

**RESOLUTION NO. 16-02**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING RESOLUTION NO. 15-04 RELATING TO OPENING INVOCATION PROCEDURE AND POLICIES; CLARIFYING METHODS AND CRITERIA UTILIZED FOR COMPILING AN INCLUSIVE DATABASE OF THE RELIGIOUS CONGREGATIONS AND OTHER GROUPS AND ORGANIZATIONS WITH AN ESTABLISHED PRESENCE IN THE CITY OF WINTER GARDEN; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Winter Garden (the "City") adopted Opening Invocation Procedure and Policies by Resolution No. 15-04; and

**WHEREAS**, the previously adopted findings and recitals of the City Commission set forth in Resolution No.15-04 are incorporated herein by reference and shall constitute a part hereof; and

**WHEREAS**, the City Commission desires to amend such Opening Invocation Procedure and Policies to provide clarification relating to the methods and criteria utilized for compiling an inclusive database of the religious congregations and other groups and organizations with an established presence in the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AS FOLLOWS:**

**SECTION I. Amendment.** Sub-paragraph 2 of the **Speaker Selection** portion of Section I of City Resolution No. 15-04 regarding **OPENING INVOCATION PROCEDURE AND POLICIES** is hereby amended as follows (underlined language are additions, and ~~stricken through~~ words are deletions; provisions not included are not being amended):

**Speaker Selection.**

\* \* \*

2. The database shall be compiled examining a broad and diverse pool of religious leaders and other representatives of any and all local religions, denominations, faiths, creeds, and beliefs, including but not limited to, ministers, priests, chaplains, rabbis, deacons, clerics, and the like. The database may be compiled, and determinations as to the authenticity of religious or non-religious groups and organizations may be made, through referencing the listings for "churches," "congregations," other religious and non-religious groups and organizations located, or with an established presence, within the jurisdictional limits of the City in the annual Yellow Pages telephone book(s) or comparable data sources, research from the

Internet, consultation with local chambers of commerce or comparable organizations, utilization of the criteria used by the Internal Revenue Service in its determination of those groups or organizations that would legitimately qualify for Section 501(c)(3) tax-exempt status, and any other effective method in the discretion of the City Manager or his/her designee. Any such church, congregation, entity, organization or group within the jurisdictional limits of the City not identified within the database for participation may request inclusion within the database by written communication directed to the City Manager that references the opening invocation. If a resident of the City is a member of a church, congregation, other religious or non-religious group or organization which is located outside of the City, such shall be included in the database upon the residents' written request to the City. This policy is intended to be and shall be applied in a way that is inclusive of diverse religious and non-religious congregations, groups and organizations. The database is compiled and used for purposes of logistics, efficiency, and equal opportunity for all religious and non-religious leaders within the jurisdictional limits of the City to choose whether to respond to the City Commission's invitation.

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

**SECTION III: SEVERABILITY.** If any portion, word, phrase, sentence, or part 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 IV: EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND RESOLVED** this 25th day of February, 2016, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

/S/  
John Rees, Mayor

ATTEST:

/S/  
Kathy Golden, City Clerk