

**ADMINISTRATIVE ORDER REGARDING CITY OF LAKE MARY
PROCEDURES FOR VIRTUAL MEETINGS DURING COVID-19 FOR QUASI-JUDICIAL PROCEEDINGS**

WHEREAS, on March 9, 2020, Governor Ron DeSantis executed Executive Order No. 20-52, declaring a State of Emergency pursuant to COVID-19, and on March 19, 2020, the City Commission executed Resolution No. 1027, declaring a Local State of Emergency due to COVID-19; and

WHEREAS, on March 20, 2020, Governor Ron DeSantis issued Executive Order No. 20-69, suspending any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public place, and authorizing the use of telecommunications media technology such as telephonic and video conferencing, as provided in Fla. Stat. 120.54(5)(b)2., Florida Statutes; and

WHEREAS, the Governor used the term “local governments” rather than “local governing bodies” in the order allowing the use of communications media technology (CMT) for meetings, which means that order can be interpreted broadly to apply to other collegial bodies of local governments; and

WHEREAS, cities have authority under Fla. Stat. 252.46 to issue an emergency order establishing meeting procedures for its advisory boards and other bodies; and

WHEREAS, the ability to conduct public business in accordance with Florida’s Sunshine Law at open public meetings is currently severely hampered; and

WHEREAS, formerly routine processes are disrupted and taking longer to accomplish due to coronavirus precautions being mandated by the federal and state governments; and

WHEREAS, on April 3, 2020, the City Manager issued an “Administrative Order regarding City of Lake Mary Procedures for Virtual Meetings During COVID-19” setting out CMT meeting procedures for those meeting items that are not quasi-judicial in nature; and

WHEREAS, this supplemental order is intended to specifically address quasi-judicial hearings conducted via a CMT or virtual meeting by both the City Commission and lower boards such as the Planning and Zoning Board; and

WHEREAS, during the time the use of CMT meetings is necessary, the City Staff will only present those quasi-judicial items which are time sensitive and will likely not generate much public participation or attendance based on number of notices required to be sent and calls or emails received inquiring about the project; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) currently recommends mitigation measures in communities with COVID-19 cases including no meetings, events, or gatherings with ten (10) or more people, staying at home when sick, keeping away from others who are sick, and staying at home when a household member is sick with respiratory disease symptoms or if instructed to do so by public health officials or a health care provider; and

WHEREAS, COVID-19 continues to pose an imminent risk to healthcare workers, first responders, and emergency medical services workers caring for patients with COVID-19 and to residents in Seminole

County and neighboring communities and, as such, CMT or virtual meetings are necessary to protect the health, safety and welfare of the public.

NOW, THEREFORE, BY THE AUTHORITY VESTED IN ME, IT IS HEREBY ORDERED THAT:

SECTION 1. PROCEDURES FOR VIRTUAL QUASI-JUDICIAL MEETINGS. The following procedures are recommended for the conduct of quasi-judicial meetings and may be adjusted from time to time as technical or practical issues or problems are encountered.

A. Notice. Notice of public meetings via communications media technology (CMT) must be provided in the same manner as required for the City's non-CMT meetings. The notice will include public participation procedures and comply with Section 120.54(5)(b)(2), Florida Statutes.

B. Public Participation Procedures.

(1) The public may be allowed to participate by attendance at the City Commission Chambers at City Hall, or by other method, as determined by the City Manager, based on available technology. Any method chosen will be described in the public notice for the meeting which notice will also include the manner in which the public can access the meeting and provide comments. If the public is invited to attend in person, no more than 10 people will be allowed in Chambers at one time, and social distancing will be observed. If the maximum occupancy in Chambers is exceeded, the public will be invited to wait outside and listen to the meeting until called to speak.


(2) Comments provided prior to the meeting should be sent to mmccurdy@lakemaryfl.com. Consistent with the City's normal procedures for emails received prior to a City Commission or Board meeting, the City Commissioners or Planning and Zoning Board and staff will read timely and pertinent comments but such comments may not be read publicly into the record during the meeting.

(3) Anyone desiring to provide written presentations to the board or Commission must email the written presentation to mmccurdy@lakemaryfl.com no later than 4 p.m. on the day of the meeting. Also, the City will activate a public comment line available on the day of the meeting up until 6 p.m. which will allow citizens the ability to call the City and make comments. City Staff will answer the calls and enter pertinent comments into an email to become part of the official record of the meeting.

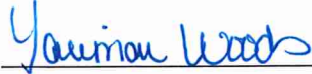
C. General Guidelines. As stated in Administrative Order dated April 3, 2020, the rules established herein are intended to provide a general framework for the conduct of public quasi-judicial CMT meetings as authorized pursuant to the Governor's Executive Orders Nos. 20-52 and 20-69. The City Manager, Mayor, or Board Chair, as may be applicable, is authorized to make changes to these procedures as may be necessary to overcome technical difficulties or practical challenges in implementing public meetings via CMT, so long as such changes comport with Executive Order No. 20-69 and § 120.54(5)(b)2., Florida Statutes.

ORDERED this 10th day of April, 2020; at 2:00 PM.

By: _____


Kevin Smith, City Manager
City of Lake Mary

ATTEST:



Yarimar Woods, Deputy City Clerk

Date: 04/10/2020

(SEAL)

