

RESOLUTION NO. 2020- 19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, AFFIRMING THAT ALL PERSONS ARE CONSTITUTIONALLY GUARANTEED DUE PROCESS AND EQUAL PROTECTION UNDER THE LAW, FREE OF RACISM AND UNJUST AND ARBITRARY DISCRIMINATION IN ALL FORMS; STRONGLY REJECTING RACISM AND ANY FORM OF UNJUST AND ARBITRARY DISCRIMINATION UNDER THE LAW, AND FULLY AFFIRMING AND SUPPORTING EQUAL JUSTICE UNDER THE LAW; STRENGTHENING THE CITY'S RESOLVE AGAINST RACISM AND ANY FORM OF UNJUST AND ARBITRARY DISCRIMINATION UNDER THE LAW BY ESTABLISHING A TRANSPARENT AND PUBLIC PROCESS FOR THE MAYOR, CITY COMMISSION AND THE CITIZENS OF WINTER SPRINGS TO ASSESS THE CITY'S RELATED POLICIES AND PRACTICES AND ENGAGE IN A PRODUCTIVE COMMUNITY DIALOGUE FOR THE OVERALL BETTERMENT OF THE COMMUNITY; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT RESOLUTIONS, SEVERABILITY, AND AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, this Resolution is the collective expression of the Mayor and City Commission as the governing body of the City of Winter Springs pursuant to the City Charter and Ordinances; and

WHEREAS, Article I, Section 2 of the Florida Constitution provides that all natural persons, female and male alike, are equal before the law; and

WHEREAS, the 14th Amendment of the United States Constitution provides that no state shall deny to any person within its jurisdiction the equal protection of the laws; and

WHEREAS, under these fundamental principles, and history of Federal and State equal rights laws, all persons are constitutionally guaranteed due process and equal protection under the law, free of racism and unjust and arbitrary discrimination in all forms; and

WHEREAS, since the creation of the City of Winter Springs in 1959, each and all Mayors and Commissioners, as well as each and all Winter Springs Law Enforcement Officers, of the City have taken an oath of office to support, protect and defend the Constitutions of the United States and State of Florida; and

WHEREAS, the Mayor and City Commission strongly reject racism and any form of unjust and arbitrary discrimination under the law, and fully support equal justice under the law; and

WHEREAS, the Mayor and City Commission also desire to express, as a matter of policy and practice of the City, the City's commitment to continuously and vigorously strengthen and foster within the organization and community at large human dignity, equality, diversity, inclusivity and equal justice under the law; and

WHEREAS, the Mayor and City Commission recognize the substantial efforts regularly being made by the City Manager and all City Departments to evaluate, improve and implement

policies and practices to continuously afford all persons due process and equal protection under the law, free of racism and unjust and arbitrary discrimination, and to foster human dignity, equality, diversity, inclusivity and equal justice within the organization; and

WHEREAS, the Mayor and City Commission desire to strengthen the City's resolve against racism and any form of unjust and arbitrary discrimination under the law by establishing a transparent and public process for the Mayor, City Commission and the citizens to assess the City's related policies and practices; and

WHEREAS, the City Commission hereby finds this Resolution is in the best interests of the City of Winter Springs and its officials, employees and citizens.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA, THAT:

Section 1. Recitals. The foregoing recitals are hereby adopted as material provisions of this Resolution and deemed fully incorporated herein by this reference.

Section 2. Annual Public Assessment by the Mayor and City Commission.

A. No later than June of each year, the City of Winter Springs shall conduct an annual assessment to evaluate how well the City is implementing policies and practices consistent with this Resolution.

B. The annual assessment shall be conducted by the Mayor and City Commission at a duly scheduled workshop meeting open to the public. The workshop will be conducted in a round table format consisting of the Mayor, City Commissioners and a select number of citizens and businesses of Winter Springs and such other persons deemed to be a relevant stakeholder in the Winter Springs community chosen by the City Manager and City Commission. During the workshop meeting, the City Manager, Chief of Police, and other management personnel designated by the City Manager will initially report on said policies and practices for purposes initiating and engaging in a productive roundtable dialogue for the overall betterment of the community. An opportunity for public input shall also be provided.

C. After considering the dialogue occurring at the workshop meeting and such other relevant and appropriate considerations, the City Manager shall prepare and deliver a written annual report to the Mayor and City Commission at a duly held regular meeting open to the public. The annual report will identify areas in which the City has successfully implemented the plans and practices and identify areas in which the City can improve in the implementation of such policies and practices. The annual report shall include an action plan that includes a schedule and budgetary considerations for implementing improvements to the City's policies and practices.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, word, or portion of this Resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, whether for substantive or procedural reasons, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

Section 4. Repeal of Prior Inconsistent Resolutions. All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption by the City Commission of the City of Winter Springs, Florida.

RESOLVED by the City Commission of the City of Winter Springs, in a regular meeting assembled on the 13th day of July, 2020.

CITY OF WINTER SPRINGS, FLORIDA



CHARLES LACEY, MAYOR

ATTEST:



CHRISTIAN GOWAN, CITY CLERK

**Approved as to legal form and sufficiency for
The City of Winter Springs only:**



ANTHONY A. GARGANESE, CITY ATTORNEY











