

EXECUTIVE BRIEF SPECIAL MEETING

AGENDA DATE: May 12, 2020

DEPARTMENT: City Manager

TITLE:

Consideration of issues and request for official action regarding the Governor's Executive Order for Phase 1 Re-Opening of Florida

SUMMARY:

This item seeks the Commission's consideration of issue(s) related to Palm Beach County entering Phase 1 of the State's Re-Opening Plan. Issue(s) to be considered include providing additional outdoor space to restaurants on private property and/or City-owned or maintained property (e.g., right-of-way or parking spaces). Based upon the Commission's consideration of the issue(s), staff is seeking official action (motion and vote) regarding the City's response to the Re-Opening process.

BACKGROUND AND JUSTIFICATION:

On May 4, 2020, Governor Ron DeSantis issued Executive Order (EO) 20-112 which authorized the Phase 1 Plan of Re-Opening the State of Florida. However, EO 20-112 excluded Palm Beach County (and Miami-Dade and Broward counties) from the Phase 1 Plan for re-opening restaurants, retail sales establishments, museums and libraries at limited capacities. Last week, Palm Beach County requested that the Governor authorize Palm Beach County to enter the Phase 1 Plan for restaurants, retail sales establishments, museums and libraries. The Governor granted that request in EO 20-120 (issued on May 9 and made effective at 12:01 a.m. on May 11, 2020). Further, Executive Order 20-120 also allowed barbershops and salons to re-open consistent with EO 20-112 and regulations established by the State Department of Business and Professional Regulation.

In anticipation of Phase 1 Plan of Re-Opening, many cities are looking at options of how to further assist those businesses authorized to re-open. The most notable area being considered is allowing (or relaxing restrictions on) restaurants to have (or increase) outdoor seating. The only restrictions in EO 20-112 on outdoor seating are the maintenance of the six foot distancing between parties and that parties cannot be larger than 10 persons. The City is likewise considering relaxing its outdoor café permits and Right-Of-Way permits (adjacent to City streets) processes to temporarily allow more outdoor seating on private and public property until the restaurants are authorized to re-open to full capacity. This includes allowing restaurants to use adjacent parking spaces for such seating areas. The restaurants who take advantage of this should be required to register with the City and maintain all ADA clearance requirements for walkways/sidewalks.

Based upon the Commission's consideration of the above issue and possibly others, staff is seeking official action (motion and vote) regarding the City's response to the Re-Opening process.

DIRECTION:

Request for official motion and vote based on consideration of the issue(s) regarding the Governor's Executive Order for Phase 1 Re-Opening of Florida.

ATTACHMENT(S):

Fiscal Impact Analysis - n/a