

CITY OF JACKSONVILLE
OFFICE OF ETHICS, COMPLIANCE, AND OVERSIGHT
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HOW TO HOLD A PUBLIC MEETING IN THE PANDEMIC ERA **AN ABBREVIATED GUIDE FOR CITY BOARDS AND COMMISSIONS**

During the COVID-19 pandemic State of Emergency, the City of Jacksonville took steps to keep local government open and accessible to the public, while also protecting the health, safety and welfare of the community, by holding all public meetings via electronic means. This was permitted because the Governor of Florida issued Executive Order 20-69 authorizing local government boards to meet virtually. **Executive Order 20-69 expired on November 1, 2020, and public meetings must resume in-person following pre-pandemic rules. Below you will find a how-to guide meant to help City boards* maintain public safety while returning to pre-pandemic rules regarding public meetings.**

REMINDER - SUNSHINE LAW REQUIREMENTS ALWAYS IN EFFECT

1. Your meetings must always be publicly noticed – This includes a date, time, and location. If you are allowing board members and/or the public to participate electronically, you must include information on how to access the meeting and participate on your chosen platform.
2. Your meetings must take place in a City building or another building where the public has reasonable access to the meeting.
3. Minutes must be taken and made available to the public – A recording of the meeting does NOT replace the requirement that minutes are taken.
4. Allow Public Comment – You must come up with a plan to allow members of the public that attend your meeting, whether in-person or electronically, to participate in public comment before board votes on a matter.

HOW TO HOLD A PUBLIC MEETING IN THE COVID-19 PANDEMIC ERA

- Board Member Participation: A quorum of the board must be physically present in the meeting location. BUT if there are some board members that cannot attend meetings in-person due to COVID-19 concerns, these board members can probably participate and vote electronically.**
 - Before your next meeting, contact the Office of General Counsel (“OGC”) to verify whether your board’s charter/ordinance/bylaws, etc. prohibit board members from attending meetings and/or voting by technology. If this is prohibited, OGC may be able to advise the board how to remove the restriction.
 - Before your next meeting, determine the number needed for a quorum by reviewing the charter/ordinance/bylaws, etc. related to your board.
 - At the beginning of your next meeting, verify you have a quorum of board members present in the room. Then in-person board members should vote to declare COVID-19 an extraordinary circumstance that may require some board members to participate in meetings electronically throughout the pandemic (this is a one-time vote).
 - Once that vote is taken, board members with COVID concerns can use technology, such as a home/cellular telephones, Zoom video, Zoom audio, or other platforms, to attend, participate, and vote.
 - If any board members attend a meeting using technology, you must ensure that those participating by technology can hear and understand what is going on in the meeting room AND those in the room can hear and understand what is being said by those participating through technology.
 - For meetings in which members are attending in-person and also through technology, each member should clearly announce his/her vote on matters via roll call.

***The term “board” includes all City boards, commissions, committees, task forces, bodies, etc. that are subject to the Sunshine Law.**

- ❑ **Public Participation: Boards should offer the public the option to participate in meetings either in-person or through technology.**
 - ❑ The Sunshine Law requires that the public have access to the physical meeting space, but your board should encourage the public attending meetings in-person to wear masks and socially distance.
 - ❑ Board members may commit to each other that they will wear a mask for the duration of the meeting to lead by example
 - ❑ You may post a sign on the door requesting masks and social distancing
 - ❑ You may make an announcement at the beginning of the meeting reminding those in attendance to wear masks and remain socially distanced
 - ❑ You may provide extra distance between members of the board
 - ❑ You may distance the chairs reserved for the public 6 feet from each other and from the board
 - ❑ You should have a table/desk/podium set up with a speakerphone so that in-person public comments can be heard by those participating electronically
 - ❑ You may NOT ask someone to leave a meeting for refusing to wear a mask or socially distance (this could be a violation of the Sunshine Law).
 - ❑ If a board permits members to attend and participate in meetings through technology, it should also permit the public to attend and participate through technology in an effort to ensure safety during the pandemic.
 - ❑ Even if all board members attend a meeting in-person, the Ethics Office recommends that boards continue to offer the public the ability to attend and participate in meetings via technology. This will assist in making our City government more accessible to the public and continue the trend this year of increased public participation in public meetings through use of technology.
 - ❑ Make sure those attending through technology can hear and understand all of the in-person proceedings and comment when appropriate.
 - ❑ During the designated public comment period, the Chair may call on each person attending the meeting through technology to ask if they have comment.
 - ❑ The board may accept public comment in advance via an email address if instructions are clearly outlined in the meeting notice.
 - ❑ Make materials available to the public ahead of the meeting by posting them to your board's website.

- ❑ **Suggested List of Meeting Rooms: Council Meeting rooms, including Lynwood Roberts and Don Davis, are currently reserved for use solely by City Council and are unavailable for other board meetings.** Many other meeting rooms in City buildings, including conference rooms on the second and third floors of City Hall, are too small for adequate social distancing. To allow for the greatest amount of space for the board and the public, the City is working on identifying new meeting spaces and equipping them with the necessary technology. If your board needs to meet before the list is completed, try one of the following options:
 - ❑ The Library Multi-Purpose Room, Contact: Mandie McKenzie, amckenzie@coj.net, 904-255-6170
 - ❑ Ed Ball Building Training Room, Contact: Ashley Mack, PWAdmin@coj.net, 904-255-8786

- ❑ **Templates & Samples:**
 - ❑ Sample Meeting Notice
 - ❑ Sample Mask & Social Distancing Reminder