



**VILLAGE COUNCIL AGENDA
EMERGENCY MEETING
226 Cypress Lane, Palm Springs, Florida 33461
Friday, July 31, 2020
4:00 PM**

Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least three (3) business days prior to the meeting in order to request such assistance.

1. CALL TO ORDER

2. ROLL CALL *Mayor Bev Smith, Vice Mayor Patti Waller, Mayor Pro Tem Gary Ready, Council Member Doug Gunther, Council Member Joni Brinkman, Village Attorney Glen Torcivia, Village Manager Richard Reade and Village Clerk Kimberly Wynn*

3. PUBLIC HEARINGS

3.1 Resolution No. 2020-25 - Declaration of State of Emergency within the Village of Palm Springs, Florida - Hurricane Isais
[Proposed Resolution No. 2020-25 Declare a State of Emergency for Hurricane Isais](#)

4. ADJOURNMENT

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.



Village of Palm Springs

Executive Brief

AGENDA DATE: July 31, 2020

DEPARTMENT: Administration

ITEM 3.1: Resolution No. 2020-25 - Declaration of State of Emergency within the Village of Palm Springs, Florida - Hurricane Isais

SUMMARY: On July 31, 2020, Governor Ron DeSantis, Governor of the State of Florida, has issued an Executive Order declaring a State of Emergency within east coast counties of the State of Florida in response to Hurricane Isaias. The Village Council called an emergency meeting to provide the Village Manager the authority to enact a local state of emergency. The Village Manager, once he enacts a local state of emergency, he is hereby authorized to take any and all actions deemed necessary to protect and preserve the health, safety and welfare of the citizens of the Village of Palm Springs and the public at-large and as may be set forth in Section 2-3 of the Code of Ordinances.

The Village will continue to monitor this potentially dangerous storm and will work with and coordinate with all local, county state and federal agencies and emergency management authorities.

FISCAL IMPACT:

ATTACHMENTS:

Proposed Resolution No. 2020-25 Declare a State of Emergency for Hurricane Isaias

RESOLUTION NO. 2020-25

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, PROVIDING THAT THE VILLAGE MANAGER MAY ENACT A LOCAL STATE OF EMERGENCY WITHIN THE VILLAGE OF PALM SPRINGS AS NEEDED AND RELATED TO HURRICANE ISAIAS; THE VILLAGE COUNCIL FURTHER PROVIDES THAT THE VILLAGE MANAGER HAS THE AUTHORITY TO AUTHORIZE THE EVACUATION OF RESIDENTS FROM CERTAIN AREAS OF THE VILLAGE OR THE WHOLE VILLAGE, TO MAKE EMERGENCY PURCHASES, DECLARE A PEDESTRIAN AND VEHICULAR CURFEW AND CALL AN EMERGENCY MEETING OF THE VILLAGE COUNCIL AS WELL AS TO SUSPEND, CANCEL OR RESCHEDULE NON-ESSENTIAL PUBLIC MEETINGS, LIMIT PUBLIC ACCESS TO VILLAGE FACILITIES AND SERVICES, PROVIDE FOR EMPLOYMENT MATTERS INCLUDING BUT NOT LIMITED TO FLEXIBLE SCHEDULING AND ALTERNATIVE STAFFING MODELS TO SERVE THE VILLAGE'S NEEDS; INCLUDING CANCELLING OUTSIDE EVENTS AND ACTIVITIES AND OTHER RELATED PURPOSES FOR EFFICIENT AND SAFE OPERATIONS FOR THE VILLAGE BUSINESS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as on Friday, July 31, 2020, Governor Ron DeSantis, Governor of the State of Florida, has issued an Executive Order declaring a State of Emergency within east coast counties of the State of Florida in response to Hurricane Isaias; and

WHEREAS, by declaring a State of Emergency in all Florida counties, Governor Ron DeSantis wants to ensure that local governments have ample time, resources and flexibility to be prepared for this dangerous storm and are not hindered, delayed or prevented from taking all necessary actions to keep communities safe.

WHEREAS, a State of Local Emergency of the Palm Beach County Board of County Commissioners has been declared on July 30, 2020, in response to Hurricane Isaias; and

WHEREAS, Section 2.3 of the Village of Palm Springs Code of Ordinances authorizes among other things, evacuations, curfews and emergency procurement procedures during a state of emergency; and,

WHEREAS, the health and safety of the public related to Hurricane Isaias is of paramount importance; thus, it is in the best interest of the residents of the Village of Palm Springs for the Village Council to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. The Village Council hereby directs that due to the impending impacts from Hurricane Isaias and to ensure the protection of the residents of the Village of Palm Springs, until directed otherwise by the Village Council, the determination of a local state of emergency, pursuant to Section 2-3 of the Code of Ordinances, may be made by the Village Manager in regards to Hurricane Isaias, which poses a severe threat to the east coast of the State of Florida, including the Village and its residents, and requires that timely precautions are taken to protect the Village's critical infrastructure, residents, structures, and general welfare of the Village.

The Village Council further provides that the Village Manager has the authority to call an emergency meeting of the village council as well as to suspend, cancel or reschedule non-essential public meetings, limit public access to Village facilities and services, provide for flexible scheduling and alternative staffing models, telecommuting paid leave time and other pandemic pay policies to serve the residents' needs; also cancelling outside events and activities and other related purposes for efficient and safe operations for the Village business. To the extent the Village Manager must enact a temporary policy which conflicts with an existing ordinance, resolution or policy of the Village Council, the Village Manager shall temporarily enact said policy and seek ratification of the policy by the Village Council at such time as is reasonably possible and consistent with all Federal, State and County preventative and mitigation measures currently in existence.

Section 2. The Village Manager, once he enacts a local state of emergency, is hereby authorized to take any and all actions deemed necessary to protect and preserve

the health, safety and welfare of the citizens of the Village of Palm Springs and the public at-large and as may be set forth in Section 2-3 of the Code of Ordinances.

Section 3. Hurricane Isaias could seriously affect and threaten the lives and property of the residents of the Village of Palm Springs and therefore, the Village Council authorizes the evacuation of citizens as determined by the Palm Beach County Emergency Management Operations, the Village Manager and / or Police Chief.

Section 4. This authority to the Village Manager shall only extend until action by the Village Council terminates such authority.

Section 5. Severability. If any clause, section, or other part or application of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated, and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 6. Conflicts. All Resolutions or parts of Resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 7. Effective Date. This Resolution shall take effect immediately upon its adoption.

Council Member _____ offered the foregoing resolution. Council Member _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GARY M. READY, MAYOR PRO TEM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Resolution duly passed and adopted this ____ day of _____, 2020.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____

BEV SMITH, MAYOR

ATTEST:

BY: _____

KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR FORM AND LEGAL SUFFICIENCY

BY: _____

GLEN J. TORCIVIA, VILLAGE ATTORNEY