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WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19;

WHEREAS, on March 9, 2020, by Executive Order 20-52, the Governor of Florida declared a state of emergency for the entire State of Florida as a result of COVID-19;

WHEREAS, on March 16, 2020, the President of the United States and the Centers for Disease Control and Prevention (CDC) recommended individuals to practice significant social distancing measures including but not limited to working from home and avoiding gatherings of more than 10 people;

WHEREAS, on March 16, 2020, Alachua County issued Proclamation 20-01 Declaration of State of General Emergency as a result of COVID-19;

WHEREAS, on March 16, 2020, the Mayor of Gainesville issued Executive Order No. 2020-01 Declaration of Pandemic Emergency (COVID-19);

WHEREAS, effective on March 24, 2020, Alachua County issued Emergency Order No. 2020-09 titled “Stay at Home and Close all Non-Essential Businesses in Alachua County, Florida”;

WHEREAS, on March 20, 2020, as a result of the sustained Pandemic Emergency and in recognition that local government bodies will need to conduct public business in a manner that protects the public health and follows the CDC guidance, the Governor of Florida issued Executive Order 20-69 suspending any Florida Statute requiring that a physical quorum be present at a specific public place for a local government body to meet and authorizing local government bodies to utilize communications media technology, such as telephonic and video conferencing as provided in Section 120.54(5)(b)2, Florida Statutes, to conduct virtual public meetings, provided all other requirements of the law are met;

WHEREAS, as regards rules and a quorum, 2.06 of the City Charter titled “Commission as judge of qualifications of members; election of mayor-commissioner pro tempore; rules of procedure; punishment of members for misconduct; and quorum” states in relevant part “. . . The commission may determine its own rules of procedure A majority of all the members of the commission constitutes a quorum to do business but a smaller number may adjourn;”

WHEREAS, as regards taking official action, 2.07 of the City Charter titled “Commission actions; majority vote necessary for adoption of ordinances and resolutions” states “The commission shall act by motion, proclamation, resolution, or ordinance. Unless otherwise provided in this act or by law, a motion or a proclamation is adopted when approved by the votes of

1 a majority of the members present, and an ordinance or resolution is adopted when approved by
2 the votes of four or more members;”

3
4 WHEREAS, the City Code of Ordinances do not create any additional quorum or location of
5 meeting requirements; and

6
7 WHEREAS, the current City Commission Rules adopted by Resolution No. 180943 reference the
8 above City Charter provisions and do not create any additional quorum or location of meeting
9 requirements.

10
11 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
12 GAINESVILLE:

13
14 **SECTION 1. Supplemental Rules.** The following are adopted as Supplemental Rules of
15 Procedure to govern virtual meetings pursuant to the above authority:

16
17 1. **Purpose and effect:** The City Commission adopts these Supplemental Rules to provide
18 written notice of how virtual (i.e., not held in-person at a physical location) public meetings
19 of the City Commission will be conducted in accordance with Florida law during the
20 duration of the Declared State of Emergency for the COVID-19 Pandemic. Upon
21 adoption, the City Commission may conduct any of its meetings (e.g., Emergency
22 Meetings, Regular Meetings, Special Meetings, Workshop Meetings and/or Committee
23 Meetings) as virtual meetings through the use of phone and/or video conferencing
24 (including use of any software platforms) in accordance with this Resolution, Resolution
25 No. 180943 and applicable Florida law.

26
27 2. **Notice of Meeting:** Virtual meetings shall be noticed on the City’s Notice of Meetings
28 which will be made available for viewing at
29 <http://www.cityofgainesville.org/ClerkOfTheCommission/NoticeofMeetings.aspx> and
30 posted (visible from the outside) at the lobby of City Hall by 5pm the Friday before each
31 work week. The Notice of Meetings shall:

32
33 (a) List the meetings that will be held the following work week and identify those that will
34 be virtual meetings.

35
36 (b) Identify the public access points for viewing/listening to the virtual meetings, including
37 TV broadcast on Cox Channel 12, live stream on the internet at
38 [https://www.cityofgainesville.org/CommunicationsOffice/Community12TV/LiveWeb](https://www.cityofgainesville.org/CommunicationsOffice/Community12TV/LiveWebStreaming.aspx)
39 [Streaming.aspx](https://www.cityofgainesville.org/CommunicationsOffice/Community12TV/LiveWebStreaming.aspx) , and links to any Facebook live feed, or software platform used for a
40 meeting. If a software platform is being used, include instructions on how to access
41 the meeting for free on that platform.

1 (c) Explain how the public can participate in the meetings by submitting written or verbal
2 public comment.

3
4 (d) Provide a contact person's email and phone number that members of the public may
5 contact during the meeting to report issues with the technology the City's is using (not
6 the technology members of the public are using) to provide public access (viewing,
7 listening and/or commenting) to the meeting.

8
9 (e) State that "Persons with disabilities who require assistance to participate in the
10 meetings are requested to notify the Equal Opportunity Office at 352-334-5051, or call
11 the TDD phone line at 352-334-2069 at least two business days in advance of the
12 meeting. If an American Sign Language interpreter is being requested, the request
13 must be made at least four business days in advance of the meeting"

14
15 3. **Agenda Items:** Each Charter Officer may submit agenda items (together with back-up
16 materials, if any) to the Clerk for inclusion on the agenda. Agenda items shall be limited
17 to essential business (this means business that the Charter Officer determines needs to be
18 conducted at this time.) Any Commissioner who desires to place an item on an agenda
19 should work through the appropriate Charter Officer to determine whether the item is
20 essential and what agenda it may be placed on.

