

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

=====
Meeting Date: March 11, 2025 Consent Regular
 Ordinance Public Hearing

Department: Department of Public Safety
Submitted By: Department of Public Safety
Submitted For: Division of Emergency Management

=====

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file:

- A) a Declaration of State of Local Emergency Palm Beach County, Florida dated October 7, 2024 for Hurricane Milton;
- B) an Order to Reduce Vulnerability to Damage, Injury, and Loss of Life or Property Resulting from an Imminent Threat dated October 9, 2024 for Hurricane Milton;
- C) a Reentry Order dated October 10, 2024 for Hurricane Milton;
- D) a Declaration of Continuing State of Local Emergency Palm Beach County dated October 14, 2024 for Hurricane Milton; and
- E) a Declaration of Continuing State of Local Emergency Palm Beach County dated October 21, 2024 for Hurricane Milton.

Summary: On October 5, 2024, Florida Governor Ron DeSantis issued Executive Order 24-214 and declared that a State of Emergency exists for 35 counties, including Palm Beach County (County), due to Tropical Storm Milton. On October 6, 2024, the National Hurricane Center (NHC) advised that Tropical Storm Milton had formed into Hurricane Milton. The County issued a State of Local Emergency on Monday, October 7, 2024; which remained through October 28, 2024. October 11, 2024, President Joseph R. Biden, Jr. granted a Major Disaster Declaration in the State of Florida and ordered Federal assistance to supplement State, tribal and local response efforts due to the emergency conditions resulting from Hurricane Milton. Hurricane Milton 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 necessary to initiate emergent actions taken by the County Administrator to ensure the health, safety and welfare of the community. With the executed State of Local Emergency, resources were available through the Federal Emergency Management Agency (FEMA) Public Assistance. On October 9, 2024, the County Administrator declared the following areas of Palm Beach County were threatened by Hurricane Milton and designated the “affected area” as Evacuation Zone A. The order directed that the affected area be evacuated. On October 10, 2024, the County Administrator issued a Reentry Order that the evacuation order had been lifted. Countywide (DB)

(Background and Justification: Continued on page 3)

Attachments:

- 1. Declaration of State of Local Emergency PBC, FL dated October 7, 2024
 - 2. Order to Reduce Vulnerability to Damage, Injury, and Loss of Life or Property Resulting from an Imminent Threat dated October 9, 2024
 - 3. Reentry Order dated October 10, 2024
 - 4. Declaration of Continuing State of Local Emergency dated October 14, 2024
 - 5. Declaration of Continuing State of Local Emergency dated October 21, 2024
- =====

Sejnoha Digitally signed by Stephanie Sejnoha
Date: 2025.02.19 16:41:23 -05'00'

Recommended By: _____
Department Director Date

Approved By: _____
Paul for
Assistant County Administrator 2/27/25
Date

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>
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 Budget? Yes _____ No _____
 Is this item using Federal Funds? Yes _____ No _____
 Is this item using State Funds? Yes _____ No _____

Budget Account Exp No: Fund _____ Dept _____ Units _____ Object _____
 Rev No: Fund _____ Dept _____ Units _____ Source _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:
 *Fiscal impact is undeterminable at this time. The County will request reimbursement of actual expenses associated through FEMA regarding activation pre/during/post Hurricane Milton and other subsequent services related to storm activation.

Departmental Fiscal Review: _____
 (29)

II. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

 OFMB
 2/12/25
 VS 2/12

 Contract Administration
 26 2.13.25

B. Legal Sufficiency:

 2/19/25
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

Background and Justification: Continued from Page 1

Background and Justification: On October 7, 2024, the County declared a State of Local Emergency due to the on-going risk of Hurricane Milton. Pursuant to Florida Statutes, Section 252.38(3)(a)(5), the State of Local Emergency expires every 7 days unless extended. On October 9, 2024, the County Administrator declared the following areas of Palm Beach County were threatened by Hurricane Milton and designated the "affected area" as Evacuation Zone A. The order directed that the affected area be evacuated, pursuant to Chapter 252, Florida Statutes, Op. Atty Gen. 95-24, Executive Order No. 24-214 and Palm Beach County Code Article II, Section 9-35. On October 10, 2024, the County Administrator issued a Reentry Order that the evacuation order had been lifted. On October 14, 2024, the County Administrator Declared a Continuing State of Emergency. On October 21, 2024, the County Administrator Declared a Continuing State of Emergency.

