

RESOLUTION NO. 2022-05

A RESOLUTION ADOPTING POLICIES AND PROCEDURES FOR ELECTRONIC MEETINGS, AND RELATED MATTERS

WHEREAS, Lake Point is authorized pursuant to the Utah Open and Public Meetings Act, Title 52, Chapter 4, Utah Code, to allow for electronic meetings and remote connections for members of a Lake Point public body;

WHEREAS, the Utah State Legislature has adopted amendments to the Utah Open and Public Meetings Act regarding electronic meetings to require all public bodies to adopt an ordinance, resolution, or rule regarding counting remote members for quorum purposes, voting by remote means or proxy, and roll call votes;

WHEREAS, the Lake Point City Council desires to adopt an ordinance to permit electronic meetings on the terms and conditions set forth herein;

NOW THEREFORE, BE IT RESOLVED by the Lake Point City Council as follows:

Section 1. Definitions. As used herein, the following terms shall have the following meanings:

- a. "Anchor locations" means Lake Point/North Tooele District Fire Station, or such other place designated by the City Council where a public meeting is held, as established by law.
- b. "City" means Lake Point.
- c. "Member" means an individual who serves on the council, planning commission, other public body, or as staff of city.
- d. "Real time" means instantaneous communications such as speaking face to face, without undue delays, hearing and/or seeing what is being said or done.
- e. "Remote location" means any place other than the anchor location, where a member is at who participates in an electronic meeting.
- f. "Electronic meeting" means a formal meeting of the city where one or more member(s) participates from a remote location via telephone, Internet, television, or other telecommunication means now known or yet to be developed.

Section 2. Telecommunications and Electronic Meetings Authorized.

- a. Members may participate in meetings via telecommunications media.
- b. Any form of telecommunication may be used, as long as it allows for real time interaction in the way of discussions, questions and answers, and voting.
- c. Members who desire to participate in a meeting of the city via telecommunications should notify the Council Chair or city recorder of their intent at least one week in

advance of the meeting, or as soon as otherwise practicable, so that appropriate arrangements can be made to conduct the meeting via telecommunications.

- d. Any member(s) participating from remote locations shall make contact with the city fifteen minutes prior to the start of the meeting to ensure the equipment to be used is in proper working order.

Section 3. Notices.

- a. Notices of meetings and descriptions of how to connect via telecommunications are to be given to members in the manner and within the time frame set forth by law, at least 24 hours in advance.
- b. Public notices of electronic meetings, to the extent applicable, are to be given according to law, listing the anchor location as the site of the meeting.

Section 4. Quorum and Voting.

- a. The Chair or other Presiding Officer of the meeting shall state on the record each member who is participating via telecommunications.
- b. Members participating via telecommunications are to be considered present at an electronic meeting for purposes of establishing a quorum, as defined by law, provided that.
- c. In the event of failure of equipment, or other factor, which causes a lack of communications with a member(s) participating via telecommunications, that does not cause a lack of a quorum, the Presiding Officer may proceed with business and voting without the remote member(s). Continuances may be granted as set forth by law.
- d. In the event of failure of equipment, or other factor, which causes a lack of communications with a member(s) participating via telecommunications, causing lack of a quorum, no additional business may be conducted until the quorum can be reconstituted. Continuances may be granted as set forth by law. Business already conducted remains valid and binding.
- e. The Council shall make all votes during an electronic meeting by roll call if the vote is not a unanimous vote or if the vote of member(s) participating via telecommunications is unclear.

Section 5. Anchor Location and Participation.

- a. Whenever a meeting is to be held with a member(s) via telecommunications, an anchor location shall be provided.
- b. The designated Presiding Officer shall be physically present at the anchor location.

- c. Public participation is limited to the anchor location, unless otherwise allowed by the Presiding Officer or City Council. Public participation at the anchor location for an electronic meeting may be limited in the event of substantial risks to health and safety, as provided by law. In such events, the city shall attempt to provide alternative methods for the public and applicants to attend and participate in the electronic meeting remotely.
- d. Members participating via telecommunications may do so from any location where access can be had and the criteria of this section met.

Section 6. Method.

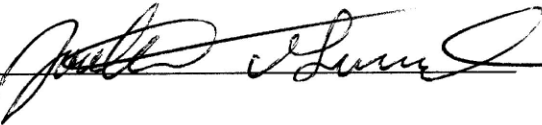
- a. Any telecommunications method now known or hereafter developed may be used to conduct an electronic meeting, so long as the criteria set forth herein can be met.
- b. All persons at the anchor location shall be required to have real time video and/or audio contact with member(s) participating from remote locations, so as to know the entire discussion and deliberations of the council.
- c. Members participating from remote locations shall have the obligation to use appropriate equipment or take other precautions to eliminate static or other disturbances to the orderly conduct of the meeting.
- d. If available, and not cost-prohibitive, an audio and video feed is the preferred method of conducting an electronic meeting.

Section 7. This resolution shall take effect immediately upon approval.

PASSED, APPROVED, AND ADOPTED on the 7th day of December, 2022

Lake Point

By
Chair



ATTEST:



City Recorder

SEAL

Voting:

Daniel Crawford
Doyle Garrard
Jonathan Garrard
Kathleen VonHatten
Ryan Zumwalt

Yea ☒ Nay ☐ Absent ☐
Yea ☒ Nay ☐ Absent ☐
Yea ☒ Nay ☐ Absent ☐
Yea ☒ Nay ☐ Absent ☐
Yea ☒ Nay ☐ Absent ☐