

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2017-286

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES DIRECTING THE CITY ATTORNEY'S OFFICE TO PROCEED WITH THE FORMULATION AND DRAFTING OF A COMPLAINT AGAINST FLORIDA POWER AND LIGHT IN AN EFFORT TO SETTLE THE MATTER.

WHEREAS, tropical storm force winds and gusts of Category 1 hurricane force winds from Hurricane Irma impacted the east coast of South Florida through the evening of Sunday, September 10, 2017; and

WHEREAS, Florida Power and Light has been very slow in addressing downed power lines in trees blocking the right-of-way, which has been delaying the City's ability to remove such trees from the right-of-way; and

WHEREAS, the City Commission is concerned about the health, safety, and welfare of the City's residents due to power outages and FPL's delay in restoring power to all of its customers in Coral Gables and desires to take all enforcement action against FPL to ensure that power is restored as quickly as possible;

WHEREAS, in Resolution 2017-247, the City Commission made known its concern for the health, safety, and welfare of City residents as a result of extensive power outages during and after Hurricane Irma due to Florida Power and Light's (FPL) delay in restoring power to all customers within a reasonable time frame; and

WHEREAS, in Resolution 2017-247, the City Commission directed the City Attorney's Office to take enforcement action, including but not limited to, sending cease and desist letters, pursuant to the City Attorney's authority in sections 2-201 and 2-203 of the City Code and to review the possibility of filing a complaint against FPL; and

WHEREAS, enforcement action was taken against FPL by way of a cease and desist letter and subsequent code enforcement citation; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission is acting pursuant to section 2-201(e)(3) of the City Code and that the City Attorney's Office is directed to proceed with the formulation and drafting of a complaint against Florida Power and Light.

SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF SEPTEMBER, A.D., 2017.


(Moved: Keon / Seconded: Lago)
(Yeas: Keon, Lago, Mena, Valdes-Fauli)
(Majority: 4-0 Vote)
(Abstain: Quesada)
(Agenda Item; J-1)

APPROVED:



RAUL VALDES-FAULI
MAYOR

ATTEST:



For WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



CRAIG E. LEEN
CITY ATTORNEY