

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. \_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, IN ACCORDANCE WITH THE FLORIDA GOVERNOR'S EXECUTIVE ORDER 20-69 (AS AMENDED), ADOPTING RULES OF PROCEDURE FOR HYBRID MEETINGS OF THE CITY COMMISSION AND CITY BOARDS THAT TAKE PLACE DURING THE PENDENCY OF THE STATE OF EMERGENCY DUE TO THE CORONAVIRUS/COVID-19 PANDEMIC**

**WHEREAS**, it is well established in opinions issued by the Florida Attorney General that in order to establish a quorum, the requisite number of members must be physically present in the room and, that if a quorum is physical present, the participation of an absent member by telephone/video is permissible due to extraordinary circumstances; 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**, finding it necessary and appropriate to take action to ensure that Coronavirus/COVID-19 remains controlled and that residents and visitors in Florida remain safe and secure, on March 20, 2020, the Governor of the State of Florida issued Executive Order No. 20-69 ("Order") suspending any Florida Statute, "that requires a quorum to be present in person or requires a local government body to meet at a specific public place;" and

**WHEREAS**, the Order also expressly permits local government bodies to utilize communications media technology, such as telephonic and video conferencing, as provided in section 120.54(5)(b)(2), F.S.; and

**WHEREAS**, the Order does not waive any other requirement under the Florida Constitution or "Florida's Government in the Sunshine Law," including Chapter 286, F.S.; and

**WHEREAS**, the Order requires that local government bodies adopt rules of procedure for virtual meetings, in accordance with section 120.54(5)(b)(2), F.S.; and

**WHEREAS**, on March 31<sup>st</sup> the City Commission adopted Rules of Procedure for virtual meetings and on April 21<sup>st</sup> the City Commission adopted Rules of Procedure for virtual quasi-judicial meetings; and

**WHEREAS**, since March 31<sup>st</sup> the City Commission has been meeting in a fully virtual format; and

**WHEREAS**, the City Commission now wishes to move into a hybrid format where a quorum of the members of the City Commission is physically present in the room, while applicants and the public attend the meeting virtually; 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 Order (as amended) is set to expire on October 1<sup>st</sup> and if it is not extended by the Governor, it will require the City Commission to meeting in person with a quorum present in the room; and

**WHEREAS**, the City Commission wishes to adopt Rules of Procedure for hybrid meetings of the City Commission and other city boards;

**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 in accordance with the Order, Chapter 252, F.S., and Section 120.54, F.S., the City Commission hereby adopts the Rules of Procedure attached hereto as Exhibit A for hybrid City Commission meetings that take place during the pendency of the state of emergency declared in the Governor’s Executive Order 20-52. 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.

APPROVED:

ATTEST:

RAUL VALDES-FAULI  
MAYOR

BILLY URQUIA  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS  
CITY ATTORNEY