**PALM BEACH COUNTY, FLORIDA,
DECLARATION OF STATE OF LOCAL EMERGENCY
EFFECTIVE OCTOBER 7, 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 Milton; and

WHEREAS, Hurricane Milton 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, the Governor issued Executive Order No. 24-214 declaring a State of Emergency in the State of Florida that includes Palm Beach County on October 5, 2024; and

WHEREAS, there are exigent circumstances surrounding Hurricane Milton 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 Milton 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.

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 9:00 a. m., this 7th day of October 2024.**

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.

COUNTY ADMINISTRATOR OF
PALM BEACH COUNTY, FLORIDA

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Verdenia C. Baker
Verdenia C. Baker, County Administrator

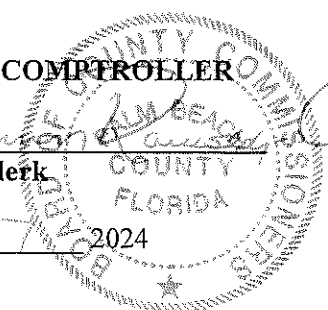
By: /s/ Denise Coffman, Esq.
County Attorney

October 7, 2024
Date

ATTEST
CLERK AND COMPTROLLER

By: Shannon Ramsey-Chamman
Deputy Clerk

October 7, 2024
Date



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOSPEH ABRUZZO, Clerk of the Circuit Court &
Comptroller certify this to be a true and correct copy
of the original filed in my office
on October 7, 2024
dated at West Palm Beach, FL on October 7, 2024
By: Shannon Ramsey-Chamman
Deputy Clerk

**PALM BEACH COUNTY, FLORIDA
ORDER TO REDUCE VULNERABILITY
TO DAMAGE, INJURY, AND LOSS OF LIFE OR PROPERTY
RESULTING FROM AN IMMINENT THREAT
EFFECTIVE OCTOBER 9, 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 Milton; and

WHEREAS, on October 5, 2024, Governor Ron DeSantis issued Executive Order (EO) 24-214 declaring a state of emergency in Palm Beach County; and

WHEREAS, on October 7, 2024, a State of Local Emergency was declared due to the imminent threat imposed by Hurricane Milton; and

WHEREAS, Hurricane Milton 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, pursuant to Palm Beach County Code Section 9-35, the County Administrator or her designee is 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, 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, and any other provision of law or county ordinance; and

WHEREAS, Governor Ron DeSantis in EO 24-214 and the Attorney General of Florida in Op. Atty. Gen. Fla. 95-24 have confirmed the power of counties to order evacuation of county citizens when threatened with a disaster.

NOW, THEREFORE, pursuant to Chapter 252, Florida Statutes, Op. Atty Gen. Fla. 95-24, EO 24-214, and Palm Beach County Code Article II, Section 9-35, I hereby find and declare:

1. The above recitals are true and are incorporated herein by reference.
2. I am the County Administrator of Palm Beach County, Florida.
3. I am duly authorized to carry out the emergency management functions delegated by the Board of County Commissioners to the County Administrator or her designee.
4. The following areas of Palm Beach County are threatened by Hurricane Milton and are hereby designated the "affected area:"

- Evacuation Zone A
- Evacuation Zone B
- Evacuation Zone C
- Evacuation Zone D
- Evacuation Zone E
- Other _____

5. In order to reduce the vulnerability of the population in the affected area to damage, injury and loss of life or property resulting from the imminent threat, and in order to prepare and allow for prompt and efficient restoration of order, assessment and response to damage and injuries to persons and property, I order and direct that the affected area be evacuated.

6. In order to reduce the vulnerability of the population in the affected area to damage, injury and loss of life or property resulting from the imminent threat, I order and direct that no persons, except those duly authorized, including law enforcement or emergency management personnel, be allowed to enter the affected area.

