

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2020-218

A RESOLUTION OF THE CITY COMMISSION ADOPTING RULES OF PROCEDURE FOR CITY COMMISSION MEETINGS THAT TAKE PLACE DURING THE PENDENCY OF THE STATE OF EMERGENCY DUE TO THE CORONAVIRUS/COVID-19 PANDEMIC.

WHEREAS, on March 9, 2020, the Governor of the State of Florida issued Executive Order No. 20-52, declaring a state of emergency for the entire State of Florida and said order was issued in response to the Coronavirus/COVID-19 pandemic; and

WHEREAS, the Center for Disease Control and Prevention has advised that in order to slow the spread of the Coronavirus/COVID-19, individuals should adopt far-reaching social distancing measures; and

WHEREAS, in accordance with all applicable orders and rules, and after adopting Rules of Procedure, the City Commission has met in a fully-virtual format since March 31, 2020; and

WHEREAS, the City Commission now wishes to resume traditional in-person meetings, however, caution must be taken to ensure that social distancing measures are adhered to and to safeguard the health of those in attendance at traditional City Commission meetings during the pendency of the Coronavirus/COVID-19 pandemic; and

WHEREAS, the City Commission finds that if a member of the City Commission feels unsafe attending the Commission meeting in person due to the risks associated with the Coronavirus/COVID-19 pandemic, and instead wishes to attend the meeting virtually or telephonically, that is considered an "extraordinary circumstance" thereby allowing the member to attend the meeting in that fashion so long as there is a physical quorum present in the room; and

WHEREAS, the City Commission wishes to adopt Rules of Procedure for traditional in-person City Commission meetings during the pendency of the Coronavirus/COVID-19 pandemic;

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

SECTION 1. 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 hereby adopts the Rules of Procedure attached hereto as Exhibit A for traditional in-person City Commission meetings that take place during the pendency of the state of emergency due to the Coronavirus/COVID-19 pandemic. The City Attorney is authorized to make changes to the rules, consistent with the Commission's intent and in order to comply with best practices, as they are developed.

SECTION 3. That said Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIFTEENTH DAY OF SEPTEMBER, A.D., 2020.

(Moved: Lago / Seconded: Keon)

(Yeas: Keon, Lago, Mena, Fors, Jr., Valdes-Fauli)

(Unanimous: 5-0 Vote)

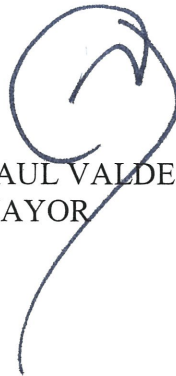
(Agenda Item: 5)

ATTEST:



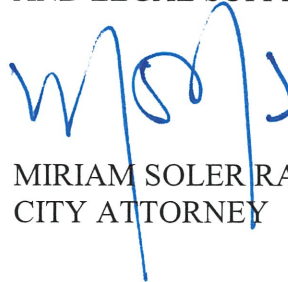
BILLY URQUIA
CITY CLERK

APPROVED:



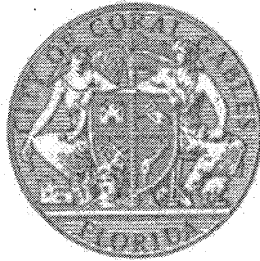
RAUL VALDES-FAULI
MAYOR

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY

RULES OF PROCEDURES FOR MEETINGS OF THE
CORAL GABLES CITY COMMISSION
(CORONAVIRUS/COVID-19)



These rules are adopted to establish procedures for meetings of the City Commission while the City remains under a declared State of Emergency due to the Coronavirus/COVID-19 pandemic and are consistent with social distancing recommendations intended to protect the life and safety of individuals in the community.¹ City Hall remains closed to the public but exception will be made for the allowance of one individual at a time to enter Commission Chambers in order to address the City Commission during the Open Public Comment portion of the City Commission meeting, on a particular item, or during a quasi-judicial public hearing.

PLATFORM:

As customary, the City Commission meeting will be streamed on the City's website at: www.coralgables.com/cgtv and Zoom will be available as an additional means for public participation.

NOTICE:

City Commission meetings will continue to be noticed in the same manner and at the same locations as all City Commission meetings are noticed (including mailed notice, as may be required by the City Code or Zoning Code). The Zoom conference number (along with instructions), for public participation, will be published on the City Commission agenda and will be included everywhere that the meeting is noticed. Additionally, instructions on how to provide a comment via e-comment and an email address will be provided everywhere that the meeting is noticed.

