

**RESOLUTION OF THE BOARD OF DIRECTORS
OF
BROWARD BEHAVIORAL HEALTH COALITION, INC
("BBHC")**

**BOARD OF DIRECTORS MEETING PROCEDURES
(Communications Media Technology)**

WHEREAS, on March 9, 2020, Governor Ron DeSantis signed Executive Order No. 20-52, thereby declaring a public health emergency in the State of Florida due to public health threat resulting from the spread of the Novel Coronavirus Disease 2019 ("COVID-19"); and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 10, 2020, Broward County Administrator Bertha Henry declared a state of emergency in Broward County; and

WHEREAS, on March 16, 2020, President Trump and the Centers for Disease Control and Prevention ("CDC") issued the 15 Days to Slow the Spread guidance advising individuals to adopt far-reaching social distancing measures, such as working from home and avoiding gatherings of more than 10 people; and

WHEREAS, on March 20, 2020, Governor Ron DeSantis signed Executive Order No. 20-69 (the "Order"), thereby suspending any statutory requirement that a physical quorum be present in order to conduct a meeting for certain entities pursuant to the Sunshine law as set forth in §286.011, Florida Statutes; and

WHEREAS, the Order further authorizes the use of communications media technology ("CMT"), such as telephonic and video conferencing, as provided in Section 120.54(5)(b)(2), F.S., to conduct a public meeting; and

WHEREAS, on April 1, 2020, Governor Ron DeSantis signed Executive Order No. 20-91 directing all persons in the State of Florida to remain at home, take all measures to limit the risk of exposure to COVID-19 and limit their movements and personal interactions outside their home to only those necessary to obtain or provide essential services or to conduct essential activities; and

WHEREAS, as BBHC is a behavioral health managing entity pursuant to §394.9082, Florida Statutes, and is therefore performing a delegated government function in the coordination of and contracting for the delivery of community mental health and substance abuse services; and

WHEREAS, the Order deemed community mental health services as an essential service due to the federal government's designation of such services as

critical infrastructure services, and further included the governmental and community providers that support such necessary, essential, and critical infrastructure workers in the provision of mental health services; and

WHEREAS, in order to ensure the continuity of behavioral health services and the performance of the community's behavioral health network under the current emergency circumstances, it is our opinion that BBHC performs an essential service and quasi-governmental function for the limited purposes of being authorized to apply the provisions of the Order to avail itself of the provisions contained therein to hold a meeting of BBHC's Board of Directors and committees necessary to address the community's behavioral health services and needs in light of the COVID-19 pandemic, so long as it is done in accordance with the provisions and limitations of the Order; and

WHEREAS, the Board of Directors seeks to conduct a meeting consistent with the Executive Order 20-69 and otherwise fully compliant with the Sunshine Law, and to provide the utmost transparency and opportunity for public access and participation while ensuring that all necessary and appropriate steps are taken to protect the health, safety and welfare of the BBHC employees, the members of the Board, as well as the public.

NOW, THEREFORE, the Board of Directors of Broward Behavioral Health Coalition, Inc., pursuant to Executive Order No. 20-69, dated March 20, 2020, and all other applicable laws, hereby adopts the following procedures for its Board of Directors meetings utilizing communications media technology:

- 1) Notice for all "virtual" meetings of the Board of Directors shall be prepared and posted in accordance with Section 120.54(5)(b)(2), F.S., and Ch. 28-109, Florida Administrative Code, and other applicable local and state law.
- 2) Members of the Board of Directors and BBHC staff may attend meetings remotely utilizing CMT. The BBHC staff shall assist to ensure that all members of the Board of Directors and necessary BBHC staff, have access to the Board of Directors meeting. Pursuant to the Order, a physical quorum of the Board of Directors is not legally required to hold a meeting and conduct official business. In the event that a physical quorum is not present, a virtual quorum shall be required in order to hold a meeting and conduct official business.
- 3) BBHC offices are closed to the public and employees are working remotely pursuant to the orders of Governor Ron DeSantis and Broward County, Florida. While the BBHC offices are closed to the public, the public shall not be permitted to physically attend meetings of the Board of Directors. This restriction is intended to ensure compliance with Governor Ron DeSantis's Executive Order No. 20-91 and with the CDC recommendation to avoid gatherings of more than ten (10) people.

- 4) Any member of the public wishing to comment publicly on any matter, including on items on the agenda, may participate in the virtual meeting through the CMT platform as provided in the meeting notice and may also submit their comments by email to publiccomments@bbhcflorida.org. All comments submitted by email that, if read orally, are limited to three minutes or less and shall be read into the record. All comments submitted by email shall be made a part of the public record and minutes of the meeting. Public comments may also be submitted online, prior to and during the meeting, through the Charter School's virtual meeting platform, accessible on the Charter School's Board of Directors meeting or has any questions about how to submit a public comment at the meeting, please contact:

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- 5) All action of the Board of Directors shall be taken by a roll call vote.
- 6) If, at any point during the Board of Directors meeting, the technology fails or if the technology is insufficient to permit all interested members of the public to attend, the Board of Directors meeting shall cease immediately until such problems have been resolved.

**APPROVED BY THE BOARD OF DIRECTORS FOR BROWARD
BEHAVIORAL HEALTH COALITION, INC.** and filed on the _____ day of May, 2020.

NAN RICH, CHAIR