

DELRAY BEACH CITY COMMISSION
MEETING PROCEDURES COMMUNICATIONS MEDIA TECHNOLOGY

WHEREAS, on March 9, 2020, Governor Ron Desantis promulgated Executive Order No. 20-52, declaring a public health emergency in the State of Florida due to Novel Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, on March 13, 2020, the City of Delray Beach declared a local state of emergency pursuant to Chapter 95 of the City of Delray Beach Code of Ordinances; and

WHEREAS, on March 20, 2020, Governor Desantis signed Executive Order 20-69 (hereinafter referred to as “EO 20-69”) suspending any Florida Statute requiring a quorum to be present in person or requiring a local government body to meet at a specific place; and

WHEREAS, EO 20-69 authorizes local government bodies to utilize communications media technology (“CMT”), such as telephonic and video conferencing, as provided in Section 120.54(5)(b)(2), Florida Statutes, to conduct a public meeting; and

WHEREAS, the City Commission of the City of Delray Beach seeks to conduct meetings consistent with the EO 20-69, the Florida Constitution, and “Florida’s Government in the Sunshine Law,” in order to ensure access and provide a means for participation to the public; and

NOW THEREFORE, the City Commission, pursuant to Executive Order 20-69, the authority set forth in Ch. 252, and Chapter 95 of the Delray Beach Code of Ordinances, and all other applicable laws, hereby adopts the following procedures for City Commission meetings utilizing communications media technology:

Section 1. Notice for all meetings of the City Commission utilizing CMT shall be prepared and posted in accordance with Section 120.54(5)(b)(2), Florida Statutes, and Ch. 28-109, F.A.C., along with the City’s Code of Ordinances and other applicable local and state law.

Section 2. Members of the City Commission and City staff may attend meetings remotely utilizing CMT. The City’s IT Department shall ensure that all members of the City Commission and necessary City staff, as determined by the City Manager, have access to the City Commission meeting. Pursuant to EO 20-69, a physical quorum of the City Commission is not legally required to hold a meeting and conduct official business. In order to hold a meeting and conduct official business, either a physical quorum or virtual quorum is required.

Section 3. City Hall, at the discretion of the City Manager, may be closed to the public. In the event that City Hall is 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 CDC guidelines to avoid gatherings of more than ten (10) people.

Section 4. Any member of the public wishing to comment publicly on any matter, including public comment or public hearing items, may submit their comments by dialing (561)243-7555 and leaving a voicemail message that will be played during the City Commission meeting.

Comments submitted by voicemail will be played during the meeting and made a part of the public record if such comments are three (3) minutes or less. Public comment on quasi-judicial items and items that have been set for a formal public hearing shall only be allowed when those items are specifically heard by the Commission.

All public comments must be addressed to the Commission as a body and not to individual Commissioners or staff. Personal verbal attacks upon Commissioners and/or staff will not be tolerated. Members of the public shall refrain from making comments that are impertinent, obscene, personally insulting, defamatory, or slanderous remarks.

If any member of the public requires additional information about this procedure, please contact:

Katerri Johnson, City Clerk
City of Delray Beach
200 N.W. 1st Avenue
Delray Beach, FL 33444
561-243-7051
ckagendacomment@mydelraybeach.com

Section 5. All action of the City Commission shall be taken by a roll call vote.

Section 6. If, at any point during the City Commission meeting, there is a failure of the CMT or if the CMT is insufficient to permit all interested members of the public to attend and participate, the City Commission meeting shall cease immediately until such technological problems have been resolved.

Approved by the City Commission of the City of Delray Beach, Florida, on the _____ day of May, 2020.

Shelly Petrolia, Mayor

ATTEST:

Katerri Johnson, CMC
City Clerk

Approved as to Form and Legal Sufficiency:

Lynn Gelin, City Attorney