

## **CITY OF LAUDERHILL POLICE OFFICERS' RETIREMENT PLAN**

### **ADMINISTRATIVE RULE GOVERNING THE USE OF AUDIO-VISUAL CONFERENCE OR TELECONFERENCING TO CONDUCT VIRTUAL PUBLIC BOARD OF TRUSTEE MEETINGS**

#### **BACKGROUND**

Florida Statute, §286.011 governs Florida's Sunshine law. Pursuant to this section, "[a]ll meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision . . . at which official acts are to be taken are declared to be public meetings open to the public at all time, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. . .";

On March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19;

On March 9, 2020, by Executive Order 20-52, the Governor of Florida declared a state of emergency for the entire State of Florida as a result of COVID-19;

On March 16, 2020, the President of the United States and the Centers for Disease Control and Prevention recommended individuals to practice significant social distancing measures including but not limited to working from home and avoiding gatherings of more than 10 people.

#### **AUTHORITY**

On March 20, 2020, the Governor of Florida issued Executive Order 20-69 suspending any Florida Statute requiring a physical quorum be present for a local government body to meet at a specific public place. Pursuant to Executive Order 20-69, government bodies may utilize audioconferencing and or teleconferencing to conduct its public meeting. This Executive Order expires May 8, 2020, unless extended by the Governor. By Executive Order 20-112 dated April 29, 2020, the Governor extended Executive Order 20-69 until he takes action to suspend it.

City of Lauderhill Code, Section 2-76 vests "[t]he sole and exclusive administrative of, and the responsibility for, the proper effective operation of the retirement plan and for making the provisions of the part is vested in a board of trustees" (the "Board"). Section 2-76(i) of the Code provides the "[t]he board of trustees shall have the authority to make such uniform rules and regulations and to take such actions as may be necessary to carry out the provisions of the plan and all decisions of the board of trustees, made in good faith, shall be final, binding and conclusive on all parties.

City of Lauderhill Police Officers' Retirement Plan  
Administrative Rule Governing the Use of Audio-Video Conferencing or Teleconferencing  
to Conduct Virtual Public Board of Trustee Meetings

**ADMINISTRATIVE POLICY**

1. Effective March 20, 2020, this Board may conduct its meetings and meet the quorum requirements via audio-video conferencing and or teleconferencing.
2. Public participation is of the utmost importance; therefore, the Board may choose to use either audio-video conferencing or teleconferencing communication to conduct virtual meetings.
3. The Board retains the right to maintain decorum to orderly conduct the Board meeting.
4. If the Board chooses to use audio-video conferencing it may use one of the following software which allows for maximum public participation. Such platforms include: (a) Zoom, (b) GoTo Meeting, (c) Microsoft Teams, which provides a feature for ADA compliance and close captioning, or (d) Webex.
5. The meeting notice will provide an e-mail address where the public can submit questions and or comments. Any such comments or questions will be read aloud during the public comment section of the meeting agenda.
6. In the event the Board chooses to use teleconferencing communication, it will take such steps as are necessary to effectuate public access, including any applicable email and telephone access point.
7. In the event the local government requires meetings to be live streamed, the Board will comply will those requirements through the City system.
8. The meeting notice will state that any individuals needing ADA accommodations to attend a virtual meeting should contact the City Clerk, Andrea Anderson at least 48 hours prior to the meeting at 954-730-3010. The notice shall also identify the specific type of audio-video conferencing to be used and include instructions on how to join and participate virtually.
9. The meeting notice must also contain information regarding the means to access the agenda.
10. In the event the available technology is insufficient to permit all interested parties to attend and participate, the virtual meeting must be terminated until such time as the problem has been resolved. There is no obligation for the Board to provide

City of Lauderhill Police Officers' Retirement Plan  
Administrative Rule Governing the Use of Audio-Video Conferencing or Teleconferencing  
to Conduct Virtual Public Board of Trustee Meetings

11. The meeting notice must also contain information regarding the means to access the virtual meeting as well as the agenda.
12. All other Sunshine law provisions must be followed including: (a) posting of meeting notice, (b) taking of meeting minutes, and (c) making minutes available for public inspection.
13. This Administrative Rule will remain in effect until suspended by the Governor of Florida pursuant to Executive Order 20-112.

The Board reserves the right to amend this Administrative Rule from time to time as it deems appropriate. The Board shall retain the right to exercise its discretion in interpreting this rule and in resolving any disputes that may arise hereunder. Nothing in this Administrative Rule creates a contractual or substantive right for benefits from the Plan.

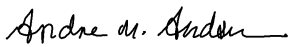
This Administrative Rule was adopted by the Board of Trustees at a public meeting, on \_\_\_\_\_, 2020.



David Hennessy  
2020.05.14 12:00:32 -04'00'

---

Chair



Andrea Anderson  
2020.05.15 12:32:54 -04'00'

---

Secretary