7. This order shall take effect at 12:00 p.m. on October 9, 2024, and will remain in effect until the State of Local Emergency is lifted, or until further order.

PALM BEACH COUNTY, FLORIDA

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Verdenia C. Baker
Verdenia C. Baker, County Administrator

By: /s/ Denise Coffman, Esq.
County Attorney

October 9, 2024
Date

ATTEST
CLERK AND COMPTROLLER

By: Shannon Rousey-Chessman
Deputy Clerk

October 9, 2024
Date

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOSPEH ABRUZZO, Clerk of the Circuit Court & Comptroller certify this to be true and correct copy of the original filed in my office on October 9, 2024 dated at West Palm Beach, FL on October 9, 2024
By: Shannon Rousey-Chessman
Deputy Clerk



**Department of Public Safety
Division of Emergency Management**

20 South Military Trail
West Palm Beach, FL 33415
(561) 712-6400
FAX: (561) 712-6464
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Maria Sachs, Mayor
Maria G. Marino, Vice Mayor
Gregg K. Weiss
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator

Verdenia C. Baker

DATE: October 10, 2024
TO: Palm Beach County Law Enforcement Agencies
FROM: Verdenia C. Baker
County Administrator *PWB for*
RE: REENTRY ORDER

In order to reduce the vulnerability of the population in the affected area to damage, injury and loss of life or property resulting from the imminent threat of Hurricane Milton, and in order to prepare and allow for prompt and efficient restoration of order, assessment and response to damage and injuries to persons and property, I directed that certain areas of Palm Beach County threatened by Hurricane Milton evacuate effective 12:00 p.m. on October 9, 2024. Therefore, pursuant to Chapter 252, Florida Statutes, Op. Atty Gen 95-24, Executive Order No. 24-214, and Palm Beach County Article II, Section 9-35, effective immediately the evacuation order has been lifted.

c: Joseph Abruzzo
Clerk of the Circuit Court & Comptroller

Attachment: Evacuation order dated October 9, 2024.

*"An Equal Opportunity
Affirmative Action Employer"*

**DECLARATION OF CONTINUING STATE OF EMERGENCY
PALM BEACH COUNTY, FLORIDA**

WHEREAS, on October 5, 2024, the Governor of the State of Florida by Executive Order Number 24-214 declared a State of Emergency, which included Palm Beach County, Florida; and

WHEREAS, on October 7, 2024, Palm Beach County declared a local State of Emergency due to the approach of Hurricane Milton; and

WHEREAS, the effects of Hurricane Milton pose significant, imminent, and dangerous threats to the health, safety, and welfare of the inhabitants of Palm Beach County, visitors and tourists in Palm Beach County, as well as their real and personal property; and

WHEREAS, the Governor's State of Emergency remains in effect in Palm Beach County; and

WHEREAS, Palm Beach County's local State of Emergency is set to expire 7 days after issuance unless extended in 7-day increments pursuant to Section 252.38(3)(a)(5), Florida Statutes; and

WHEREAS, there are exigent circumstances surrounding Hurricane Milton 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, debris and damage assessments and removal efforts are ongoing and the public health, safety, and welfare require a continuation of the State of Emergency.

NOW, THEREFORE, BE IT PROCLAIMED AND DECLARED that pursuant to Palm Beach County Code Article II, Section 9-35:

1. The above recitals are true and accurate and are incorporated herein.

2. I am the County Administrator of Palm Beach County, Florida.
3. Pursuant to Section 252.38(3)(a)(5), Florida Statute, the local State of Emergency may be extended in increments of 7 days until such time as the emergency ceases to exist.
4. **The local State of Emergency is hereby extended by 7 days pursuant to Section 252.38(3)(a)(5), Florida Statutes, and shall continue in full force and effect through the 21st day of October 2024.**
5. This Declaration shall expire at the date and time set forth herein unless further extended by the County Administrator or designee or until further action by the Board of County Commissioners terminates such authority or declares that the local State of Emergency has ended.
6. This Declaration shall be transmitted to the Secretary of State upon adoption and filed with the Clerk of the Court.

