy; and

WHEREAS, NIST has been charged by the Government of the United States of America to determine, among other items, the cause of the CTS collapse; and

WHEREAS, in its annual report to the United States Congress dated 18 December 2023, NIST reported “that technical work likely will be completed in late June 2024 and the final report issued a year after that . . . due to [unexplained] conditions out of NIST’s control”; and

WHEREAS, as of March 2024, NIST does not anticipate completing and issuing its final report into the cause of the CTS collapse until the end of September 2025; and

WHEREAS, the Town has been hindered and hampered by NIST to make its own investigation into the cause of the CTS collapse by, among other reasons, preventing the Town from accessing and testing samples from the CTS collapse collected and maintained by NIST; and

WHEREAS, the Town has ceased its independent investigation into the CTS collapse after having expended millions of dollars because the Town was not provided

access by NIST to test the materials exclusively in NIST's possession, custody or control; and

WHEREAS, the Town has an interest in bringing closure to the family members of the ninety-eight (98) residents who perished following the CTS collapse; and

WHEREAS, the Town is in the process of developing a Memorial in honor of the lives lost during the CTS collapse and to explain to visitors how and why this happened so that such a tragedy does not befall anyone else residing in the Town, Miami-Dade County, the State of Florida and the United States of America.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, THAT:

Section 1. Recognition of NIST Investigation of the CTS Collapse. The Town Commission hereby recognizes that NIST is investigating the cause of the CTS collapse, and that it anticipates publishing its final report setting forth its findings and conclusions as to the cause of the CTS collapse by September 2025.

Section 2. Urging NIST to Expedite Issuance of its Final Report. The Town Commission strongly urges NIST to complete its technical work by June 2024 and issue its final report by December 2024 to bring closure to the family members of the ninety-eight (98) souls lost following the CTS collapse.

Section 3. Transmittal of Resolution. The Town Clerk is directed to forward a copy of this resolution to the President of the United States; the Honorable Frank Lucas, Chairman, Committee on Science, Space, and Technology, United States House of Representatives; NIST; all members of the U.S. House of Representatives representing Florida districts; and to U.S. Senators Marco Rubio and Rick Scott.

Section 4. Severability. If any section, clause, sentence, or phrase of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 18th day of June, 2024.

Motion By: Vice Mayor Paul
Second By: Commissioner Velasquez

FINAL VOTE ON ADOPTION:

Commissioner Ruben A. Coto	<u>Yes</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Commissioner Gerardo Vildostegui	<u>Yes</u>
Vice Mayor Tina Paul	<u>Yes</u>
Mayor Charles W. Burkett	<u>Yes</u>



Charles W. Burkett, Mayor

ATTEST:



Sandra McCready, MMC
Town Clerk



APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:



Mark Blumstein
Interim Town Attorney