



**VILLAGE COUNCIL  
SPECIAL MEETING AGENDA  
Village Hall Council Chambers  
226 Cypress Avenue  
Palm Springs, FL 33461  
Friday, August 7, 2020  
2:00 PM**

**Participants can use their telephone or computer mic & speakers (VoIP).**

**United States 1 (415) 655-0060 Access Code #870-302-586**

**Registration URL:**

**<https://attendee.gotowebinar.com/register/7628787015712972816>**

**Webinar ID: 335-515-947**

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*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.*

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**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. INVOCATION**

**4. PLEDGE OF ALLEGIANCE**

**5. ORDER OF BUSINESS**

*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.*

- 5.1 Dissolve Emergency Resolution No. 2020-25 - Declaration of State of Emergency within the Village of Palm Springs, Hurricane Isaias  
[Memo to Village Council Terminating the Local State of Emergency - August 2020](#)  
[Memo to Village Council Declaring a Local State of Emergency - August 2020](#)  
[Proposed Resolution No. 2020-25 Declare a State of Emergency - Hurricane Isaias](#)

**6. ADJOURNMENT**

***THURSDAY, AUGUST 20, 2020 AT 5:00 PM***

*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.*



**VIRTUAL VILLAGE  
COUNCIL MEETINGS**  
Village Hall – Council Chambers  
226 Cypress Lane • Palm Springs, FL • 33461

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Pursuant to Executive Order No. 20-179 as extended by Executive Order No. 20-69, as extended by Executive Order 120-112, Executive Order 120-123 and Executive Order 130 issued by the Office of Governor Ron Desantis on July 29, 2020, the Village of Palm Springs will be utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statute to conduct public meetings.

Generally, meetings will be held at the Village of Palm Springs - Village Hall located at 226 Cypress Lane, Palm Springs, Florida. A physical access point open to the public will be made available. In keeping with the Centers for Disease (CDC) and the Florida Department of Health guidelines on social distancing and limiting public gatherings to less than ten (10) persons, once a physical access point reaches capacity, another physical access point will be opened to the public. Please note, face coverings must be worn when you enter the building.

Interested persons may attend by joining the meeting from their computer, tablet or smartphone.

***First-time users will have to download the GoToWebinar (App) by using the following link: <https://support.goto.com/webinar/help/download>***

After the meeting, the audio recording will be available by contacting the Village Clerk.

If any person has technical difficulties using GoToMeeting before or during the meeting, please contact the Village Clerk, Kimberly Wynn immediately at (561) 434-5084 to report the issue.

Although attendees are in “listen-only mode” during the Village Meeting, the Village has developed new methods of ensuring your questions and comments are received. You may:

- a. Email the Village Clerk, Kimberly Wynn at [kwynn@vpsfl.org](mailto:kwynn@vpsfl.org). The Village Clerk will read your question(s) at the meeting. A recording of the meeting will be made available upon request.
- b. Persons may go to Village Hall located at 226 Cypress Lane, Palm Springs, FL 33461 an available Physical Access Point to ask questions or comment.

*Consistent with Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Village Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

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# Village of Palm Springs

## Executive Brief

**AGENDA DATE:** August 7, 2020

**DEPARTMENT:** Administration

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### **ITEM 5.1:**

Dissolve Emergency Resolution No. 2020-25 - Declaration of State of Emergency within the Village of Palm Springs, Hurricane Isaias

### **SUMMARY:**

On Friday, July 31, 2020, the Council approved Resolution No. 2020-25, which provided the Village Manager the authority to declare a Local State of Emergency for the Village of Palm Springs. The Resolution gave the Village Manager the following authorities provided within Section 2-3. - Emergency powers of the Village Manager:

- (1) The Village Manager shall have the authority to contract up to a total of \$50,000.00 for goods and services without Village Council approval, and up to a total of \$75,000.00 if it is not possible to obtain a quorum of the Village Council for an emergency meeting of the Village Council within 24 hours.
- (2) All bidding requirements shall be suspended, and the Village Manager shall employ sound purchasing practices including requests for quotations and proposals, either orally or in writing, or comparative pricing.
- (3) The Village Manager shall consult with the Director of Public Safety and by the execution of a jointly signed document may affect a curfew throughout all or part of the Village for a period not exceeding 72 hours, without Village Council approval. Such curfew may include all pedestrian or vehicular use of public rights-of-way, public facilities, and private facilities normally having public access.
- (4) The Village Manager may call an emergency meeting of the Village Council for any other matter, item, request, or event that exceeds his normal or emergency authority.

