

RESOLUTION NO. 22-1594

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LONGWOOD, FLORIDA, AMENDING THE CITY COMMISSION RULES OF PROCEDURE CONCERNING THE OPENING INVOCATION AND POLICY OF ADOPTING A NON-EXCLUSION FOR SELECTION OF VOLUNTEER INVOCATION SPEAKERS AND A DIVERSITY OF VIEWPOINTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on May 17, 2021, the City of Longwood City Commission (the "City) adopted Resolution No. 21-1562, which adopted procedures relating to an opening invocation observed during the opening, ceremonial portion of each City Commission meeting for the blessing and solemnizing of the proceedings for the benefit of the City Commission; and

WHEREAS, the City desires to amend Resolution No. 21-1562 related to speaker selection;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LONGWOOD, FLORIDA, AS FOLLOWS:

SECTION I. Rule 4.2.1 of the City of Longwood City Commission Rules of Procedure is hereby amended as follows (underlined language are additions, and ~~stricken through~~ words are deletions; provisions not included are not being amended):

4.2.1 The agenda will be arranged in the following order:

1. Call to order by the Chair.
2. Opening Invocation.
3. The Pledge of Allegiance - shall rotate among the five Commissioners in an ascending numerical order.
4. Community Announcements.
5. Proclamations / Commendations / Awards / Presentations.
6. Board / Committee Appointments.
7. Public Input.
 - A. Special Presentations.
 - B. Public Participation Period (30 minutes time limit).
8. Mayor and Commissioners' Report.

9. Any Additions or Deletions to the Agenda (See Rule 3.4.3)
10. Consent Agenda (See Rule 4.4)
11. Public Hearings.
12. Regular Business (Other requests, Introduction of Ordinances, Resolutions).
13. City Administrator's Report.
14. City Attorney's Report.
15. City Clerk's Report.
16. Adjournment.

SECTION II. The City of Longwood City Commission Rules of Procedure are hereby amended to create a new Rule 4.9 to read as follows:

Rule 4.9 OPENING INVOCATION

4.9.1 Intent. It is the intent of the City Commission to allow a private citizen to solemnize the regular meetings of the City Commission. It is the policy of the City Commission to allow for an invocation, which may include prayer; a reflective moment of silence; or a short solemnizing message, to be offered before its regularly scheduled meetings for the benefit of the City Commission, to accommodate the spiritual needs of the public officials. Special meetings, emergency meetings, and workshops will not include an opening invocation. These policies and procedures are not intended, shall not be implemented, and shall not be construed in any way to affiliate the City Commission or the City with, nor express a preference for or against any faith, belief, opinion, religion, or denomination. Rather, these policies and procedures are intended to acknowledge and express the City Commission's respect for the diversity of religious denominations and faiths represented and practiced among the citizens of the City.

4.9.2 Timing. After the Call to Order of all official regular meetings of the City Commission an Opening Invocation as described herein will occur. The opening invocation will occur and be completed during the opening, ceremonial portion of the City Commission meeting and shall in no event occur, or be construed to occur, during the policymaking, legislative or quasi-judicial portions of the City Commission meeting. The opening invocation will be limited to no more than 1 1/2 minutes.

4.9.3 Speaker Selection. The opening invocation will be performed by a local volunteer ("invocation speaker") who is an appointed representative of a group that is selected in

accordance with these rules. The invocation speaker giving the opening invocation will not receive compensation from the City for his/her participation or services. To ensure that invocation speakers are selected from among a wide pool of representatives, on a rotating basis, the invocation speaker shall be selected according to the following procedure:

A. The City Clerk will compile and maintain a database (the "database") from a broad and diverse pool of volunteer invocation speakers from leaders of any and all local religions, denominations, faiths, creeds, and beliefs, including but not limited to, ministers, priests, chaplains, rabbis, imams, deacons, clerics, and the like. The database may be compiled through referencing the listings for "churches," "synagogues," "mosques," "temples," "congregations," and other similar groups and organizations, located, or with an established physical presence, within the jurisdictional limits of the City of Longwood or unincorporated areas with a Longwood mailing address, through research from the Internet and the phonebook, consultation with local organizations, and any other methods deemed effective by the City Clerk or her designee.

B. Any church, synagogue, mosque, temple, congregation, entity, organization, or group within the jurisdictional limits of the City or unincorporated areas with a Longwood mailing address not identified within the database for participation may request for their representative's inclusion within the database by written communication directed to the City Clerk that references the opening invocation. Should a question arise as to the authenticity of the church, synagogue, mosque, temple, congregation, entity, organization, or group requesting to be added to the database, the City Clerk shall refer to the criteria used by the Internal Revenue Service in its determination of whether such requesting organization would legitimately qualify for section 501(c)(3) tax-exempt status.

C. This policy is intended to be and shall be applied in a way that is all-inclusive of every diverse congregations, groups and organizations within the jurisdictional limits of the City or within unincorporated areas having a Longwood mailing address. The database is compiled and used for purposes of logistics, efficiency, and equal opportunity for all congregations, groups and organizations within the jurisdictional limits of the City or unincorporated areas with a Longwood mailing address to choose whether to respond to the City Commission's invitation.

D. The database shall be updated, by reasonable efforts of the City Clerk, in November of each calendar year. The City Clerk will keep a record of attempts to solicit invocation speakers and of the invocation speakers that have given the opening invocation.

E. In December of each calendar year, the City Clerk shall communicate with each group leader from each entry on the database using reasonable methods, and shall post an invitation on the City's website.

F. The invitation will comport with substantially the following form:

Dear _____,

The City Commission of the City of Longwood makes it a policy to invite volunteer invocation speakers to voluntarily offer an invocation before the beginning of its meetings, for the benefit and blessing of the City Commission. As a representative of one of the religious congregations or other groups with an established presence serving the City, you are eligible to offer this important service at an upcoming meeting of the City Commission.

