

# CITY COUNCIL RESEARCH DIVISION

## LEGISLATIVE SUMMARY



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**Bill Type and Number:** 2021-119

**Introducer/Sponsor(s):** Council Member Ferraro

**Date of Introduction:** February 23, 2021

**Committee(s) of Reference:** R

**Date of Analysis:** February 23, 2021

**Type of Action:** Amendment of Jacksonville Waterways Commission rules of procedure, emergency passage upon introduction

**Bill Summary:** This bill approves a Resolution of the Jacksonville Waterways Commission that will allow Commission members to attend, participate and vote on matters that come before the Commission via communications media technology ("CMT"), so long as certain conditions exist. Pursuant to Sec. 95.104(c), *Ordinance Code*, adoption of rules to implement the provisions of Chapter 95 (Jacksonville Waterways Commission) requires the approval of the City Council. Emergency passage upon introduction is requested so that Commission members may use CMT at the next meeting, if needed.

**Background Information:** The purpose of this legislation is to create a rule of procedure regarding attendance by members of the Jacksonville Waterways Commission at Commission meetings via communications media technology. According to Florida Attorney General Legal Advisory Opinion AGO 2003-41, if a rule or statute contemplates that a meeting will be held in a public place with the members physically present, the participation of an absent member in the meeting by telephone conference may be permitted only in extraordinary circumstances, and when a quorum of board members is physically present at the meeting, and a board may determine when such an absence constitutes an extraordinary circumstance. The Jacksonville Waterways Commission approved a resolution to allow the use of CMT if a quorum of the membership are physically present in the public meeting place, the meeting has been properly noticed, and members of the public are able to attend in-person or via CMT. If a member participates via CMT, they must request to do so in writing and state the nature of the extraordinary circumstances, which may include but is not limited to the COVID-19 pandemic, other health related issues, military duty or deployment, extraordinary family circumstance, or mandatory business obligation.

**Policy Impact Area:** Commission meetings via communications media technology

**Fiscal Impact:** No direct cost to the City

**Analyst:** Hampsey