



## RESOLUTION #02024-03

RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA PURSUANT TO SECTION 50.0311, FLORIDA STATUTES, ENACTED BY THE FLORIDA LEGISLATURE PROVIDING FOR THE PUBLICATION OF LEGAL NOTICES ON CERTAIN PUBLICLY ACCESSIBLE WEBSITES REQUIRING THE CITY OF WEST MIAMI TO HOLD A PUBLIC HEARING TO DETERMINE THAT THE RESIDENTS OF THE CITY OF WEST MIAMI HAVE SUFFICIENT ACCESS TO THE INTERNET BY BROADBAND SERVICES AS DEFINED IN SECTION 364.02, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Florida Statutes, 50.0311 enacted by the Florida Legislature revised the requirement for newspaper publishing of legal notices to be substituted in certain instances by its publication on certain publicly accessible websites; and

**WHEREAS**, Section 50.0311, Florida Statutes establishes that a public hearing advertised in a regular newspaper be held to determine that the residents of a governmental agency have sufficient access to the internet by broadband services as defined in Section 364.02, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF WEST MIAMI THAT:

**Section 1.** The afore-mentioned statements are true and correct and adopted as is fully stated herein.

**Section 2.** After a public hearing as mandated by Section 50.0311, Florida Statutes, the City Commission has determined the residents of the City of West Miami (have / do not have) sufficient access to the internet by broadband services for the purpose of viewing public notices.

**Section 3.** Should the City Commission determine that residents have sufficient access to the internet through broadband services, the City will proceed to enact an ordinance as authorized by statute, to utilize Miami Dade County publicly accessible website or any other private website designated by the Miami-Dade County.

**Section 4.** This Resolution shall take effect immediately upon passage by the City Commission and signature of the Mayor.

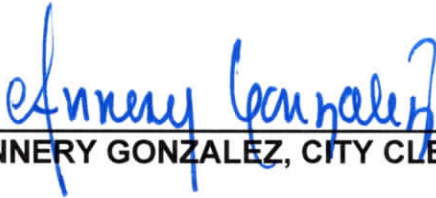
PASSED AND ADOPTED this 10th day of January, 2023.

APPROVED:



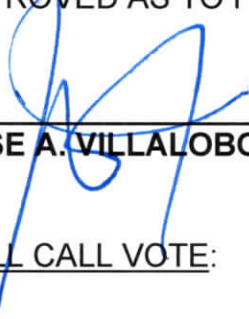
\_\_\_\_\_  
ERIC DIAZ-PADRON, MAYOR

ATTEST:



\_\_\_\_\_  
ANNERY GONZALEZ, CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



\_\_\_\_\_  
JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

This Resolution was offered by Commissioner Chavez, who moved its adoption. The motion was seconded by Vice-Mayor Blanes. The vote was as follows:

MAYOR ERIC DIAZ-PADRON	<u>Y</u>
VICE-MAYOR JUAN M. BLANES	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>ABSENT</u>
COMMISSIONER IVAN CHAVEZ, JR.	<u>Y</u>
COMMISSIONER LUCIANO SUAREZ	<u>Y</u>



The Beaufort Gazette  
 The Belleville News-Democrat  
 Bellingham Herald  
 Centre Daily Times  
 Sun Herald  
 Idaho Statesman  
 Bradenton Herald  
 The Charlotte Observer  
 The State  
 Ledger-Enquirer

Durham | The Herald-Sun  
 Fort Worth Star-Telegram  
 The Fresno Bee  
 The Island Packet  
 The Kansas City Star  
 Lexington Herald-Leader  
 The Telegraph - Macon  
 Merced Sun-Star  
 Miami Herald  
 El Nuevo Herald

The Modesto Bee  
 The Sun News - Myrtle Beach  
 Raleigh News & Observer  
 Rock Hill | The Herald  
 The Sacramento Bee  
 San Luis Obispo Tribune  
 Tacoma | The News Tribune  
 Tri-City Herald  
 The Wichita Eagle  
 The Olympian

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
15144	503549	MIA- Legals ROP	Public Hearing	\$1,538.55	3	5.00 in

Attention: Annery Gonzalez

CITY OF WEST MIAMI  
 901 SW 62ND AVE  
 MIAMI, FL 331444890

ritar@cityofwestmiami.org

**NOTICE OF PUBLIC HEARING  
 CITY OF WEST MIAMI, FLORIDA**

**ACTION IS HEREBY GIVEN** by the City of West Miami, Florida to determine that the residents of a governmental agency (City of West Miami) has sufficient access to the Internet by broadband services as defined in Section 304.06, Florida Statute.

