

DELRAY BEACH CITY COMMISSION MEETING PROCEDURES
DURING COVID-19 STATE OF EMERGENCY DATED OCTOBER 20, 2020

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, which has been extended several times and is currently scheduled to expire on November 1, 2020, authorized 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, on May 5, 2020, the City Commission adopted meeting procedures utilizing communications media technology (CMT) pursuant to the directives in EO 20-69; and

WHEREAS, on September 25, 2020, Governor Desantis issued Executive Order 20-244 moving all Florida counties into Phase 3, providing that no COVID-19 emergency ordinance prevent an individual from working or from operating a business, providing that restaurants, including any establishment with a food service license not be limited by a COVID-19 order to less than fifty percent (50%) of their indoor capacity and imposing certain requirements if such an establishment is limited to less than one hundred percent (100%) of its indoor capacity; and suspending the collection of fines and penalties associated with COVID-19 enforced upon individuals; and

WHEREAS, on September 29, 2020, the Palm Beach County Commission, through the County Administrator, issued Emergency Order Number 28 providing for Phase 3 Reopening in Palm Beach County consistent with the Governor’s mandates; and

WHEREAS, on October 9, 2020, Interim City Manager executed Resolution 186-20, repealing and replacing all Resolutions pertaining to COVID-19 restrictions with the exception of Resolution 176-20 relating to facial covering directives; and

WHEREAS, the City Commission recognizes that the COVID-19 pandemic still affects communities on a local, county, national and international level and further recognizes that interventions such as facial covering directives and social distancing mandates are necessary measures to protect the health, safety, and welfare of the citizens of Delray Beach and the public at large; and

WHEREAS, the City Commission of the City of Delray Beach, in anticipation of the expiration of EO 20-69 on November 1, 2020, seeks to resume live meetings in its Commission

Chambers in accordance with the guidelines of health care professionals and the Centers for Disease Control and Prevention (CDC) while ensuring compliance with the Florida Constitution and “Florida’s Government in the Sunshine Law,”

WHEREAS, the City Commission adopts the following procedures in order to provide access and means for participation while protecting the health, safety, and welfare of City staff, residents and the public during its meetings.

NOW THEREFORE, the City Commission adopts the following procedures for City Commission meetings:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The City Commission hereby adopts in its entirety the recommendations made by Interim City Manager Jennifer Alvarez in the Memorandum dated October 15, 2020, attached hereto and incorporated herein as Exhibit “A.”

Section 3. Traditional in-person meetings will resume in the City Commission Chambers (“Chambers”) subject to maintaining certain protocols. Seating in the Chambers will be limited to no more than thirty-six (36) persons to allow for adequate social distancing. The City will provide an overflow space for those members of the public denied entry into the Chambers in the event that the space limitations set forth herein are exceeded.

Section 4. All persons desiring to enter City Hall will be screened prior to their entry.

- A. Screening shall include answering a six (6) question COVID-19 questionnaire and submitting to facial temperature screening. Temperature must be below 100.0 in order for an individual to be permitted entry.
- B. Proper social distancing is required at all times.
- C. All individuals must wear masks and their wrist bands at all times.
- D. Food and drink are not permitted in the Chambers and/or the overflow area.
- E. A wrist-band will be provided once the screening process is concluded and staff has determined that entry shall be granted.

Section 5. Any member of the public wishing to comment publicly on any matter must sign up during the screening process at the City Clerk’s table.

Section 6. Failure to adhere to the foregoing may result in removal from the Chambers and/or overflow area.

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

Shelly Petrolia, Mayor

ATTEST:

Katerri Johnson, CMC
City Clerk

Approved as to Form and Legal Sufficiency:

Lynn Gelin, City Attorney