Agenda Item #: 3X - 8

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: January 12, 2021		[X] Consent [] Ordinance	[]Regular []Public Hearing					
Department: Submitted By: Submitted For:	Department of Public Safety Department of Public Safety Division of Emergency Management							
	E)	XECUTIVE BRIEF						
			file: Declaration of State of Local ta, dated November 8, 2020.					
Emergency due to the	e impending arrival on nergent actions take	of Tropical Storm Eta. en by the County Admi	ach County declared a State of Local The State of Local Emergency was nistrator to ensure the health, safety					
of Tropical Storm Eta projected path of Trop pose a significant, imn of Palm Beach County County Code Article Commissioners canno a State of Local Eme	as it approached to bical Storm Eta and ninent, and dangero y, Florida as well as II, Section 9-35, in the convened, the ergency. With the	the South Florida Pen the associated high wous threat to the health, their real and persona in the event a special Mayor of the Board of executed State of Lo	ed the movements and forecast track insula. On November 8, 2020, the rinds and rainfall had the capacity to safety, and welfare of the inhabitants al property. Pursuant to Palm Beach al meeting of the Board of County County Commissioners may declare ocal Emergency, staff activated the exactions and to prepare for any post-					
Attachments: 1. Executed Dec November 8, 2		Local Emergency PB	C, FL for Tropical Storm Eta, dated					
Recommended By:		-05'00'						
	Departmen	nt Director	Date / /					
Approved By:			1/4/21					
	Deputy Co	ounty Administrator	Date					

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal I	mpact				
Fiscal Years	<u>2021</u>	2022	2023	<u>2024</u>	<u>2025</u>
Capital Expenditures					
Operating Costs					
External Revenues			-	-	
Program Income (County)					
In-Kind Match (County)					
Net Fiscal Impact	*				
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current E Does this item include the u	Budget? Yes se of federal funds?	No Yes No	o		
Budget Account Exp No: Rev No:					
B. Recommended Sources of No fiscal impact. A separ the State of Florida, Divisi expenses related to Tropical Departmental Fiscal Reviews	rate agenda item will ion of Emergency National Storm Eta.	be prepared	to approve a		
	II. REVIEW CO	MMENTS			
A. OFMB Fiscal and/or Cont	tract Dev. and Contro	I Comments:	٨		
ОТВОЕМВ	12/10 M2/10	Contra	ct Administra	ation) \$ 120.
B. Legal Sufficiency:		l		J	
Assistant County Atto	orney				
C. Other Department Review	v:				
Department Director					

This summary is not to be used as a basis for payment.

PALM BEACH COUNTY, FLORIDA, DECLARATION OF STATE OF LOCAL EMERGENCY EFFECTIVE NOVEMBER 8, 2020

WHEREAS, the Board of County Commissioners of Palm Beach County has been informed by its emergency management staff of the imminent threat posed by Tropical Storm Eta; and

WHEREAS, Tropical Storm Eta has the capacity to pose a significant, imminent, and dangerous threat to the health, safety, and welfare of the inhabitants of Palm Beach County, Florida, visitors and tourists in Palm Beach County, Florida, as well as their real and personal property; and

WHEREAS, there are exigent circumstances surrounding Tropical Storm Eta such that a regular or special/emergency meeting of the Board of County Commissioners may not practically be convened; and

WHEREAS, Palm Beach County Code Chapter 9, Article II, Section 9-35 and Section 252.3 8(3)(a)(5), Florida Statutes, provide that in such event, the Mayor may declare a state of local emergency.

NOW, THEREFORE, BE IT PROCLAIMED AND DECLARED:

- 1. The above recitals are true and correct and are incorporated herein by reference.
- 2. I am the Mayor of Palm Beach County, Florida.
- 3. The exigent circumstances surrounding Tropical Storm Eta do not allow for a regular or special/emergency meeting of the Board of County Commissioners to practically be

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convened or allow for the Mayor or Vice-Mayor to execute a resolution to declare a state of local emergency.

- 4. Pursuant to Palm Beach County Code Article II, Section 9-35, in such event, the County Administrator may declare a state of local emergency.
- 5. A state of local emergency hereby exists in Palm Beach County, Florida, effective for seven (7) days beginning at 9:00 a.m., this 8th day of November, 2020.
- 6. On behalf of the Board of County Commissioners, I hereby waive the procedures and formalities otherwise required of Palm Beach County pertaining to:
 - a. Performance of public work and any other prudent action necessary to ensure the health, safety, and welfare of the citizens of Palm Beach County.
 - b. Entering into contracts.
 - c. Incurring obligations.
 - d. Employment of permanent and temporary workers.
 - e. Utilization of volunteer workers.
 - f. Rental of equipment.
 - g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities.
 - h. Appropriation and expenditure of public funds.
- 7. The County Administrator or designee is hereby empowered, authorized, and directed to exercise, on behalf of the Board of County Commissioners, such emergency powers necessary to carry out the provisions of Chapter 252, Florida Statutes and Palm Beach County Code Article II, Section 9-35 to provide for the health and safety of persons and property including, but not limited to, the powers to direct and compel evacuation of all or part of the population from

stricken or threatened areas within Palm Beach County, if such action is deemed necessary to reduce the vulnerability of people in communities of Palm Beach County to damage, injury, and loss of life and property resulting from the imminent threat, as well as any other powers expressly or implicitly conferred pursuant to Chapters 125 and 252, Florida Statutes, Palm Beach County Code Article II, Section 9-35 and any other provision of law or county ordinance.

8. This State of Emergency shall extend for a period of 7 days and may be extended as necessary in 7 day increments pursuant to Section 252.38(3)(a)(5) as determined by the County Administrator or designee, or until further action by the Board of County Commissioners terminates such authority or declares that the State of Emergency has ended.

9. This Declaration shall be transmitted to the Secretary of State upon adoption and a copy shall be filed with the Clerk of Court.

PALM BEACH COUNTY, FLORIDA

APPROVED AS TO LEGAL SUFFICIENCY

By: Dave Kerner, Mayor

By: Denise Marie Nieman
County Attorney

By: Cindy Guerra
Deputy Clerk

Date: November 8, 2020