21
22 4. **Deadlines for Agenda Items /Backup and Publication:**

23
24 (a) For Regular Commission Meetings and Regular Committee Meetings, agenda items
25 and back-up must be submitted to the Clerk one week and two days prior to the meeting
26 (for example, for a Thursday meeting, the agenda items must be submitted to the Clerk by
27 5pm on the Tuesday of the week before the Thursday meeting.) The Clerk will finalize the
28 agenda and publish it on the City's website at
29 <https://gainesville.legistar.com/Calendar.aspx> one week prior to the meeting date (for
30 example, for a Thursday meeting, the agenda will be published by 5pm on the preceding
31 Thursday.)

32
33 (b) For Special Meetings and Workshops, agenda items and back-up must be submitted to
34 the Clerk by noon three business days prior to the meeting and the Clerk will finalize the
35 agenda and publish it on the City's website at
36 <https://gainesville.legistar.com/Calendar.aspx> by 5pm that day (for example, for a
37 Wednesday Special Meeting, the agenda items are due by noon on the Friday before and
38 the Clerk will publish the agenda by 5pm on that Friday.)

39
40 (c) After publication on the website - NO MODIFICATIONS will be made to the agenda –
41 this means no new agenda items or new back-up may be added and no revisions to existing
42 items or existing back-up may be made, unless necessary to correct errors or incorrect
43 information in the agenda item or back-up.

- 1
2 5. **Quorum/voting requirements:** A Commissioner is considered “present” for purposes of
3 the quorum and voting requirements in 2.06 and 2.07 of the City Charter if they are present
4 in the virtual meeting via the phone or video conferencing technology. Each vote on a
5 motion will be taken by roll call vote (this means the Commissioner will state their name,
6 or the Clerk will read their name, and the Commissioner will then cast their voice vote
7 (e.g., yes or no).
8
9 6. **Order of Business for Regular Meetings:** The order of business for regular meetings will
10 be conducted in an abbreviated format as follows:
11

Call to order	
Adoption of the Consent Agenda	Public Comment will be taken prior to the Commission vote on the entire consent agenda
Adoption of the Regular Agenda	Public Comment will be taken prior to the Commission vote
Business Discussion Items	Public Comment will be taken on each agenda item prior to the Commission vote
Resolutions	Public Comment will be taken on each Resolution prior to the Commission vote
Ordinances	Public Comment will be taken on each Ordinance prior to the Commission vote
Necessary Direction to Charter Officers	This section is to allow any member of the Commission to discuss a time sensitive/ essential matter with the entire Commission and provide necessary direction on that matter to the Charter Officer(s). Public comment will be taken on each matter prior to any Commission vote.
Adjourn	

- 12
13
14 7. **Public comment:** Public comment will be taken only on agenda items, there will be no
15 general public comment. To ensure the Commission has adequate time to consider public
16 comment, the public is encouraged to submit all agenda item comment in writing in
17 advance of the meeting. The Commission finds that the below listed means of submitting
18 public comment provides the public with a “reasonable opportunity to be heard” as
19 required by Section 286.0114(2), Florida Statutes, given the extraordinary circumstances
20 of the COVID-19 Pandemic.
21
22 (a) Written public comment will be accepted in advance of the meeting and during the
23 meeting via “e-comment” at <https://gainesville.legistar.com/Calendar.aspx>;

(b) Written public comment will be accepted in advance of the meeting and during the meeting via citycomm@cityofgainesville.org ; and

(c) Verbal public comment will be accepted by phone by calling the number provided on the Notice of Meetings.

8. **General Commissioner Comment:** Commissioner comment will be taken only on agenda items and during the “Necessary Direction to Charter Officers” portion of the meeting, there will be no general Commissioner comment.

9. **Minutes:** The Clerk will prepare meeting minutes and the minutes will be available for public inspection at <https://gainesville.legistar.com/Calendar.aspx>.

10. **Technology issues:** In the event issues arise with the technology the City is using to conduct the virtual meeting and such issues render the public unable to view or listen to the meeting and/or participate in public comment, the virtual meeting will be continued, recessed or adjourned (in the discretion of the presiding officer) until such time as the issue has been resolved. This does not apply to technology issues that a member of the public may experience as a result of the technology or equipment that person is using to access the meeting.

11. **Waiver of these rules:** These rules (except those that are required by law or those that involve notice) may be waived by a 2/3rds vote of the members present at a meeting.

SECTION 2. Severability. If any word, phrase, clause, paragraph, section, or provision of this resolution or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding will not affect the other provisions or applications of this resolution that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this resolution are declared severable.

SECTION 3. Conflicting Provisions Suspended. All other ordinances, resolutions, policies, procedures, or rules in conflict herewith are to the extent of such conflict hereby and temporarily suspended throughout the effective duration of this resolution. These rules, during the time they are in effect, supplement and, to the extent of conflict, waive and supersede the City Commission Rules adopted by Resolution No. 180943.

SECTION 4. Effective Date and Duration. This resolution will become effective immediately upon adoption. In accordance with the Governor’s Executive Order 20-69, this resolution will remain in effect during the time that Executive Order 20-52 is in effect (currently until May 8, 2020), including any extensions issued by the Governor of Florida, unless this Resolution is earlier repealed by the City Commission.

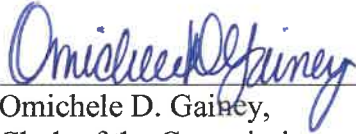
Adopted April 16, 2020.



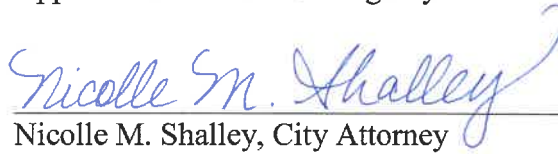
Lauren Poe, Mayor

ATTEST:

Approved as to form and legality:



Omichele D. Gaiety,
Clerk of the Commission



Nicolle M. Shalley, City Attorney