

## **RESOLUTION 20R-05-88**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL ESTABLISHING COMMUNICATIONS MEDIA TECHNOLOGY (CMT) PROCEDURES TO BE USED DURING CITY COMMISSION MEETINGS AND EXPANDING THE AUTHORITY FOR SUCH PROCEDURES TO BE USED DURING OTHER CITY PUBLIC MEETINGS DEEMED TO BE ESSENTIAL, AS DETERMINED BY THE CITY MANAGER, WHILE THE CITY OF LAUDERHILL REMAINS UNDER A DECLARED STATE OF EMERGENCY REGARDING COVID-19; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, DESORAE GILES-SMITH)**

WHEREAS, on March 9, 2020, Governor Ron DeSantis signed Executive Order No. 20-52, thereby declaring a public health emergency in the State of Florida due to public health threat resulting from the spread of the Novel Coronavirus Disease 2019 ("COVID-19"); and

WHEREAS, on March 10, 2020, Broward County Administrator Bertha Henry declared a state of emergency in Broward County; and

WHEREAS, on March 10, 2020, at 2:40 p.m., the Interim City Manager of the City of Lauderhill (the "City") first declared a state of emergency by issuing SOE 20-02 pursuant to Chapter Section 8½-1 of the City Code, Florida Statute Chapter 252, and has issued weekly extensions of this declaration; and

WHEREAS, numerous emergency orders have been issued in the interim by the United States, the State of Florida, Broward County, and the City of Lauderhill

regarding various aspects of COVID-19; and

WHEREAS, numerous emergency orders have been issued specifically to slow the spread of the virus and adopting far-reaching social distancing measures, such as working from home and avoiding gatherings of more than 10 people which remain in effect today; and

WHEREAS, on March 20, 2020, Governor Ron DeSantis signed Executive Order No. 20-69 ("E.O. 20-69"), thereby suspending any statutory requirement that a physical quorum be present in order to conduct a meeting of a local government body; and

WHEREAS, the E.O. 20-69 further authorized meetings of a local government body to utilize communications media technology ("CMT"), such as telephonic and video conferencing, as provided in Section 120.54(5)(b)(2), F.S., to conduct a public meeting; and

WHEREAS, on April 29, 2020, Governor Ron DeSantis signed Executive Order No. 20-112, which extended E.O. 20-69, (hereinafter both collectively referred to as "the Orders") to continue to suspend the statutory requirement that a physical quorum be present and to continue to authorize CMT to conduct a meeting of a local government body; and

WHEREAS, Florida Statutes, Sections 252.38, and 252.46, and City Code Section 8½-4, grants the City of Lauderhill certain powers during a declared state of emergency, with the Interim City Manager identified as the official designated official to declare said powers and is authorized to make such orders or rules that are necessary for emergency management purposes;

WHEREAS, the City Commission seeks to conduct meetings consistent with the Orders and fully compliant with the Sunshine Law, and to provide the utmost transparency and opportunity for public access and participation while ensuring that all necessary and appropriate steps are taken to protect the health, safety and welfare of the citizens and residents of the City and to allow the City Manager to make the determination if other city public meetings are deemed essential to be conducted following the same CMT procedures during the state of emergency; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. That the City Commission of the City of Lauderhill, pursuant to the Governor of Florida's Executive Order No. 20-69, dated March 20, 2020, and subsequent Executive Order No. 20-112, dated April 29, 2020, ("The Orders"), and the authority set forth in Florida Statutes, Chapter 252, and Chapter 8½ of the City Code of Ordinances, and all other applicable laws, hereby adopts the following procedures for City Commission meetings and other public meetings of the City, as may be determined by the Interim City Manager to be deemed essential, utilizing communications media technology:

- A. Notice for all "virtual" meetings of the City Commission shall be prepared and posted in accordance with Section 120.54(5)(b)(2), F.S., and Ch. 28-109, F.A.C., along with the City's Code of Ordinances and other applicable local and state law.
- B. Members of the City Commission and City staff may attend meetings remotely utilizing CMT. The City's IT Department shall assist to ensure that all

members of the City Commission and necessary City staff, as determined by the Interim City Manager, have access to the City Commission meeting. Pursuant to the Orders, a physical quorum of the City Commission is not legally required to hold a meeting and conduct official business. In the event that a physical quorum is not present, a virtual quorum shall be required in order to hold a meeting and conduct official business. If a quorum of the City Commission cannot be obtained, the Interim City Manager has the authority to make the decision which would normally require an act of the city commission, pursuant to City Code Section 8 ½-2, and the action shall then be ratified by the City Commission at the first regular or special meeting following when the decision was made.

- C. City Hall, at the discretion of the Interim City Manager, may remain closed to the public. During the time that City Hall remains closed to the public, the public shall not be permitted to physically attend meetings of the City Commission. This restriction is intended to ensure compliance with the CDC recommendation to avoid gatherings of more than ten (10) people.
- D. Any member of the public wishing to comment publicly on any matter, including on items on the agenda, may submit their comments by email to the City Clerk's office at [public@lauderhill-fl.gov](mailto:public@lauderhill-fl.gov) or may complete a Public Meeting Comment Submission Form online at [www.lauderhill-fl.gov/public](http://www.lauderhill-fl.gov/public) no later than 24-hours prior to the start of the meeting. All comments submitted by email or online form that are three minutes or less shall be read into the record. All comments submitted by email or online shall be made a part of the public record. Public comments may also be submitted online, during the meeting, through Facebook Live at [LauderhillLive.com](http://LauderhillLive.com) or via the City's official Facebook page @cityoflauderhill. If any member of the public requires

additional information about this City Commission meeting or has any questions about how to submit a public comment at the meeting, please contact:

**City Clerk**  
**City of Lauderhill**  
**5581 W. Oakland Park Boulevard**  
**Lauderhill, FL 33313**  
**954-730-3010**  
**Clerk@lauderdale-fl.gov**

- E. All action of the City Commission shall be taken by a roll call vote.
- F. If, at any point during the City Commission meeting, the technology fails or if the technology is insufficient to permit all interested members of the public to attend, the City Commission meeting shall cease immediately until such problems have been resolved.

SECTION 2. This Resolution shall take effect immediately upon its passage.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

PASSED AND ADOPTED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

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PRESIDING OFFICER

ATTEST:

\_\_\_\_\_  
CITY CLERK

MOTION \_\_\_\_\_

SECOND \_\_\_\_\_

M. BATES \_\_\_\_\_

H. BERGER \_\_\_\_\_

R. CAMPBELL \_\_\_\_\_

D. GRANT \_\_\_\_\_

K. THURSTON \_\_\_\_\_

Approved as to Form

\_\_\_\_\_  
W. Earl Hall  
City Attorney