

EMERGENCY ORDER NO. 2020- 10

**AN EMERGENCY ORDER ADOPTING THE REQUIREMENTS OF
CHAPTER 28-109 OF THE FLORIDA ADMINISTRATIVE CODE FOR
THE PURPOSE OF ALLOWING REMOTE PARTICIPATION IN PUBLIC
MEETINGS BY MEMBERS OF THE PUBLIC.**

WHEREAS, on March 17, 2020, ST. JOHNS COUNTY EMERGENCY PROCLAMATION NO. 2020-1 declared a state of local emergency due to the threat of the Coronavirus Disease 2019 (COVID-19) to spread among humans, which may pose a threat to public health and safety and cause a threat to the entire State of Florida, including St. Johns County; and

WHEREAS, the Board of County Commissioners has extended the state of local emergency for additional seven-day periods and has further retained, ratified, and continued in time for the duration of the emergency proclamation all emergency powers authorized by the emergency proclamations; and

WHEREAS, the County, pursuant to Emergency Proclamation 2020-3, has utilized communications media technology (CMT) as an effective manner of safely and expeditiously conducting the business of the County through public meetings while protecting the health, safety, and welfare of members of the public; and

WHEREAS, due to the anticipated expiration of the Florida Governor's Executive Order 2020-69, as subsequently extended, it is necessary for the County to re-authorize the use of CMT during the duration of the local state of emergency; and

WHEREAS, the procedures provided in Chapter 28-109, Florida Administrative Code, are reasonable rules for the implementation of CMT already in use by State agencies; and

WHEREAS, the procedures adopted by this Order are necessary to safely conduct the business of the County and provide notice, fair procedure, public participation, and a sufficient opportunity to be heard in accordance with Chapter 286, Florida Statutes.

NOW THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and the authority vested in the County Administrator pursuant to Section 6 of St. Johns County Ordinance No. 2019-40, it is hereby ordered that:

1. The Board hereby adopts Chapter 28-109, Florida Administrative Code, Conducting Proceedings by Communications Media Technology, (attached hereto and incorporated herein) for minimum procedures to be followed when the Board or any one of its appointed boards and committees, desires to conduct a proceeding by means of communications media technology (CMT) or to provide public access to a proceeding by the use of CMT.
2. Each board or committee may set deadlines for each public hearing for submission of documentary evidence that may be considered by that board or committee. Each board or

committee may refuse to accept and refuse to consider any documentary evidence submitted after the deadline.

3. Each board or committee may supplement the minimum procedures provided in this Proclamation, with additional procedures that promote and preserve decorum and civility and that enables the fair and expeditious conduct of the business of the County, but shall provide the procedural due process and right of public participation as required by law.
4. This Emergency Order shall be effective upon filing with the Clerk in accordance with Section 252.46, Florida Statutes, and shall expire at the expiration of the local state of emergency declared pursuant to St. Johns County Emergency Proclamation 2020-1, including any extension thereof, unless earlier terminated.

DONE and ORDERED this 30th day of September, 2020.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

By: *Hunter S. Conrad*
Hunter S. Conrad
County Administrator

ATTEST: Brandon Patty, Clerk of the Circuit
Court and Comptroller

By: *Sam Halterman*
Deputy Clerk

