

## CITY OF JACKSONVILLE

### CITY COUNCIL

#### **POLICY AND PROCEDURES FOR CONDUCTING OPEN PUBLIC MEETINGS AND PUBLIC PARTICIPATION BY MEANS OF COMMUNICATIONS MEDIA TECHNOLOGY (“CMT”)**

The intent of this policy is to provide the public with openness and transparency in government decision-making but also to comport with the executive orders and other guidance provided by the federal, state and City government, as well as the CDC and other healthcare professionals, to reduce large-scale exposure which could result when high numbers of individuals are gathered in one open location for a public meeting.

In furtherance of this goal, the Council adopts the following Policy and Procedures regarding public attendance and participation in public “open meetings” during the COVID-19 state of emergency (herein referred to as the “Emergency”), or other emergencies that may require meeting by communications media technology (herein “CMT”) allowed by law.

#### **Notices for Public Meetings:**

- For any public meeting, hearing or workshop that is conducted by means of CMT (which includes but is not limited to telephone, videoconferencing or other web-based or technology platform), or if attendance may be provided by such means, the notice shall so state.
- The notice for public meetings, hearings and workshops utilizing CMT shall include the date, time and general substance of such meeting, as well as the internet website address or link from which the meeting will be broadcast and directions about how to access such website. The City may choose to provide facilities from which the meetings can be observed online; however, it is not required to do so. *Please note at this time that City offices and buildings are closed pursuant to Executive Order by the Mayor and the Council intends to comply with all recommendations of the Mayor concerning public building operations.*

#### **Attendance by CMT of Council and Public at Meetings**

- If members of the Council are not physically gathered in one location, i.e., Council Chambers, and the meeting is conducted by CMT, then members of the public must be able to join in the electronic conferencing or telephone in order to listen to or observe the meeting.
- If members of the Council are physically gathered for a meeting but cannot allow all members of the public to be present due to emergency limitations (including state and local states of emergency or shelter in place limitations or health distance restrictions), then the Council must take steps to allow members of the public to listen to or observe the meeting by telephone, website, videoconferencing, television broadcast or similar method. *Please note at this time that City offices and buildings are closed pursuant to Executive Order by the Mayor and the Council intends to comply with all recommendations of the Mayor concerning public building operations.*
- There must be a method for distributing or publishing any agenda or other written materials that ordinarily could be picked up in person by members of the public attending the meeting. Any materials that are planned to be discussed at the meeting can be posted to the Council’s webpage in advance of the meeting such as agendas, agenda packets or presentation materials. The

procedures for obtaining such materials should be referenced in the notice for the meeting or on the Council's webpage prior to the beginning of the meeting.

### **Procedures for Action at Public Meetings**

- When the public is attending a public meeting by CMT, the Council, through the Council President and Floor Leader, must take steps to help the public understand the proceedings. For example, each speaker in the meeting should identify himself or herself by name before speaking so that remote listeners or observers know who is speaking. Likewise, the bill number and each motion on a particular bill (motion to amend, withdraw, etc.) should be clearly stated prior to each vote on a motion and the vote tally on the final vote announced after the vote. Any documents that are discussed during the meeting should also be identified for those listening or observing.
- Unanimous consent for amendments, *Roberts Rules of Order*. In cases where there appears no opposition to a matter, time can be saved by the procedure of "unanimous consent." Unanimous consent can be used to adopt a measure without a motion or second, but by consent, as long as there is no objection from a Council Member. If any Council Member objects, the traditional process of voting will occur. Any Council Member wanting to amend the amendment, or have further changes, can object. The Council Committees and Council Meetings will use this *Robert Rules* procedure during the Emergency for approving amendments and substitutes in order to avoid a roll call vote on each amendment or substitute. Should any Council Member object then the amendment will be voted upon by roll call vote, prior to proceeding to the bill as amended.

### **Public Hearings and Public Participation**

- Public Hearings Continued; Public Hearing Procedures. All public hearings (both quasi-judicial and non quasi-judicial) scheduled through April 14, 2020 before the City Council or the Committees are continued until they are closed by the City Council or applicable Committee. During the term of the Emergency, the Council President or a Committee Chair may limit public hearings that are required to remain open for items that are being deferred to a later date, so long as the public hearing is held immediately prior to City Council or Committee final action. Evidence and testimony may be submitted any time through the public participation/public hearing email address provided for each Council cycle.
- Findings regarding Quasi-Judicial hearings. Applicants may request deferral of quasi-judicial matters until the conclusion of the Emergency. If an applicant chooses to proceed with a quasi-judicial matter using the emergency procedures provided herein, the applicant acknowledges that these procedures may be subject to legal challenge by an affected party. Such acknowledgment shall appear on the face of the Land Use and Zoning Committee Agenda throughout the term of the Emergency. Council Members may request deferrals of specific applications due to the emergency.
- Pursuant to Council Rule 2.201, Committee Chairs are authorized to schedule separate CMT meetings for any items on their agendas, as often as the Chair, at his or her discretion, desires. Notices for such special meetings shall comply with the language herein regarding notices.
- For matters which have state-mandated public hearings pursuant to Chapter 166, Florida Statutes, and the Jacksonville Ordinance Code, including quasi-judicial matters and those items which fall under the public participation requirements of Section 286.0114, Florida Statutes, the Council must allow for the public to provide their comments by participation in the CMT meeting or by electronic mail, written comment, or other stated method, as applicable. Instructions for the public as to the methods of communication should be provided in the notice. These communications from the

public shall be read into the record (up to the 3 minute time limit) prior the Council taking action on the item provided that the public statement must be sent to a proscribed address within the time permitted (for instance, the first email address created for comments is [ccmeeting04142020@coj.net](mailto:ccmeeting04142020@coj.net) and others email addresses will be created using future Council meeting dates). For statements sent for a regular noticed Council meeting scheduled for 5:00 p.m. or later, the statement must be received by 12:00 noon the day of the Council meeting. For special Council or Council committee meetings set for times prior to 5:00 p.m., the statement must be received by 2:00 p.m. the prior business day. So for example, if individuals want to submit comments to committee meetings, they would use the same email address for Council meetings and submit their comments for Monday committee meetings by 2:00 p.m. the Friday prior to committee meeting occurring on Monday or for Tuesday committee meetings, 2:00 p.m. the Monday prior to the Tuesday committee meetings.

- All evidence, testimony and argument presented to the Council shall be afforded equal consideration, regardless of the method of communication.
- Since other public comment is not statutorily required, the Council will provide a method for public comment during the COVID-19 state of emergency but it will not be live at the Council meeting. However, the ability for alternate means of the public to communicate with elected officials shall be provided.

### **General Provisions**

- As always, pursuant to the American with Disabilities Act, persons with disabilities can receive reasonable accommodations by contacting the Disabled Services Division in advance of the meeting to seek assistance.
- There must be no cost for the public to access the meeting.
- The audio or video recording of the meeting shall be posted to the Council's webpage so that members of the public who could not participate at the time of the actual meeting can later review what occurred.
- Streaming of Council meetings is encouraged but not required.