

BREVARD COUNTY HOUSING FINANCE AUTHORITY
VIRTUAL MEETING GUIDELINES AND PROCEDURES

I. FINDINGS

A. The Coronavirus Disease 2019 (“COVID-19”) is an infectious acute respiratory illness capable of spreading rapidly among humans, which presents symptoms similar to those of influenza and is capable of causing severe illness and death.

B. On March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic.

C. On March 1, 2020, the Governor of the State of Florida issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida.

D. On March 9, 2020, the Governor of the State of Florida issued Executive Order Number 20-52 declaring that a state of emergency exists in the State of Florida.

E. On March 13, 2020, the President of the United States issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease Outbreak pursuant to Section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

F. To reduce the spread of COVID-19, the Centers for Disease Control and Prevention and the Florida Department of Health recommend implementation of community mitigation strategies to contain the virus, including cancellation of public gatherings of ten (10) or more people and social distancing.

G. On March 20, 2020, the Governor of the State of Florida issued Executive Order Number 20-69 suspending any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public place and providing that local government bodies may utilize communications media technology such as telephonic and video conferencing, as provided in Section 120.54(5)(b)2, Florida Statute, for so long as a state of emergency exists within the State of Florida.

H. Section 252.38(3)(a)(5), Florida Statutes, provides authority for counties to declare a local state of emergency and to waive the procedures and formalities otherwise required of the County by law or ordinance pertaining to matters including but not limited to the performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community.

I. On March 14, 2020, Brevard County (“County”) declared a Local State of Emergency Related to COVID-19 within the boundaries of the County.

J. To implement the orders and recommendations of government entities and public health organizations regarding social distancing and the avoidance of public gatherings during the COVID-19 pandemic, to allow for the continuing conduct of public business and allowance of citizen participation, and to otherwise facilitate the use of communications media technology when permitted by state law, the Brevard County Housing Finance Authority desires to adopt policies and procedures related to the conduct of public meetings by Communications Media Technology, which policies and procedures are intended to facilitate the orderly and effective conduct of such meetings and to ensure compliance with Florida’s “Government in the Sunshine Laws” and other applicable requirements pertaining to public meetings under Florida law.

II. DEFINITIONS

As use herein, the following terms shall have the following meanings, unless the context clearly requires otherwise:

“Board” – Shall mean and refer to the Brevard County Housing Finance Authority.

“Communications Media Technology” or “CMT” – Shall mean the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, or digital video by any method available.

“County” – Shall mean Brevard County, Florida.

“CMT Operator” – The Authority staff person or other individual designated to oversee and administer the specific CMT to be utilized in connection with a public meeting, including but not limited to the administration and operation of the features of any particular equipment, software, or platform used in connection with a meeting conducted through CMT.

III. AUTHORIZATION

The Board is hereby authorized to utilize CMT to conduct public meetings in accordance with the policies, procedures, and requirements established herein.

IV. CONDUCT OF MEETINGS BY COMMUNICATIONS MEDIA TECHNOLOGY

A. Notice. The notice of any public meeting to be held via CMT shall be provided in the same manner as required for a non-CMT meeting, and shall plainly state that such meeting is to be conducted utilizing CMT and identify the specific type of CMT to be used. The notice shall describe how interested persons may attend and participate in the meeting (i.e. telephone number, link to connect to video conference session, etc.) and shall include the email address and telephone number of a designated individual to

whom an interested person may call or write for additional information, assistance, or to whom materials for the Board's consideration may be submitted.

B. Form of Communications Media Technology. The Authority Administrator, or designee, shall designate one or more approved platforms (i.e. Zoom, WebEx, GoToMeeting, Skype, Conference Call, etc.) for the conduct of CMT. Given the current public health emergency and the need to safeguard the health, safety, and welfare of the public, County staff, and Board members, a physical meeting place for CMT meetings where the public can participate in the meeting will not be provided.

C. Quorum; Voting. The Board Chair or the CMT Operator shall ensure that a quorum is present through CMT before taking action on any item. To ensure accuracy, authenticity, and the presence of a quorum, all votes shall be conducted verbally by roll call.

D. Minutes; Recording. Minutes of all meetings conducted by CMT shall be kept in the same manner as required for a non-CMT meeting. Where practicable, all meetings conducted by CMT shall be recorded or otherwise captured by digital means.

E. Public Participation.

1. All public meetings to be conducted via CMT shall include one or more designated public comment periods when interested members of the public will be permitted to address the Board. Additionally, interested members of the public shall be permitted to speak on any item on the agenda or that otherwise comes before the board for official action at a Board meeting prior to a vote being held on any such item.
2. Interested persons shall be permitted to address the Board upon being recognized by the Board Chair and/or the CMT Operator. To facilitate the orderly conduct of the meeting, the CMT Operator may "mute" or otherwise disable the lines of members of the public until such time as they are recognized to speak. Interested persons desiring to provide public comment should comply with the directions provided in the meeting notice, presented through CMT at the meeting, and/or otherwise described by the Board Chair and/or CMT Operator.
3. The Board Chair may impose time limitations and such other reasonable conditions and restrictions on public comment as are provided for at a non-CMT meeting.

F. Government in the Sunshine. No meeting otherwise subject to Section 286.011, Florida Statutes, shall be conducted exclusively by means of CMT if the available technology is insufficient to permit all interested persons to attend. If during the course of a meeting conducted by CMT technical problems develop with the communications network that prevent interested persons from attending, the Board shall terminate the meeting until the problems have been corrected.

V. EFFECTIVE DATE.

This Administrative Regulation shall take effect upon its approval by the Board and shall be effective whenever state law permits local government bodies to conduct public meetings through CMT.