WHEREAS, the Novel Coronavirus Disease 2019 (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, on January 30, 2020, the World Health Organization designated COVID-19, outbreak a Public Health Emergency of International Concern; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the entire United States to aid the nation’s healthcare community in responding to COVID-19; and

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

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to COVID-19; and

WHEREAS, on March 16, 2020, President Donald J. Trump and the CDC issued guidance entitled “15 Days to Slow the Spread” advising individuals to adopt far-reaching social distancing measures which includes avoiding gathering of more than 10 people; and

WHEREAS, on March 17, 2020, Mayor Keith A. James executed a Declaration of State of Local Emergency; and

WHEREAS, on March 31, 2020, the President updated the guidance and issued Coronavirus Guidelines for America entitled “30 Days to Slow the Spread” and urged Americans to continue to adhere to the guidelines and expand community mitigation efforts; and

WHEREAS, on March 20, 2020, Governor Ron DeSantis issued Executive Order Number 20-69 suspending any Florida Statute that requires a quorum to be present in person or that requires a local government body to meet at a specific public place; and

WHEREAS, in addition to meeting requirements contained in Florida Statutes, the City of West Palm Beach Charter, Code of Ordinances and various City Board and Committee by-laws require meetings to be held at a specific location and require physical presence to constitute a quorum;

WHEREAS, section 252.46, Florida Statutes, provides that any county or municipality created pursuant to law are authorized and empowered to make, amend, and rescind such orders and rules as are necessary for emergency management purposes and to supplement the carrying out of the State Emergency Management Act which includes response, recovery and mitigation necessary in responding to COVID-19;
WHEREAS, section 2-2 of the City of West Palm Beach Code of Ordinances authorizes the Mayor to exercise emergency powers conferred by chapter 252 of Florida Statutes;

WHEREAS, in addition to the powers conferred by chapter 252, Florida Statutes, section 2-3(2) of the City of West Palm Beach Code of Ordinances permits the waiver of procedures and formalities otherwise required by law or ordinance pertaining to the performance of public work and taking whatever prudent action is necessary to ensure the health, safety and welfare of the community;

WHEREAS, the CDC advises that the best way to prevent illness is to avoid being exposed to the virus and recommends avoiding social gatherings in groups of more than 10 people;

WHEREAS, in an effort to further social distancing recommendations for the health, safety, and welfare of the entire community it is advisable to waive the requirements for physical presence to constitute a quorum in public meetings and the requirement of conducting meetings in a specific location;

NOW, THEREFORE, I, Keith A. James, Mayor of the City of West Palm Beach, Florida, by the authority vested in me pursuant to Chapters 166 and 252 of the Florida Statutes and the City of West Palm Beach Charter and Code of Ordinances, do hereby order:

Section 1. I hereby suspend all provisions contained in the City of West Palm Beach Charter, Code of Ordinance or By-law of any City of the West Palm Beach Boards and Committees that 1) require a physical presence 2) require a quorum to be present in person or 3) requires a hearing or meeting to take place at a specific public place.

Section 2. All meetings and hearings conducted by the City of West Palm Beach, its staff, and any of its Boards and Committees may use communications media technology, such as telephonic and video conferencing, as provided in section 120.54(b)(b)2., Florida Statutes.

Section 3. The Mayor may amend provisions of this Order by written notice to the City Clerk.

Section 4. This Order shall terminate upon the expiration of the existing City of West Palm Beach State of Local Emergency, except that if such State of Local Emergency is extended this Order shall also be deemed to extend for the duration of such extension. This Order may be cancelled earlier by action of the Mayor.

This Order shall be effective immediately.

[SEAL]

Keith A. James, Mayor
Dated: April 2, 2020

ATTEST:

City Clerk

CITY ATTORNEY’S OFFICE
Approved as to form and legal sufficiency
By: KLF
Date: 4/2/20