The Florida Legislature has amended Section 304.06(1), Florida Statute providing for publication of legal notices on certain publicly accessible websites. It is required that the City of West Miami hold a public hearing, that has been duly noticed in a newspaper as provided pursuant to statute, to determine whether the residents of a governmental agency have sufficient access to the Internet by broadband services.

"Section 304.06(1) (c) A governmental agency with at least 75 percent of its population located within a county with a population of fewer than 500,000 may use a publicly accessible website to publish legally required advertisements and public notices only if the governing body of the governmental agency, at a public hearing that has been noticed in a newspaper as provided in this chapter, determines that the residents of the governmental agency have sufficient access to the Internet by broadband service, as defined in s. 304.06, or by any other means, such that publishing advertisements and public notices on a publicly accessible website will not unreasonably restrict public access."

This public hearing shall be before the City Commission of the City of West Miami to consider the following Resolution: **RESOLUTION OF THE BOARD AND CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA PURSUANT TO SECTION 304.06(1), FLORIDA STATUTES, CHAPTER OF THE FLORIDA LEGISLATURE PROVIDING FOR THE PUBLICATION OF LEGAL NOTICES ON CERTAIN PUBLICLY ACCESSIBLE WEBSITES RECOMMENDS THE CITY OF WEST MIAMI TO HOLD A PUBLIC HEARING TO DETERMINE THAT THE RESIDENTS OF THE CITY OF WEST MIAMI HAVE SUFFICIENT ACCESS TO THE INTERNET BY BROADBAND SERVICES AS DEFINED IN SECTION 304.06, FLORIDA STATUTES PURSUANT TO AN AFFIDAVIT DATE.**

The Mayor and City Commission will hold a Public Hearing for this item on **January 12<sup>th</sup>, 2024 at 10:00 AM**, in the City Commission Chambers of the City of West Miami City Hall, 901 SW 62 Avenue, Miami, Florida 33144.

Members of the public are invited to attend the public hearings and provide oral or written comments on the matter. To view the public hearings online at the date and time indicated above, go to the following web address: <https://app01.cityofwestmiami.com>. Written comments may be submitted to: City of West Miami, 901 SW 62 Avenue, Miami, Florida 33144, Attn: City Clerk, or by emailing [Annery@cityofwestmiami.org](mailto:Annery@cityofwestmiami.org). If you have no Internet, you may also provide comment by calling 305-389-4122. For questions, please call (305) 389-1222.

**ANY PERSON DESIRING TO APPEAL THE DECISION OF THE CITY COMMISSION SHALL FILE A WRITTEN NOTICE OF THE APPEAL PROCESSING, WHICH NOTICE INCLUDES THE REASONING AND EVIDENCE UPON WHICH THE APPEAL IS TO BE MADE (SECTION 304.196, F.S.).**

**IN ACCORDANCE WITH THE AMENDMENT WITH CONSTITUTION ACT OF 2018, PERSONS DESIRING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCESSING SHOULD CONTACT THE CITY CLERK'S OFFICE FOR ASSISTANCE AT (305) 389-4122 NO LATER THAN FOUR (4) DAYS PRIOR TO THE PROCESSING. IF HEARING REQUESTED, TELEPHONE #11 OR YOU MAY CONTACT 1-800-888-8877 FOR THE FLORIDA RELAY SERVICE FOR ASSISTANCE.**

**PUBLISHED DAILY  
 MIAMI-DADE-FLORIDA**

**STATE OF FLORIDA  
 COUNTY OF MIAMI-DADE**

Before the undersigned authority personally appeared: Stefani Beard, who on oath says that he/she is CUSTODIAN OF RECORDS of The Miami Herald, a daily newspaper published at Miami in Miami-Dade County, Florida; that the attached copy of the advertisement that was published was published in said newspaper in the issue(s) of:

Publication: Miami Herald

1 insertion(s) published on:

12/29/23

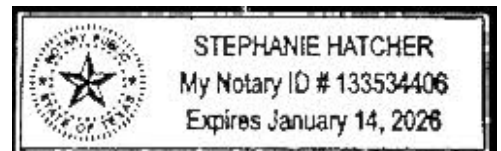
Affiant further says that the said Miami Herald is a newspaper published at Miami, in the said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered a second class mail matter at the post office in Miami, in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s).

*Stefani Beard*

Sworn to and subscribed before me this 3rd day of January in the year of 2024

*Stephanie Hatcher*

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.  
 Legal document please do not destroy!