

**City of Coral Gables Virtual Commission Meeting
April 21, 2020
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors
Commissioner Pat Keon
Commissioner Michael Mena**

City Staff

**City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia**

Public Speaker(s)

Agenda Item I-1

A Resolution of the City Commission of the City of Coral Gables, Florida, in accordance with the Florida Governor's Order 20-69, adopting Rules of Procedure for virtual Quasi-Judicial Meetings that take place during the pendency of the State of Emergency declared in Florida Governor's Executive Order 20-52.

Mayor Valdes-Fauli: City Attorney's item, I-1.

City Attorney Ramos: Yes, sir. So, if the Commission recalls, at the last meeting, we all adopted rules of procedure for virtual meetings of the City Commission, and that would apply to boards and committees as well. The exception to that is quasi-judicial boards. So, in anticipation of an item that we have that will need to go forward in May, I went ahead and drafted these rules. The big caveat is that quasi-judicial hearings are very difficult to have virtually, so this should not be taken to mean that we are now going to just open up all of our quasi-judicial meetings as we normally would and start to have virtual meetings. But rather, that we have rules in place in case

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a particular item must go forward. The rules are similar in the platform that is used and the way that notices are given. The big difference is that we have to require exhibits to be done in a particular way because they must be retrievable on Zoom and they must be available for the public to see. So, there's specifications as to that. There's also specifications as to how appeals would go forward and how they would have to be provided to the Clerk with a certain amount of days in advance. And then probably the most complicated part of the process is how the public participation testimony is taken. In quasi-judicial matters, sworn testimony is taken, unlike in other matters where there's public hearings. And so there has to be a way to do that. And based on what the courts are doing for their virtual meetings and based on best practices, we believe that you must have the person appear virtually before you're able to swear them in, that it could not be done over the phone. And so, that will be fine for those with Zoom capabilities. For those who do not have Zoom capabilities, we will have to provide a station here at City Hall with appropriate distancing so that those who wish to testify can do so from somewhere, if they're not able to do so on Zoom. Now, if they only wish to speak publicly and not have their words taken as confident and substantial evidence, that they can do on the phone. But if it's sworn testimony, it would have to be done at a computer station. And since we can't tell the difference between what's going to be one and what's going to be the other, it's all going to have to be done via Zoom. We'll take minutes, of course, as customary and a court reporter will be present in those that have court reporters present. I will state that we support some criteria for which ones would be allowed to go forward in this platform, and the criteria is as follows: If a further delay would be detrimental to the City, if the item has been previously deferred more than two times, if the item involves an educational institution or hospital, health care center or government institution, building or public works project, or if doing so is required to protect the rights of a party. Those are the criteria under which we would proceed. And even then, the party that -- whose rights are arguably affected, I would ask that they sign a waiver and indemnify the City against any procedural defects that could occur by virtue of the fact that it's a virtual meeting. So, with that I -- if you have any questions, I'm happy to answer. Otherwise, I need a vote adopting the rules.

Mayor Valdes-Fauli: Thank you, Miriam. Any comments from the Commission? Alright. Will you call the roll, Mr. Urquia?

City Clerk Urquia: Can I...

Commissioner Keon: I'll move it.

City Clerk Urquia: Have a motion, please?

Commissioner Keon: I'll move it.

City Clerk Urquia: Is there...

Commissioner Mena: Second.

City Clerk Urquia: A second?

Commissioner Mena: Second.

City Clerk Urquia: Will you call the roll, please?

Vice Mayor Lago: Yes.

Commissioner Mena: Yes.

Commissioner Fors: Yes.

Commissioner Keon: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

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