(5) The Village Manager may suspend, cancel, or reschedule non-essential public meetings, limit public access to Village facilities and services, and provide for employment matters including but not limited to flexible scheduling and alternative staffing models to serve the Village's needs.

Note: On Saturday, August 1, 2020, at 7 p.m., the Village Manager declared a State of Emergency due to the potential impact from Hurricane Isaias. However, as the storm moved northwest and did not appear to provide a continued emergency/safety concern to the Village, the Village Manager recommended terminating the declared Local State of Emergency (Resolution No. 2020-25) on Sunday, August 2, 2020, at 2 p.m.

As outlined within the approved Resolution, the authority provided to the Village Manager shall only extend until action by the Village Council terminates such authority. Thus, it is recommended that the Village Council approved the termination of Resolution No. 2020-25 in relation to the emergency concerns from Hurricane Isaias as of Sunday, August 2, 2020, at 2 p.m.

**FISCAL IMPACT:**

The proposed dissolution of Emergency Resolution No. 2020-25 does not have a fiscal impact to the Village.

**ATTACHMENTS:**

Memo to Village Council Terminating the Local State of Emergency - August 2020

Memo to Village Council Declaring a Local State of Emergency - August 2020

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



**OFFICE OF THE VILLAGE MANAGER  
VILLAGE OF PALM SPRINGS**

To: Mayor and Village Council  
From: Richard J. Reade, Village Manager  
Date: August 2, 2020

Please note that due to the passing concerns and impacts as a result of Hurricane Isaias, it is my recommendation that the Local State of Emergency that was put in place as a result of Resolution No. 2020-25 by the Village Council on Friday, July 31, 2020, that this declaration of a Local State of Emergency for the Village of Palm Springs be terminated as of 2 p.m. today (Sunday, August 2, 2020). It is recommended that the Village Council meet as soon as possible to confirm this recommendation (the Village Clerk will publicly notice a meeting to complete this action as quickly as possible).

Thank you for all of your efforts in ensuring that our community was as safe as possible during this storm event.

c: Mr. Glen Torcivia - Village Attorney  
Chief Tom Ceccarelli - Police Chief  
Ms. Kim Wynn - Village Clerk  
Department Directors - Village of Palm Springs



**OFFICE OF THE VILLAGE MANAGER  
VILLAGE OF PALM SPRINGS**

To: Mayor and Village Council  
From: Richard J. Reade, Village Manager  
Date: August 1, 2020

Following approval of Resolution No. 2020-25 by the Village Council on Friday, July 31, 2020 regarding the declaration of a Local State of Emergency for the Village of Palm Springs due to the impending impacts from Hurricane Isaias, as Village Manager for the Village of Palm Springs, and in accordance with Resolution No. 2020-25, I have determined that that the approved local state of emergency, pursuant to Section 2-3 of the Code of Ordinances, shall begin at 7 p.m. on Saturday, August 1, 2020 within the Village of Palm Springs.

This storm poses a severe threat to the east coast of the State of Florida, including the Village, and requires that timely precautions are taken to ensure the protection of our residents of the Village of Palm Springs as well as the Village's critical infrastructure, facilities/structures and general welfare of the Village.

Thank you for all of your support during this difficult time and please be safe.

c: Mr. Glen Torcivia - Village Attorney  
Chief Tom Ceccarelli - Police Chief  
Ms. Kim Wynn - Village Clerk  
Department Directors - Village of Palm Springs



## 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, 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 the 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 Ready offered the foregoing resolution. Council Member Gunther 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	X	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	X
GARY M. READY, MAYOR PRO TEM	X	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER, COUNCIL MEMBER	X	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	X

The Mayor thereupon declared this Resolution duly passed and adopted this 31<sup>ST</sup> day of July 2020.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: *Beverly O Smith*  
BEVERLY SMITH, MAYOR

ATTEST:

BY: *Kimberly M. Wynn*  
KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR FORM AND LEGAL SUFFICIENCY

BY: \_\_\_\_\_  
GLEN J. TORCIVIA, VILLAGE ATTORNEY

