Agenda Item #: <u>3X-2</u>

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

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Meeting Date: February 4, 2025		[X] []	Consent Ordinance	[] []	Regular Public Hearing				
Department: Submitted By: Submitted For: =======	Department of Public Safety Department of Public Safety Division of Emergency Management								

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: a Declaration of State of Local Emergency for Palm Beach County (County), Florida dated September 25, 2024 for Hurricane Helene.

Summary: On September 23, 2024 the National Hurricane Center (NHC) announced the development of Potential Tropical Cyclone 9. On September 24, 2024 the National Hurricane Center (NHC) advised that Potential Tropical Cyclone Nine had formed into Tropical Storm Helene. On September 23, 2024, Governor Ron Desantis issued Executive Order 24-208 declaring that an emergency exists in the State of Florida and ordered Federal assistance to supplement State, tribal, and local response efforts due to the emergency conditions resulting from Potential Tropical Cyclone Nine. On September 24, 2024, Governor Ron DeSantis issued Executive Order 24-209 (Amending Executive Order 22-208) expanding the state of emergency to 61 counties; Palm Beach County was not included. On September 25, 2024 at 0500 hours, the NHC placed Palm Beach County under a Tropical Storm Warning due to Tropical Storm Helene. On September 25, 2024 at 1100 hours, the NHC advised that Hurricane Helene had formed. The County issued a State of Local Emergency on Wednesday, September 25, 2024, which remained through October 2, 2024. Hurricane Helene had the capacity to pose a significant, imminent, and dangerous threat to residents, visitors and tourists in the County as well as their real and personal property. The declaration of the State of Local Emergency was done in an abundance of caution necessary to initiate emergency actions taken by the County Administrator to ensure the health, safety and welfare of the community. Countywide (DB)

Background and Justification: On September 25, 2024, the County declared a State of Local Emergency due to the on-going risk of Hurricane Helene. Pursuant to Florida Statutes, Section 252.38(3)(a)(5), the State of Local Emergency expires every 7 days unless extended.

Attachment:

1) Declaration of State of Local Emergency PBC, FL dated September 25, 2024

Recommended By: _	Séphohe	12/20	24	
Approved By:	Department Director	Date		
	- 201 A Blue	16/21		
	Assistant County Administrator	, , Da	te	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Personal Services					
Operating Expenses					
Capital Outlay					
External Revenues			<u></u>		
Program Income (County)					
In-Kind Match (County)					***************************************
m-Rind Match (County)					
Net Fiscal Impact	*				
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included In Curr			No		
Is this item using Feder		Yes	No		
Is this item using State	Funds?	Yes	No		
Budget Account Exp N	o: Fund	Dept Uni	ts Obie	ect	
Budget Account Exp N Rev N	o: Fund	_Dept Unit	ts Sour	ce	-
B. Recommended Sour *Fiscal impact is reimbursement of actu- pre/during/post Hurrica activation. Departmental Fiscal Re	s undetermin al expenses ane Helene an eview:	nable at this f associated thre	time. The Cough FEMA records	ounty will r egarding act	ivation
A. OFMB Fiscal and/or	Contract Do	v and Control	Commonto	0	1
A. OT MIB T ISCAT ATTU/OT	12/23/24		ba inde	Mar la ll	- pholosi
	MA 1215		PUNICIA	man	O p
MD 12/23 OFMB	CHA PIC		Contract Ad	ministration	, <u>-</u>
				26712.	
B. Legal Sufficiency	y:				
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Assistant County		-			
Abolatin obulity	Automey				
C. Other Department R	leview:				

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 SEPTEMBER 25, 2024

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

WHEREAS, Hurricane Helene 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 Hurricane Helene such that a regular or special/emergency meeting of the Board of County Commissioners may not practically be convened or allow for the Mayor or Vice-Mayor to execute a resolution to declare a state of local emergency; and

WHEREAS, Palm Beach County Code Chapter 9, Article II, Section 9-35 and Section 252.38(3)(a)(5), Florida Statutes, provide that in such event, the County Administrator 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 County Administrator of Palm Beach County, Florida.

3. The exigent circumstances surrounding Hurricane Helene do not allow for a regular or special/emergency meeting of the Board of County Commissioners to practically be convened or allow for the Mayor or Vice-Mayor to execute a resolution to declare a state of local emergency.

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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 this 25th day of September, 2024 at the date and time provided

by the County Administrator below.

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

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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.

COUNTY ADMINISTRATOR OF PALM BEACH COUNTY, FLORIDA

Bv: erdenia Baker, County Administrator Date: Time:

ATTEST CLERK AND COMPTROL **FR** Bv: Deput Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Bv County Attorney

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