

MAYORAL EXECUTIVE ORDER 05-2020

PUBLIC MEETING PROCEDURES

(Communications Media Technology)

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

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

On March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic; and

On March 19, 2020 a State of Emergency was declared in the City of Plantation relating to COVID-19; and Since the outbreak of COVID-19 numerous local governments and multiple states have adopted various versions of “stay at home” and “safer at home” orders. These orders are designed to protect the health and well-being of the community, to create social distancing, and to minimize contact in an effort to limit community spread of COVID-19; and

On March 26, 2020, Mayor Stoner issued Mayoral Executive Order 02-2020 (Safer at Home) directing residents to stay at home; and

On March 30, 2020, Governor Ron DeSantis issued Executive Order No. 20-89 restricting public access to businesses and facilities deemed non-essential in Miami-Dade County, Broward County, and Palm Beach County; and

On April 1, 2020, Governor Ron DeSantis issued Executive Order No. 20-91 imposing a statewide Safer at Home Order; and

On March 20, 2020, Governor Ron DeSantis issued Executive Order No. 20-69 (the “Order”), thereby suspending any statutory requirement that a physical quorum be present in order to conduct a meeting of a local government body; and

The Order further authorizes 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.

The City of Plantation should conduct any public meeting pursuant to section 286.011 F.S utilizing CMT consistent with the Order and fully compliant with the Sunshine Law, and 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.

In accordance with section 4. D. of Governor Ron DeSantis’ Executive Order No. 20-52, the City of Plantation is authorized to waive the procedures and formalities otherwise required by law.

Pursuant to the City Charter, Section 252.46, Florida Statutes, and section 2-452 et. seq., of the City’s code of ordinances, the Order, and all other applicable laws, the Mayor has the power to issue emergency orders with the force of law. **IT IS HEREBY ORDERED:**

Section 1. The City of Plantation hereby adopts the following procedures for public meetings, including but not limited to meetings of the City Council, Boards, Committees, and staff meetings pursuant to section 286.011 F.S. utilizing communications media technology:

- 1) Notice for all “virtual” meetings 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.

- 2) The Mayor and Members of the City Council, Boards, Committees, and City staff may attend meetings remotely utilizing CMT. The City's IT Department shall assist to ensure that the Mayor and all members of the City Council, Boards, Committees, and necessary City staff, as determined by the Mayor, have access to the public meeting. Pursuant to the Order, a physical quorum of the City Council, Board, Committee, or City staff meeting required to comply with section 286.011, F.S. is not 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.
- 3) City Hall, and other City buildings, at the discretion of the Mayor, may be closed to the public. In the event that City Hall or other City buildings are closed to the public, the public shall not be permitted to physically attend meetings of the City Council, Board, Committee, or City staff. This restriction is intended to ensure compliance with the CDC recommendations and Mayoral Executive Order 02-2020 prohibiting gatherings of more than ten (10) people.
- 4) PUBLIC COMMENT PROCEDURES:

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 sslattery@plantation.org. All comments submitted by email that, if read orally, are three minutes or less shall be read into the record. All comments submitted by email shall be made a part of the public record. Public comments may also be submitted during the meeting, through Zoom Technology. Any member of the public who wishes to provide public comments virtually, may do so by submitting

a written statement to sslattery@plantation.org. Any comments received by 12:00 pm the day prior to the meeting will be read during the public comment period.

To ensure public comments are read at the proper meeting, the email must include:

- a) The date of the meeting comments are intended for;
- b) Your Name;
- c) Whether or not you live in the City of Plantation; and
- d) Agenda items and/or subject your comments refer to.

Emails without this information may not be read into the record at the meeting. Three minutes are allowed for comments. A dial in phone number will also be provided for public comment by phone. In accordance with normal procedure, messages of an overly repetitive or inappropriate (vulgarity) nature may be declined to be read. 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:

Susan Slattery, City Clerk
City of Plantation
City of Plantation
401 NW 70 Terrace
Plantation, FL 33317
(954) 797-2719
sslattery@plantation.org.

- 5) QUASI-JUDICIAL PROCEDURES (to be determined at a later date pursuant to a subsequent order)

- 6) All actions of the City Council, Board, Committee, or City staff shall be taken by a roll call vote. If during any virtual public meeting, the technology utilized by the City fails or if such technology is insufficient to permit all interested members of the public to attend, the virtual public meeting shall cease immediately until such problems have been resolved.

Section 2. Notwithstanding anything contained to the contrary in the City of Plantation Charter, Code of Ordinances, uncodified ordinances, rules, regulations or policies, any requirement that a physical quorum be present for public meetings of the City Council, Boards, Committees, and staff required to be public pursuant to section 286.011 F.S. utilizing communications media technology is hereby suspended.

Section 3. This Emergency Order is effective immediately and shall remain in full force and effect as long as Governor Ron DeSantis' Executive Order No. 20-69 is in effect, as may be amended and extended.

Section 4. Mayoral Executive Order 03-2020 is hereby terminated and of no further force or effect.

ORDERED ON AND FILED WITH THE CLERK OF THE CITY OF PLANTATION ON APRIL 22, 2020.

Ordered by: 
Lynn Stoner, Mayor