

**CITY OF MOAB PLANNING COMMISSION RESOLUTION No. 05-2021 A Resolution amending the City of Moab Planning Commission Bylaws to allow electronic participation.**

The City of Moab Planning Commission hereby amends their bylaws to address participation by the Planning Commission members and/or staff in an electronic meeting as follows:

Add Article 7 Electronic Participation

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

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

“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.

“Elected officials” means the Moab City Councilmembers and Mayor.

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

7.3 Quorum for Electronic Meetings.

a. As otherwise defined in this chapter, 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. Elected officials and/or City Staff may participate in an electronic meeting from a remote location.

b. Planning Commission members 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.

c. 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.

7.4. Procedures for Electronic Meetings.

a. 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.”

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

c. 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 members 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.

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

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

f. Planning Commissioners may participate in a closed session of the City Council via electronic means. The closed session will be recorded as allowed by this chapter but will not be broadcast.

g. 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 Planning Commission. This ordinance shall take effect immediately upon passage.

SIGNED:

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Kya Marienfeld, Chair

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Date

ATTEST:

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Sommar Johnson, Recorder