



REVISED

1:10 pm, Mar 17, 2020

TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE -
SUBJECT TO
REVISION

SPECIAL TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

THURSDAY, MARCH 19, 2020

11:00 AM

I. CALL TO ORDER AND ROLL CALL

Gail L. Coniglio, Mayor
Danielle H. Moore, President
Margaret Zeidman, President Pro Tem
Julie Araskog
Lew Crampton
Bobbie Lindsay

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE

V. RESOLUTION NO. 21-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring With The Request of The Town's Chief of Police, To Extend The Seventy-Two (72) Hour Time Limit Relating To The Chief's Declaration of The Existence of A State Of Emergency Within The Corporate Limits of The Town To A Period Of Time Deemed Appropriate By The Chief of Police For The Declaration of Public Emergency To Be Terminated; Providing For An Effective Date.

VI. EMERGENCY ORDINANCE NO. 08-2020 An Emergency Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Extending By A Period of Thirty (30) Days Deadlines For The Town Council And Its Boards And Commissions To Act Upon Applications Submitted To The Council And Its Boards And Commissions Based Upon The Declaration of An Emergency Related To The Coronavirus And The Consequent Cancellation of Meetings; Providing For Severability; Providing For Repeal

of Ordinances In Conflict; Providing An Effective Date.

VII. ANY OTHER MATTERS

VIII. ADJOURNMENT

PLEASE TAKE NOTE:

The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions relative to this feature, please contact the Office of Information Systems (561) 227-6315.

Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

RESOLUTION NO. 21-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA CONCURRING WITH THE REQUEST OF THE TOWN'S CHIEF OF POLICE, TO EXTEND THE SEVENTY-TWO (72) HOUR TIME LIMIT RELATING TO THE CHIEF'S DECLARATION OF THE EXISTENCE OF A STATE OF EMERGENCY WITHIN THE CORPORATE LIMITS OF THE TOWN TO A PERIOD OF TIME DEEMED APPROPRIATE BY THE CHIEF OF POLICE FOR THE DECLARATION OF PUBLIC EMERGENCY TO BE TERMINATED; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 2019 Novel Coronavirus Disease (COVID-19) is a severe, acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, the World Health Organization (WHO) has declared a pandemic related to COVID-19; and

WHEREAS, the Center for Disease Control and Prevention (CDC) has declared the potential public health threat posed by COVID-19 as "high", both in the United States and throughout the world; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic; and

WHEREAS, the President of the United States has declared a State of Emergency for the Country to address the public health threat to the United States of America as a result of COVID-19; and

WHEREAS, a threat of impact from COVID-19 exists throughout the corporate limits of the Town of Palm Beach and elsewhere; and

WHEREAS, COVID-19 poses a danger to life and the economic well-being of Palm Beach residents; and

WHEREAS, the Chief of Police of the Town of Palm Beach, pursuant to the authority of Section 58-41 of the Town Code of Ordinances, has declared a state of emergency exists within the corporate boundaries of the Town; and

WHEREAS Florida Statute Section 870.042 provides that the designated official, in this case the Chief of Police, has the authority to exercise the emergency powers conferred in Sections 870.041 through 870.047 of the Florida Statutes; and

WHEREAS, Section 870.047, Florida Statutes, provides for the duration and termination of a State of Emergency and provides that the emergency declaration shall terminate at the end of the period of seventy-two (72) consecutive hours unless prior to the end of the seventy-two (72) hour period, the declaration of emergency has been terminated; and

WHEREAS, any extension of the seventy-two (72) hour time limit must be accomplished by request from the public official and the concurrence of the Town Council by duly enacted resolution in regular or special session; and

WHEREAS, the Chief of Police has requested that the seventy-two (72) hour time limit be extended to a time in the future where it is deemed that the declaration of emergency can be terminated.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY FLORIDA, AS FOLLOWS:

Section 1. The request of the Chief of Police to extend the seventy-two (72) hour time

period for the declaration of emergency is hereby granted.

Section 2. The declaration of emergency shall remain in effect until a time in the future when the Chief of Police has determined there is no longer a need for the declaration of the emergency.

Section 3. During this period of time, the Chief of Police has the authority to extend or amend any of the emergency measures declared in the initial declaration of emergency as provided by the terms of Florida Statute Section 870.045.

Section 4. This resolution shall take effect upon execution. A copy of this Resolution shall be filed in the office of the Town Clerk and delivered to the appropriate news media and by posting on the Town's website.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 19th day of March, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

ORDINANCE NO. 08-2020

AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, EXTENDING BY A PERIOD OF THIRTY (30) DAYS DEADLINES FOR THE TOWN COUNCIL AND ITS BOARDS AND COMMISSIONS TO ACT UPON APPLICATIONS SUBMITTED TO THE COUNCIL AND ITS BOARDS AND COMMISSIONS BASED UPON THE DECLARATION OF AN EMERGENCY RELATED TO THE CORONAVIRUS AND THE CONSEQUENT CANCELLATION OF MEETINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to the emergency resulting from the Coronavirus, it has become necessary for the Town to cancel regularly scheduled meetings of the Town's various boards and commissions; and

WHEREAS, the cancellation of such meetings may make it impossible for the Town Council and its boards and commissions to act on applications filed with the Town within the time periods designated within the Town Code of Ordinances; and

WHEREAS, because of the declared emergency relating to the Coronavirus, the Town Council desires to extend the time periods in which the Town Council and its boards and commissions are required to act upon applications submitted to the Town for a period of an additional thirty (30) days.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The specific time periods required for the Town and its boards and commissions to act in response to applications filed with the Town, as specifically designated in, but not limited to, Chapters 18, 54, and 134 of the Town Code of Ordinances are hereby extended for an additional thirty (30) days to account for the

period of time during which the emergency declaration relating to the Coronavirus is in effect.

Section 2. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 3. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 4. Effective Date.

This Ordinance shall take effect immediately upon first reading as an emergency ordinance.

PASSED AND ADOPTED as an emergency ordinance in a special session of the Town Council of the Town of Palm Beach this 19th day of March, 2020.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Patricia Gayle-Gordon, Acting Town Clerk

Bobbie Lindsay, Town Council Member