

CITY OF CORAL GABLES, FLORIDA

RESOLUTION 2023-

A RESOLUTION OF THE CITY COMMISSION SETTING FORTH A POLICY THAT THE SPONSOR OF A DISCUSSION ITEM MAY DETERMINE WHETHER PUBLIC COMMENT WILL BE ALLOWED ON UP TO THREE DISCUSSION ITEMS.

WHEREAS, as a general matter, Florida Statutes § 286.0114(2) provides that “[m]embers of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission.” The opportunity to be heard does not have to occur at the same meeting at which the official action is taken, as long as it occurs at a meeting during the decisionmaking process and is within reasonable proximity in time before the meeting at which the commission takes the official action. Fla. Stat. §286.0114(2). This requirement does not apply to (1) official acts to deal with emergency situations affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the commission not act; (2) an official act involving no more than a ministerial act, including the approval of minutes and ceremonial proclamations; (3) a meeting exempt from the requirements of the Sunshine Law; and (4) a meeting during which the commission is acting in a quasi-judicial capacity; and

WHEREAS, similarly, the Miami-Dade County Citizens’ Bill of Rights provides for a “right to appear before . . . any municipal council . . . for the presentation, adjustment or determination of an issue, request or controversy within the jurisdiction of the governmental entity involved;” and

WHEREAS, the City of Coral Gables complies with these provisions by providing for an Open Public Comment section on each City Commission agenda and providing for an opportunity to be heard before official action is taken by the Commission; and

WHEREAS, the City Commission is not required to allow public comment during discussion items during which no official action will be taken by the City Commission; and

WHEREAS, the City Commission desires to allow the Sponsor to determine whether public comment will be allowed on up to three discussion items.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission establishes a policy providing that the Sponsor of a discussion item may determine whether public comment will be allowed on up to three discussion items per each regular City Commission meeting.

SECTION 3. That except as expressly set forth herein, the Mayor retains all authority granted under the City Charter and the City Code.

SECTION 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ___ DAY OF JUNE, A.D., 2023.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

CRISTINA M. SUÁREZ
CITY ATTORNEY