If you are willing to assist the City Commission in this regard, please send a written reply at your earliest convenience to the City Clerk of the City of Longwood at the address included in this letterhead. Representatives are scheduled on a first-come, first serve basis. The anticipated dates of the City Commission's regularly scheduled meetings for the upcoming year are listed on the following attached page. Speakers are invited on a rotation basis. We are unable to accommodate requests for specific dates.

This opportunity is voluntary, and you are free to offer the invocation according to the dictates of your own conscience. To maintain a spirit of respect and ecumenism, the City Commission requests that the opportunity not be exploited as an effort to convert others to the particular faith of the invocation speaker, or to disparage any faith or belief different than that of the invocation speaker. A copy of Resolution No. ____ adopting the City Commission's policy regarding invocations is attached for your information.

On behalf of the City Commission of the City of Longwood, I thank you in advance for considering this invitation.

*Sincerely,
City Clerk*

G. The City Clerk will attempt to schedule invocation speakers from those representatives within the database for all regular meetings of the City Commission except those meeting(s) within the month of December. For the regular meetings of the City Commission falling within the month of December, the Mayor shall have the prerogative to choose an invocation speaker(s) for such regular meetings from the database. The Mayor's selection of the invocation speaker for such regular meeting(s) is to be given to the City Clerk prior to public posting of each applicable Commission agenda. If the Mayor does not make an invocation speaker selection for such December meeting(s), a moment of silent meditation will be conducted at such December meetings in lieu of an opening invocation.

~~H. During the transition period needed for the City Clerk to compile the database and schedule invocation speakers from such list after the adoption of this Rule, the City Clerk may use best available information to make informal requests departing from the procedures above for the scheduling of a volunteer invocation speaker to give the opening invocation at each regular City Commission meeting.~~

4.9.4 The City Clerk shall make every reasonable effort to ensure that a variety of eligible invocation speakers are scheduled for the City Commission's meetings. To ensure a variety of speakers, no invocation speaker will be scheduled for more than ~~two~~ three (3) Commission meetings in any calendar year, and no invocation speaker will be scheduled for two consecutive meetings. The City Clerk may add the name and affiliated group or organization of the selected invocation speaker for a particular regular meeting to the Commission agenda next to the "Opening Invocation" item.

4.9.5 Absence of Invocation Speaker. In the event a regular meeting of the City Commission does not have an invocation speaker scheduled or the invited invocation speaker is not present when the meeting is called to order, the Mayor will call for a moment of silent meditation to be conducted in lieu of an opening invocation. The silent meditation will afford each person the opportunity for silent personal prayer, meditation or reflection.

4.9.6 Conduct of Opening Invocation. Neither the City Commission nor the City Clerk shall engage in any prior inquiry, review, or involvement in, the content of any invocation to be offered by an invocation speaker. However, consistent with U.S. Supreme Court precedent, invocation speakers are hereby advised that the invocation should not denigrate any religious faith or non-religious views of others; threaten damnation; or proselytize or preach conversion to their faith or viewpoint. Statements reflecting ideals relating to peace and security for the nation; safety of our armed forces, police, firefighters and emergency service personnel; wisdom for the lawmakers; and justice for the people are encouraged. Invocation speakers should face the City Commission when giving the invocation. The City Commission reserves the right to limit any invocation speaker who violates the spirit and intent of this Resolution from delivering opening invocations at future Commission meetings.

No member of the City Commission, City employee or staff, or any other person in attendance at the meeting shall be required to participate in any opening invocation that is offered. An opportunity to exit the City Commission Chambers and return upon completion of the opening invocation is afforded to those who do not wish to participate or witness the opening invocation.

Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. Such invitation constitutes a general invitation that a person in attendance may stand if he/she wishes to do so for such observances. No

person in attendance at the meeting shall be required to stand or participate in any opening invocation that is offered.

4.9.7 Agenda Disclaimer. The following statement shall be placed at the bottom of City Commission meeting agendas:

Any invocation that is offered before the official start of the Commission meeting shall be the voluntary offering of a private person, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission or the city staff, and do not necessarily represent their individual religious beliefs, nor are the views and beliefs expressed by an invocation speaker intended to suggest the City's allegiance to or preference for any particular religion, denomination, faith, creed or belief. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. You may exit the City Commission Chambers and return upon completion of the opening invocation if you do not wish to participate in or witness the opening invocation.

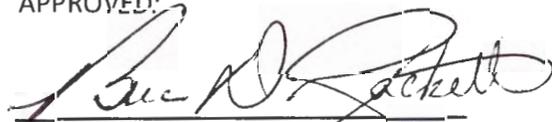
SECTION III: CONFLICTS/SUPERSEDE. This Resolution shall supersede any previous rules, policies, procedures, or resolutions to the extent of any conflict with this Resolution.

SECTION IV: SEVERABILITY. If any portion of this Resolution is finally determined by a court of competent jurisdiction to be invalid, unconstitutional, unenforceable, or void, the balance of the Resolution shall continue in full force and effect.

SECTION V: EFFECTIVE DATE. This Resolution shall take effect immediately.

PASSED AND RESOLVED this 7th day of February 2022, by the City Commission of the City of Longwood, Florida.

APPROVED:



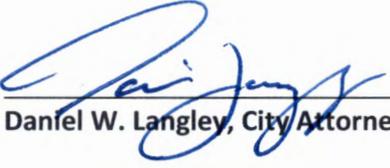
Brian D. Sackett, Mayor

ATTEST:



Michelle Longo, CMC, FCRM, City Clerk

Approved as to form and legality for the use and reliance of the City of Longwood, Florida only.



Daniel W. Langley, City Attorney