



Legislation Text

File #: ID 2021-051, **Version:** 1

TO: Mayor and City Commission

FROM: Cale Curtis, City Manager

DATE: February 3, 2021

EMERGENCY ORDINANCE - AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND FOR ATTENDANCE BY USE OF SUCH TECHNOLOGY BY ELECTED, APPOINTED OFFICIALS, OR STAFF DURING PERIODS WHEN THE CITY MANAGER DETERMINES AND DECLARES A LOCAL PUBLIC HEALTH EMERGENCY OR OTHER CIRCUMSTANCES IN WHICH THE CITY COMMISSION DETERMINES IT IS NECESSARY TO PROTECT THE HEALTH AND SAFETY OF CITY OFFICIALS, CITY STAFF, AND THE PUBLIC, FOR A 60 DAY PERIOD; PROVIDING FOR TWO-THIRDS AFFIRMATIVE VOTE REQUIRED FOR ADOPTION PURSUANT TO SECTION 3.19 - EMERGENCY ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND: On March 20, 2020 Florida Governor Ron DeSantis issued Executive Order (EO) 20-69 suspending current Sunshine Law Requirements for a quorum of the government decision-making body to be physically present, for a government decision-making body to meet in any specific place, and to allow local government decision-making bodies to utilize "Communications Media Technology such as telephonic and video conferencing, as provided in Section 120.54(5)(b)2., Florida Statutes", but specifically not waiving any other Sunshine Law Requirements. In response to EO 20-69, the City Commission approved Resolution 20-028 on June 17, 2020, to provide for policy and protocols for the use of communications media technology to facilitate attendance by elected and appointed officials at City Commission meetings and advisory boards, and to facilitate public participation and such meetings. Governor DeSantis subsequently extended Executive Order 20-69 until 12:01 a.m. on November 1, 2020.

Section 4 D of Governor DeSantis' EO 20-52 expressly authorizes the City Commission to take whatever prudent action is necessary to ensure the health, safety, and welfare of the community in accordance with section 252.38, Florida Statutes. This proposed Emergency Ordinance provides for the City Commission to authorize the City Manager to arrange for the City Commission, members of the various Boards, Committees, Magistrate and staff to be able to attend meetings electronically during a declared public health emergency. This Ordinance would be effective immediately upon adoption and effective for sixty (60) days through April 4, 2021, which may be extended by ordinance under regular procedures or, if the emergency still exists then by emergency ordinance.

This Emergency Ordinance was originally approved at the October 20, 2020 Special City Commission meeting and has been extended as needed.

RECOMMENDATION: For approval.

FISCAL IMPACT: Unknown at this time.

CONTACT PERSON: Cale Curtis, City Manager