

Resolution 20-86

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, AUTHORIZING THE USE OF COMMUNICATIONS MEDIA TECHNOLOGY TO CONDUCT VIRTUAL PUBLIC MEETINGS, AS MORE PARTICULARLY SET FORTH IN THE BODY OF THE RESOLUTION, PROVIDING AN IMMEDIATELY EFFECTIVE DATE, PROVIDING FOR EXPIRATION UPON THE TERMINATION OF EXECUTIVE ORDER 20-52.

WHEREAS, the City of Panama City Beach ("City") is a municipality granted home rule authority pursuant to Article VIII, Section 2 of the Constitution of the State of Florida and may exercise its governmental, corporate, and proprietary powers for municipal purposes, including to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, the World Health Organization, U.S. Health and Human Services Secretary, President of the United States, Governor of the State of Florida, and Bay County have all declared the outbreak of the novel coronavirus, COVID-19, to be an international, national, state, and local emergency; and

WHEREAS, on March 17, 2020, the City adopted Resolution 20-80E, which among other things adopted the Center for Disease Control and Prevention recommendation that individuals practice social distancing measures including but not limited to working from home and avoiding gatherings of more than 10 people; and

WHEREAS, on March 20, 2020, the Governor of the State of Florida issued Executive Order 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 authorizes the use of communications media technology; and

WHEREAS, the City Council finds that it is necessary and appropriate to utilize communications media technology that permits the City to abide by Florida's Sunshine Laws while also ensuring that COVID-29 remains controlled and that city employees, residents and visitors remain safe and secure; and

WHEREAS, the City is empowered, pursuant to section 252.46 and Chapters 120, 166 and 286, Florida Statutes, to adopt rules of procedure governing their meetings; and

WHEREAS, considering the nature of the emergency facing the City and surrounding community, including the apparent rapid spread of COVID-19, the City Council deems it necessary and appropriate to adopt the following resolution in order to meet and address the emergency presented by COVID-19 to ensure the public health, safety, and welfare of the community.

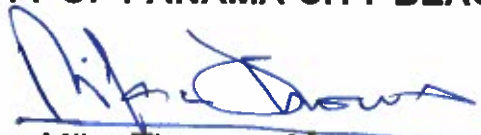
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Panama City Beach, that:

1. From and after the effective date of this Resolution, the City Council and boards of the City are authorized to and shall conduct meetings, workshops or public hearings by means of communications media technology. A meeting quorum may be established by the simultaneous participation of a majority of the Council or board without regard to the member's physical location at the time of the meeting.
2. No action shall be taken by the Council or board at a meeting conducted via communications media technology unless adopted by an affirmative vote of a quorum, provided, however, that a smaller number may adjourn from time to time as may be needed to allow a member to troubleshoot or resolve software or technology issues that prevent or are impeding a member's ability to: see or hear evidence, argument or comment presented; or be seen or heard by the other participating members.
3. All evidence, testimony, and argument presented at a meeting conducted via communications media technology shall be afforded equal consideration, regardless of its method of communication.
4. For all meetings, public hearings or workshops of the Council or City boards which may hereafter be conducted during the COVID-19 public health emergency, the notice of such meeting, public hearing or workshop shall: identify the specific type of technology or software to be used to conduct the meeting; include instructions on how interested persons may participate or attend the meeting; name locations, if any, where communications media technology facilities will be available; and provide an email address where the public can submit written comments to be presented to the board.

5. This Resolution shall be effectively immediately upon its passage, and shall automatically expire upon the termination of Executive Order 20-52, as such Order may be extended by the Governor of the State of Florida.

Adopted in regular session this 26th day of March, 2020.

CITY OF PANAMA CITY BEACH

By: 
Mike Thomas, Mayor

ATTEST:



Mary Jan Bossert, City Clerk
Jo Smith, Interim