A RESOLUTION ALLOWING THE CITY OF MOAB PLANNING COMMISSION TO CONDUCT ELECTRONIC MEETINGS

Pursuant to Governor Gary R. Herbert’s March 18, 2020 Executive Order 2020-05, the City of Moab Planning Commission hereby adopts this Resolution No. 02-2020 allowing Planning Commission meetings to be held electronically.

A. *Electronic Meetings Authorized.* The Moab Planning Commission, and/or City staff, may participate in an electronic meeting of the Planning Commission as provided below. All actions taken at an electronic meeting held in compliance with this Resolution are valid and binding to the same extent as if all participants had been physically present at the anchor location.

B. *Definitions.* The definitions in Utah Code Annotated 52-4-103, the Open and Public Meetings Act, shall apply to this Resolution with the addition of the following definitions:

1. “Anchor location” means the Moab City Council Chambers, or any other physical location where a meeting is held and from which the electronic meeting originates.

2. “Planning Commission” means the Moab City Planning Commission.

3. “Remote location” means any place, other than the anchor location, where a Planning Commissioner or City staff may be located, and where meeting participants can establish real-time audio and/or video telecommunication access to the meeting.

C. *Quorum for Electronic Meetings.*

1. A majority of the Planning Commission constitutes a quorum for the transaction of business. A quorum of the Planning Commission must be present to convene an electronic meeting but need not be present at the anchor location. Planning Commissioners and/or City Staff may participate in an electronic meeting from a remote location.

2. Planning Commissioners participating in an electronic meeting from a remote location shall be considered present and are authorized to vote and otherwise participate in the meeting as if they were present at the anchor location.

3. In the event of an equipment failure, or other similar event which causes an interruption of communication with a remote location, the Planning Commission has discretion to either: (a) act on the matters up for consideration on its agenda provided that a quorum is still present; or (b) continue the matter to a subsequent meeting.

D. *Procedures for Electronic Meetings.*

1. Notice of any electronic meeting of the Planning Commission shall be given in the same manner as provided for all other Planning Commission meetings except that the notice shall indicate that the meeting will be electronic and shall comply with Utah Code Annotated 52-4-
207(3)(b) which requires: “notice of the electronic meeting to the members of the public body at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and a description of how the members will be connected to the electronic meeting.”

2. Meeting procedures for electronic meetings of the Planning Commission shall be the same as for nonelectronic meetings, except as noted below.

3. Planning Commissioners and City staff shall be connected in such a manner that comments made by them will be broadcast to the public. The Recorder will take a verbal roll-call for Planning Commissioners present. The presiding officer shall allow remote participants to participate in the discussion to the same extent as if they were present at the anchor location.

4. Matters called to a vote in an electronic meeting shall be via roll-call vote, and Planning Commissioners (if applicable) participating from a remote location must state their name and their vote audibly when asked by the Recorder.

5. Minutes of all meetings shall record the presence of members participating through electronic means.

6. Planning Commissioners may participate in a closed session of the Planning Commission via electronic means. The closed session will be recorded but will not be broadcast.

7. All electronic meetings of the Planning Commission shall be chaired by the presiding officer whether at the anchor location or whether participating remotely.

PASSED AND APPROVED by a majority of the Moab City Planning Commission. This resolution shall take effect immediately upon passage.

SIGNED:

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Kya Marienfeld                      Date
Chair, Moab Planning Commission