

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 15, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging Governor Ron DeSantis to issue an executive order authorizing local governing and other public bodies to allow certain individuals to be counted for quorum, attend, and participate in meetings using communications media technology while the coronavirus disease 2019 (COVID-19) continues to impact the State of Florida

Resolution No. R-271-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 15, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(5)
3-15-22

RESOLUTION NO. _____ R-271-22

RESOLUTION URGING GOVERNOR RON DESANTIS TO
ISSUE AN EXECUTIVE ORDER AUTHORIZING LOCAL
GOVERNING AND OTHER PUBLIC BODIES TO ALLOW
CERTAIN INDIVIDUALS TO BE COUNTED FOR QUORUM,
ATTEND, AND PARTICIPATE IN MEETINGS USING
COMMUNICATIONS MEDIA TECHNOLOGY WHILE THE
CORONAVIRUS DISEASE 2019 (COVID-19) CONTINUES TO
IMPACT THE STATE OF FLORIDA

WHEREAS, the coronavirus disease 2019 (“COVID-19”) has changed the world since it
was initially identified; and

WHEREAS, at the onset and in response to the pandemic, Governor Ron DeSantis issued
executive orders which, in part, related to the declaration of a public health emergency and taking
actions necessary to protect the public health; and

WHEREAS, in addition, on March 20, 2020, Governor DeSantis issued Executive Order
20-69 which suspended any Florida statute that required a physical quorum be present in person
or required a local government body to meet at a specific public place, and permitted local
government bodies to utilize communications media technology, such as telephonic and video
conferencing (“communications media technology”) to conduct meetings as provided in section
120.54(5)(b)2., Florida Statutes; and

WHEREAS, Executive Order 20-69 is no longer in effect; and

WHEREAS, while Executive Order 20-69 was in effect, it allowed many individuals
serving on local governing boards, advisory boards, and other public boards to fully participate in
meetings using communications media technology; and

WHEREAS, prior to COVID-19, some people with pre-existing or chronic health conditions and many different abilities volunteered their time and served on various boards for local and other public bodies; and

WHEREAS, for board members who are immunocompromised or have health conditions, such as cancer, diabetes, or morbid obesity, exposure to COVID-19 could have life-or-death consequences; and

WHEREAS, in an effort to limit their exposure to COVID-19 and protect their lives, many of those board members have not attended meetings; and

WHEREAS, the issuance of another executive order similar to Executive Order 20-69, that would permit board members of all abilities to use communications media technology to fully participate in board meetings would help protect the lives of some of the most vulnerable in the community while also allowing said board members to continue to engage and contribute to matters of importance to them,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

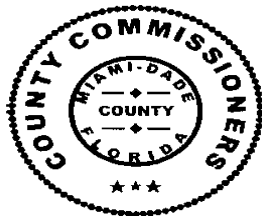
Section 1. Urges Governor Ron DeSantis to issue an executive order authorizing local governing and other public bodies to allow certain individuals to be counted for quorum, attend, and participate in meetings using communications media technology while the coronavirus disease 2019 continues to impact the State of Florida.

Section 2. Directs the Clerk of the Board to send a certified copy of this resolution to the Governor, the Chair and Members of the Miami-Dade State Legislative Delegation, the Florida Surgeon General/Secretary of the Florida Department of Health, and the Director of the Florida Division of Emergency Management.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of March, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "SG" followed by a stylized flourish.

Shanika A. Graves