All notices will make clear that City Hall will be closed to the public except for the allowance of one individual at a time in order to address the City Commission during the Open Public Comment

¹ While the City remains in a State of Emergency due to the COVID-19 pandemic, the existence of the pandemic is hereby determined to constitute an "extraordinary circumstance," with regard to a Commissioner's ability to attend the meeting virtually/telephonically. (See AGO 03-41)

portion of the City Commission meeting, on a particular item, or during a quasi-judicial public hearing.

All notices will provide that any person needing an accommodation should contact the City's ADA Coordinator, Raquel Elejabarrieta at: 305-722-8686, TTY/TDD 305-442-1600 or relejabarrieta@coralgables.com.

STAFF/PUBLIC PARTICIPATION:

Members of City staff presenting an item on the agenda should enter the Commission chambers one at a time to present the item and promptly exit the chambers after the presentation is complete.

The public may comment on any item on the agenda using the Zoom platform. The public may also address the City Commission in person. A member of the public who wish to address the City Commission in person should pre-register at: www.coralgables.com/commissionmeetings at least one hour prior to the beginning of the City Commission meeting, indicating the item(s) he/she wishes to speak on. Once the person arrives at City Hall, he/she must check in with a City representative and undergo screening which will include a temperature and symptom check. He/she shall then proceed to wait in his/her car or outdoors (while wearing a facial covering/mask and maintaining 6-feet of separation from others). When the item the person wishes to speak on is called, the individual will be notified via text message, and the individual will be escorted to City Commission chambers. In accordance with applicable emergency orders, once the individual has addressed the City Commission, he/she shall promptly exit the building and will be escorted out by a City representative. A facial covering/mask must be worn at all times. If an individual wishes to speak on more than one item, he/she must wait in the car or outdoors, as described above, until the next item is called and shall then follow the same process for the additional item(s).

In addition, the public may comment on an item on the agenda, prior to the beginning of the meeting, using the City's already-established e-comment function which may be found on the City's website at: www.coralgables.com/commissionmeetings or by emailing cityclerk@coralgables.com.

Before each item is voted on, the Mayor will allow for public comment using Zoom or in person. In addition, the Mayor will request that the City Clerk read any e-comments or emails relating to that particular item into the record.

As Chair of the City Commission, the Mayor may exercise his or her authority to limit the length of time provided to an individual for public comment. In addition, the Mayor may preserve decorum and order in accordance with section 2-78(a)(4) of the City Code.

A phone number and email address will be provided for individuals who may have questions on how to access the meeting or participate in the meeting, prior to the date of the meeting.

Quasi-Judicial Hearings:

An applicant or applicant's representative presenting an application may remain in the City Commission Chambers throughout the entire quasi-judicial hearing on the item in order to be able to direct and cross examine witnesses and to answer any questions that may arise.

One witness may be present at a time and shall be sworn in prior to providing testimony. All witnesses who appear in person shall follow the procedure detailed above.

Any witness that is not present and wishes to provide testimony must appear by video conference. A computer with Zoom capabilities will be available for those that wish to testify as part of the hearing but do not have the ability to remotely participate in the hearing by video conference. The location of said computer will be specified in the notice of the hearing. The City Clerk or court reporter shall administer the oath to any individual who is appearing by video conference and shall establish the identity of the witness on the record.

In addition, comments to be considered during the hearing may be provided prior to the beginning of the meeting, using the City's already-established e-comment function which may be found on the City's website at: www.coralgables.com/commissionmeetings or by emailing cityclerk@coralgables.com.

The Mayor will allow for public comment physically and using Zoom after the parties have concluded the presentation of their cases and before a vote is taken. Anyone who wishes to provide public comment in person shall follow the procedure detailed above.

In addition, the Mayor will request that the City Clerk or board liaison read any e-comments or emails sent about the matter that is the subject of the hearing into the record. However, those comments standing alone are not sworn and do not qualify as competent substantial evidence on which the quasi-judicial board may rely, except that they may be considered if they support sworn testimony that is considered competent substantial evidence. The failure to read a comment shall not have any impact on the validity of the final determination.

The Mayor may exercise his or her authority to limit the length of time provided to an individual for public comment. In addition, the Mayor may preserve decorum and order in accordance with Section 2-78(a)(4) of the City Code.

A phone number and email address will be provided for individuals who may have questions on how to access the meeting or participate in the meeting, prior to the date of the meeting. A City employee will be present during the meeting at the location of the computer to assist the public with its use.

MINUTES:

Minutes and a recording of the meeting will be kept as customary.