

CITY OF MOAB ORDINANCE No. 2019-16
AN ORDINANCE AUTHORIZING ELECTRONIC PARTICIPATION IN CITY
COUNCIL MEETINGS AND ESTABLISHING PROCEDURES FOR
ELECTRONIC PARTICIPATION

The following describes the intent and purpose of this ordinance:

a. Pursuant to U.C.A. § 52-4-207 public bodies are authorized to conduct public meetings in whole or in part by means of a telephone or telecommunications conference;

b. U.C.A. § 52-4-207(2)(a) provides that a public body shall establish written procedures governing an electronic meeting at which one or more members of the public body are participating by means of electronic communication; and

c. It is desirable that City Council members, the Mayor, and/or City staff be able to participate in City Council meetings remotely when they are unable to physically attend a meeting due to emergency, illness, or outside work or family obligations.

The Moab Municipal Code shall be amended as follows:

2.04.100 Meetings- Electronic Participation.

A. **Electronic Participation Authorized.** Moab City Council members, the Mayor, and/or City staff may participate in an electronic meeting of the City Council as provided in this section. All actions undertaken 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. A request to participate by electronic means shall be made to the City Manager not less than 48 hours prior to the meeting in question and may be denied if this City does not have the technical capability to connect electronically to the remote location.

B. **Definitions.** The following definitions apply to this section:

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. **Electronic meeting** means a meeting of the City Council convened or conducted where a Council member, the Mayor, or City staff members participate via real-time audio or video telecommunication means.

3. Remote location means any place, other than the anchor location, where a Council member, the Mayor, or City staff may be located, and where meeting participants can establish electronic access to the meeting.

C. Quorum for Electronic Meetings.

1. As otherwise defined in this Chapter, a majority of the City Council constitutes quorum for the transaction of business. A quorum must be present at the anchor location to convene an electronic meeting of the City Council.

2. Except as noted in subsection D, below, Council 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 at the anchor location.

3. In the event of an equipment failure, or other similar event which causes an interruption of communication with the remote location, the Council has discretion to either: i) act on the matters up for consideration on its agenda; or ii) continue the matter to a subsequent meeting.

D. General Procedures.

1. Notice of any electronic meeting of the Council shall be given in the same manner as provided for all other City Council meetings. Meeting procedures for electronic meeting of the Council shall be the same as for non-electronic meetings, except as noted below.

2. A speakerphone, or similar amplifying electronic device, shall be connected in such a manner that comments made by the persons participating electronically will be broadcast at the anchor location. 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.

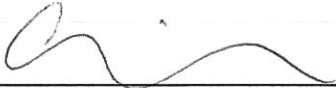
3. Matters called to a vote in an electronic meeting shall be via roll-call vote, and Council members or the Mayor (if applicable) participating from a remote location must state their name and their vote audibly when asked by the Recorder.

4. Minutes of all meeting shall record the presence of members participating through electronic means. The roll call for members present will be taken verbally and recorded.

5. City Council members shall not participate in a closed-session of the City Council via electronic means.

6. All electronic meetings of the City Council shall be chaired by a person physically present at the anchor location.

PASSED AND APPROVED by the City of Moab this 14th day of May, 2019. This ordinance shall take effect immediately upon passage.

By: 

Mayor Emily Niehaus

Attest:

By: 

Sommar Johnson, Recorder

5.14.19
Date

###