

## CITY OF MOAB ORDINANCE #2020-06

### AN ORDINANCE REPEALING AND REPLACING THE CITY OF MOAB'S MUNICIPAL CODE SECTION 2.04.100

The City of Moab's Municipal Code Section 2.04.100 is repealed and replaced as follows:

#### 2.04.100 Meetings – Electronic participation.

A. *Electronic Meetings Authorized.* Moab City Councilmembers, the Mayor, and/or City staff may participate in an electronic meeting of the City Council 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.

B. *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:

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. "Elected officials" means the Moab City Councilmembers and Mayor.
3. "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.

#### C. *Quorum for Electronic Meetings.*

1. As otherwise defined in this chapter, a majority of the City Council constitutes a quorum for the transaction of business. A quorum of the City Council 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.
2. Elected officials 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 Council 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 Council shall be given in the same manner as provided for all other City Council 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 Council shall be the same as for nonelectronic meetings, except as noted below.
3. Elected officials 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 elected officials 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 Councilmembers or the Mayor (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. Elected officials 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.
7. All electronic meetings of the City Council shall be chaired by the presiding officer whether at the anchor location or whether participating remotely.

PASSED AND APPROVED by a majority of the City of Moab City Council. This ordinance shall take effect immediately upon passage.

SIGNED:

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Emily S. Niehaus, Mayor

March 20, 2020

Date

ATTEST:

  
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Sommar Johnson, Recorder