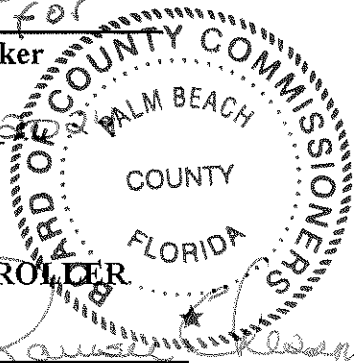
COUNTY ADMINISTRATOR,
PALM BEACH COUNTY

By: *Verdenia C. Baker*
Verdenia C. Baker

October 14, 2024
Date

ATTEST
CLERK & COMPTROLLER

By: *Shanna Gausee*
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: /s/ Denise Coffman, Esq.
County Attorney

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOSPEH ABRUZZO, Clerk of the Circuit Court &
Comptroller certify this to be true and correct copy
of the original filed in my office
on October 14, 2024
dated at West Palm Beach, FL on October 14, 2024
By: *Shanna Gausee* - *Shanna*
Deputy Clerk

**DECLARATION OF CONTINUING STATE OF EMERGENCY
PALM BEACH COUNTY, FLORIDA**

WHEREAS, on October 5, 2024, the Governor of the State of Florida by Executive Order Number 24-214 declared a State of Emergency, which included Palm Beach County, Florida; and

WHEREAS, on October 7, 2024, Palm Beach County declared a local State of Emergency due to the approach of Hurricane Milton; and

WHEREAS, the effects of Hurricane Milton pose significant, imminent, and dangerous threats to the health, safety, and welfare of the inhabitants of Palm Beach County, visitors and tourists in Palm Beach County, as well as their real and personal property; and

WHEREAS, the Governor's State of Emergency remains in effect in Palm Beach County; and

WHEREAS, Palm Beach County's local State of Emergency is set to expire 7 days after issuance unless extended in 7-day increments pursuant to Section 252.38(3)(a)(5), Florida Statutes; and

WHEREAS, there are exigent circumstances surrounding Hurricane Milton 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, debris and damage assessments and removal efforts are ongoing and the public health, safety, and welfare require a continuation of the State of Emergency.

NOW, THEREFORE, BE IT PROCLAIMED AND DECLARED that pursuant to Palm Beach County Code Article II, Section 9-35:

1. The above recitals are true and accurate and are incorporated herein.

2. I am the County Administrator of Palm Beach County, Florida.
3. Pursuant to Section 252.38(3)(a)(5), Florida Statute, the local State of Emergency may be extended in increments of 7 days until such time as the emergency ceases to exist.
4. **The local State of Emergency is hereby extended by 7 days pursuant to Section 252.38(3)(a)(5), Florida Statutes, and shall continue in full force and effect through the 28th day of October 2024.**
5. This Declaration shall expire at the date and time set forth herein unless further extended by the County Administrator or designee or until further action by the Board of County Commissioners terminates such authority or declares that the local State of Emergency has ended.
6. This Declaration shall be transmitted to the Secretary of State upon adoption and filed with the Clerk of the Court.

COUNTY ADMINISTRATOR,
PALM BEACH COUNTY

By: Verdenia C. Baker
Verdenia C. Baker

10/21/24

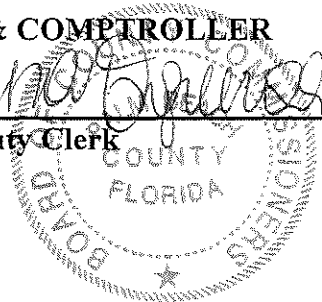
Date

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: /s/ Denise Coffman, Esq.
County Attorney

ATTEST
CLERK & COMPTROLLER

By: Maria Spurre
Deputy Clerk



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOSPEH ABRUZZO, Clerk of the Circuit Court &
Comptroller certify this to be a true and correct copy
of the original filed in my office

on October 21, 2024

dated at West Palm Beach, FL on 10-21-24

By: Maria Spurre
Deputy Clerk