



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
SEPTEMBER 27, 2022
3:45 PM**

COUNCIL

- ☐ Mayor Bev Smith
- ☐ Vice Mayor Doug Gunther
- ☐ Mayor Pro Tem Joni Brinkman
- ☐ Council Member Patti Waller
- ☐ Council Member Gary Ready

ADMINISTRATION

- ☐ Village Manager Michael Bornstein
- ☐ Village Attorney Glen Torcivia
- ☐ Village Clerk Kimberly Wynn

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

ROLL CALL

ORDER OF BUSINESS

1. **Resolution No. 2022-44- Declaring a State of Emergency for Hurricane Ian:**
Motion to approve Resolution No. 2022-44; Providing that the Village Manager may enact a local state of emergency within the Village of Palm Springs as needed and related to Hurricane Ian; 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.

Staff: Kimberly Wynn, Village Clerk

2. Any other discussion pertaining to Hurricane Ian

ADJOURNMENT

NEXT MEETING

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus

Address: 226 Cypress Lane, Palm Springs, FL 33461

Email: asaingilus@vpsfl.org

Phone: (561) 584-8200 Ext. 8419

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561) 584-8200 Ext. 8421



Village of Palm Springs

Executive Brief

AGENDA DATE: September 27, 2022

DEPARTMENT: Administration

ITEM #1: Resolution No. 2022-44 Declaring a State of Emergency for Tropical Storm Ian

SUMMARY: Governor Ron DeSantis Declared the State of Emergency for the State of Florida on Saturday, September 24, 2022. Hurricane Ian is a Category 3 and anticipated to make landfall in Central Florida. The gusts from Hurricane Ian are expected to bring tropical storm force winds, rain, and dangerous flooding.

The Village requests a state of emergency for the safety and well-being of Village employees and residents in the community.

FISCAL IMPACT:

ATTACHMENTS:

1. Proposed Resolution No. 2022-44 - State of Emergency

RESOLUTION NO. 2022-44

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 IAN; 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 of Saturday, September 24, 2022, Governor Ron DeSantis, Governor of the State of Florida, has declared a State of Emergency within the state issuing Executive Order 22-218, along with Executive Order 22-219 of the State of Florida in response to Hurricane Ian; 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 Monday, September 26, 2022, in response to Hurricane Ian; 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 Ian 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 Ian 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 Ian, which poses a severe threat to the west 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; 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 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 hereby repealed.

Section 7. Effective Date. This Resolution shall take effect immediately upon its adoption.

Council Member _____ offered the foregoing resolution. Council Member _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEVERLY SMITH, MAYOR	☐	☐	☐
DOUG GUNTHER, VICE MAYOR	☐	☐	☐
JONI BRINKMAN, MAYOR PRO TEM	☐	☐	☐
PATTI WALLER, COUNCIL MEMBER	☐	☐	☐
GARY READY, COUNCIL MEMBER	☐	☐	☐

The Mayor thereupon declared this Resolution duly passed and adopted this _____ day of _____ 2022.

VILLAGE OF PALM SPRINGS, FLORIDA

BY _____

BEVERLY SMITH, MAYOR

ATTEST:

BY: _____

KIMBERLY M. WYNN, VILLAGE CLERK

REVIEWED FOR FORM AND LEGAL SUFFICIENCY

BY: _____

GLEN J. TORCIVIA, VILLAGE ATTORNEY