



OPEN MEETINGS

September 1, 2020

Annual Training

“The presiding officer of the public body shall ensure that the members of the public body are provided annual training on the requirements of this chapter.” 52-4-104

(Auditor checks whether we’ve done it)



Annual Training

Public bodies include:

- Administrative
- Advisory
- Executive
- Legislative bodies



PUBLIC POLICY

Public bodies are to:

- “Take their actions openly”; and
- “Conduct their deliberations openly”



WHEN IS THERE A MEETING?

Meetings require:

- The convening of a public body
- A quorum
- Discussion or public comment about a matter over which they have jurisdiction or advisory power.



DEFINITION OF ‘CONVENING’

“Convening” means the calling together of a public body by a person authorized to do so for the express purpose of discussing or acting upon a subject over which the body has jurisdiction.



NOTICE

24 Hours public notice posted:

- City office
- Utah Public Notice Website
- Newspaper or media correspondent



AGENDA

- Agenda shall provide “reasonable specificity” to notify the public as to the topics to be considered at the meeting.
- Cannot take final action on something not listed on agenda



CLOSED MEETINGS

- Character, competence, health of an individual
- Pending or reasonably imminent litigation
- Purchase, exchange, lease of real property or water shares
- Allegations of criminal misconduct



EMAILS AND TEXT MESSAGES

“Nothing in this chapter shall be construed to restrict a member of a public body from transmitting an electronic message to other members of the public body at a time when the public body is not convened in an open meeting.”

(Utah Code 52-4-210)



MAJOR CHANGE

No Anchor location for Electronic Meetings

- Generally, an anchor location is REQUIRED
- If certain criteria exist, it is permissible to hold a meeting without an anchor location
- The City has already adopted a Resolution addressing this issue



52-4-207 – Electronic Meetings

- A public body may convene and conduct an electronic meeting without an anchor location if the chair of the public body:
 - (a) makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location;
 - (b) states in the written determination the facts upon which the determination is based;
 - (c) includes in the public notice for the meeting, and reads the written determination at the beginning of the meeting; and
 - (d) includes in the public notice information on how a member of the public may view or make a comment at the meeting.

