

RESOLUTION 2021-11

A RESOLUTION BY THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA RATIFYING AND APPROVING ACTIONS TAKEN BY THE TOWN COMMISSION AT MEETINGS HELD VIA MEDIA COMMUNICATIONS TECHNOLOGY PURSUANT TO EXECUTIVE ORDER NO. 20-69, AS AMENDED AND EXTENDED, AS A RESULT OF THE COVID-19 PANDEMIC; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the COVID-19 pandemic has significantly impacted the Town of Jupiter Inlet Colony, its residents and its operations; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis (the “Governor”) issued Executive Order No. 20-51, directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, 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; and

WHEREAS, on March 9, 2020, the Governor issued Executive Order No. 20-52, declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, in a series of actions in March 2020, President Donald Trump, the Centers for Disease Control and Prevention (the “CDC”), and the White House Coronavirus Task Force have issued guidance advising individuals to adopt far-reaching social distancing measures recommending restrictions on mass gatherings and congregations, including public meetings; and

WHEREAS, on March 20, 2020, the Governor issued Executive Order No. 20-69 temporarily suspending the statutory requirement that a quorum be present in person at a specific public place, authorizing the use of Media Communications Technology, such as telephonic and video conferencing, as provided in Section 120.54(5)(b)2, Florida Statutes; and

WHEREAS, Executive Order No. 20-69 was amended and extended by subsequent Executive Orders of Governor Ron DeSantis, including Executive Order No. 20-139, which extended the temporary suspension of the statutory requirement that a quorum be present at a specific place and authorizing the use of Media Communications Technology; and

WHEREAS, on March 24, 2020, the Governor issued Executive Order No. 20-83, directing the State of Florida Surgeon General and State Health Officer to issue a public health advisory urging the public to avoid all social and recreational gatherings of ten or more people and urging those can work remotely to do so; and

WHEREAS, the Governor, on April 3, 2020, issued Executive Order No. 20-91 (later amended by Executive Order 20-92), directing that all persons in Florida shall limit their movements and personal interactions outside their home to those necessary to obtain or provide essential services or to conduct essential activities; and

WHEREAS, on December 3, 2020, the Town Commission duly adopted Resolution No. 2020-10 declaring a public emergency and continuing the authorization of the conduct of public meetings by the use of Media Communications Technology; and

WHEREAS, between March 30, 2020 and March 31, 2021, the Town Commission met, pursuant to and under the authority of Executive Order No. 20-69, as amended and extended by Town Resolution, utilizing Media Communications Technology; and

WHEREAS, the Town Commission intends to ratify and approve those actions taken at its meeting(s) held via Media Communications Technology between March 30, 2020 and March 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein as if set forth in full herein. The Executive Orders referenced herein are incorporated herein by reference.

Section 2. Those actions taken by the Town Commission at its meetings held pursuant to the authority of the Governor's Executive Order No. 20-69, as amended and extended by Town Resolution, via Media Communications Technology between March 30, 2020 and March 31, 2021 are hereby ratified and approved.

Section 3. All sections, or parts thereof, which conflict herewith, are, to the extent of such conflict, superseded and repealed. In the event that any portion of this Resolution is found to be unconstitutional or improper, it shall be severed herein and shall not affect the validity of the remaining portions of this Resolution.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 9 day of August, 2021, by the Town Commission of the Town of Jupiter Inlet Colony, Florida

TOWN OF JUPITER INLET COLONY, FLORIDA

Mayor-Daniel J. Comerford, III

Vice-Mayor Milton J. Block

Commissioner Lisa H. Hines

Commissioner Cynthia Keim

Commissioner Richard D. Busto

ATTEST:

Town Clerk