



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
8/5/2020	<input checked="" type="checkbox"/> Resolution	Ordinance Reading	N/A	N/A
	<input type="checkbox"/> Ordinance	Public Hearing	<input type="checkbox"/>	<input type="checkbox"/>
File No.:	<input type="checkbox"/> Other	Advertising Required	<input type="checkbox"/>	<input type="checkbox"/>
20-272		Quasi Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
Approx. \$300 per meeting	n/a	n/a	n/a	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		City Attorney's Office	City Attorney's Office	
Strategic Plan Focus Areas:				
<input type="checkbox"/> Financial	<input type="checkbox"/> Organizational Capacity	<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Development, Redevelopment and Economic Development	
Implementation Timeline: N/A				
Estimated Start Date: Upon Adoption Estimated End Date: n/a				

SHORT TITLE:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA AUTHORIZING VIRTUAL QUASI JUDICIAL HEARINGS FOR CERTAIN APPLICATIONS DURING A DECLARED STATE OF EMERGENCY; ESTABLISHING QUALIFICATIONS AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

On March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida due to Novel Coronavirus Disease 2019 ("COVID-19). March 9, 2020 the City of Hallandale Beach declared a local state of emergency declared a State of Emergency pursuant to Chapter 252, Florida Statutes. Further, on March 20, 2020, due to health and safety concerns related to COVID-19, Governor DeSantis issued Executive Order 20-69, "Emergency Management – COVID-19 Local Government Public Meetings" suspending physical

quorum and location requirements for public meetings, as extended by Executive Orders 20-121, 20-123, 20-139, and 20-150, until August 1, 2020.

However, recent spikes and record-breaking numbers of COVID-19 cases in the South Florida area have led the City Commission to find that the current state of affairs will continue for some time. However, the interests of the public and that of property owners should be balanced to the greatest, and safest, extent possible by permitting applications to proceed where the right of the public to participate, the due process rights of applicants, and the ability to limit the City's liability can be assured.

The Commission requested, on July 8, that the City Attorney and Administration prepare processes and procedures to conduct virtual quasi-judicial hearings. The proposed resolution outlines the process recommended by the City Attorney and Administration for conducting virtual quasi-judicial hearings.

The City is able to conduct the requested virtual hearings at an approximate cost of \$300 per hearing, assuming 3 hours of time for the hearing. Many hearings will take less time than 3 hours, but many may take more depending on the complexity of the application and the public participation. The costs is directly related to providing a physical location for the public to access the meeting and speak during public comment via a Zoom terminal. Administration plans to place this terminal at the auditorium in the Cultural center and there will be staff to assist the public in using the terminal and control the flow of participation. The facilities will be sanitized after every meeting.

Further, applicants wishing to proceed with a virtual meeting will have to agree to indemnify and hold harmless the City, as reflected in the waiver attached as Exhibit A.

PROPOSED ACTION:

The City Commission consider the attached proposed resolution.

ATTACHMENT(S):

Exhibit 1 – Proposed Resolution

Exhibit A – Waiver, Indemnification and Hold Harmless Agreement