



City of Coral Gables
CITY COMMISSION MEETING
April 21, 2020

ITEM TITLE:

Resolution. A Resolution of the City Commission of the City of Coral Gables, Florida, in accordance with the Florida Governor's Executive 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.

BRIEF HISTORY:

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. Said order was issued in response to the Coronavirus/COVID-19 emergency. Coronavirus/COVID-19 spreads easily from person-to-person. Consequently, the Center for Disease Control and Prevention issued guidelines in order to slow the spread of the virus. Said guidelines advised that individuals should adopt far-reaching social distancing measures.

Adhering to social distancing posed a problem for government bodies as 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 physically present, the participation of an absent member by telephone/video is permissible due to extraordinary circumstances. Recognizing the need for a local government body to meet while still adhering to principles of social distancing, on March 20, 2020, the Governor issued Executive Order No. 20-69, suspending the present-in-the-room quorum requirement and expressly allowing for local government bodies to utilize telephonic/video conferencing to hold meetings.

Executive Order No. 20-69 requires that local government bodies adopt rules of procedure for virtual meetings in accordance with section 120.54(5)(b)(2), F.S. At the March 31st City Commission meeting, the Commission approved Rules of Procedure for virtual meeting. However, given the uncertainty that exists regarding when it will be safe to allow in-person meetings will resume, it may become necessary to have virtual quasi-judicial meetings/hearings. The nature of virtual meetings makes it difficult to ensure strict compliance with all the legal requirements associated with quasi-judicial meetings. Consequently, virtual quasi-judicial hearings will only be scheduled where doing so is required by law, doing so will avoid further delays that may be detrimental to the City, the item has been previously deferred more than two (2) times, the item involves an educational institution, hospital/healthcare center, or governmental institution, building, and public works projects, or doing so is required to protect the rights of a party.

Accordingly, this resolution ratifies and adopts Rules of Procedure for Virtual Quasi-Judicial meetings/hearings.

ATTACHMENT(S):

- 1. Draft Resolution**
- 2. Draft Rules of Procedure for Virtual Meetings (to be provided via email prior to the date of the City Commission meeting)**