

**CITY OF SULTAN
SULTAN WASHINGTON
RESOLUTION 20-09**

**A RESOLUTION OF THE CITY OF SULTAN, WASHINGTON, ESTABLISHING
RULES FOR REMOTE ATTENDANCE AT CITY MEETINGS.**

WHEREAS, from time to time or under certain defined conditions it is not possible for a board member or City staff person to attend a meeting; and

WHEREAS, the City of Sultan would benefit by a board member or city staff person's participation in a meeting by means of remote communication in limited instances where the board member or staff person is unable to attend the meeting; and

WHEREAS, the City Council desires to establish a procedure for board members and city staff to attend meetings remotely via speakerphone, video teleconferencing, Zoom meeting or other electronic or digital data communication device;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Policy Regarding Remote Attendance at City Meetings Adopted. The City Council hereby adopts the following remote attendance policy:

**Policy Regarding Remote Attendance at City Meetings
and Open Public Meetings to include City
Council, Planning Board, and Community Alliance Board Meetings**

A. Purpose: The City of Sultan, recognizing the benefits of fullest practicable attendance and participation by its members and by the City Administrator, City Attorney and other City staff, provides for, but does not mandate, allowance of remote attendance at meetings. Meetings falling within this Policy include those conducted by City Council, Planning Board, and the Community Alliance Board (interchangeably referred to as "board" throughout.) Remote attendance is defined as meaningful participation from remote locations through use of electronic means including but not limited to such two-way communication methods as speakerphone, video teleconferencing, Zoom Meetings, or other media that provide full audio or audiovisual capability. In certain circumstances, including emergencies, it may be necessary for one or more members of the board, presenters, or staff ("participants") to attend from a remote location in order to have a quorum or conduct the City's business.

1. Remote attendance is for the benefit of the City of Sultan, and not for the benefit of an individual board member. Remote attendance may occur as follows:
 - a. The board chair may approve a participant's appearance at a board meeting via remote attendance when action on a measure to be voted on cannot be delayed but rather requires

immediate action or remedy and one or more the following circumstances exists:

- i. Due to fire, flood, earthquake, government mandate, or other emergency, where there is a need for action by the board to meet the emergency;
 - ii. A vote of the board of the whole is required for action; or
 - iii. A unanimous vote of the whole board is required for passage of a measure.
2. A board member may participate and vote telephonically or via other electronic means in all or part of a regular or special board meeting if the following conditions are met:
 - a. The majority of the board membership consents, and such consent shall not be unreasonably withheld;
 - b. Such attendance must be requested with reasonable notice to city staff, order to give city staff the time and ability to prepare for remote attendance;
 - c. All persons participating in the meeting are able to hear each other at the same time, such as by the use of a speaker phone, computer speaker or other amplification;
 - d. Any technical prohibitions or difficulties that prevent all parties present at the board meeting from adequately hearing and speaking to each other shall be addressed immediately; and
 - e. The board member participating telephonically or via other electronic means bears any costs of such participation but may use the communications equipment owned by the city at City Hall without charge. The city is under no obligation to provide equipment or technology support to the participant.
3. For purposes of voting by a member or members of the board, such attendance from remote locations shall be considered equal to being physically present in the Council Chambers if approved of by a majority of the board (whether present in the chamber or remotely present). The "presiding officer" will be the board chair. If, however, the board chair attends by remote means, he/she may participate in discussions, but the board chair pro tem, if physically present in the chamber, shall be the presiding officer to best facilitate an orderly and efficient process. If neither the board chair nor the pro tem board chair are present, the board members will select, by the majority, the presiding officer.

4. In the case of Executive Sessions, the board may permit participation from remote locations by the above alternative means only when the board, on a case-by-case basis, considers such participation to be necessary and the board is confident in the security of such remote communications.
5. Attendance from remote locations is intended to be an infrequently used alternate method for participation by members of the board and staff.

B. Protocol and Procedures:

1. In all meetings involving remote attendance, the Presiding Officer shall inform all present in the meeting of the intent to initiate a remote communication.

2. To ensure accuracy of the public meeting minutes, participants speaking should identify themselves each time before addressing the audience.

3. Public comments will only be recognized during the appropriate portion of the meeting, or in writing submitted prior to the meeting. Any other form of public comment will not be accepted.

4. The Presiding Officer shall confirm and announce to all that all present in the meeting and in the remote location(s) can clearly hear all other parties and (as appropriate) clearly see visual content as will be presented. The Clerk shall record such confirmation.

5. With such confirmation, members of the board --- whether they are in the meeting or at remote location(s) --- constituting a majority may approve the use of remote communication for the entirety of the meeting or for a specified portion thereof.

6. If the board, by a majority, approves use of remote communication for only a specified portion of any meeting, the Presiding Officer shall announce same and, at the end of the specified portion, shall clearly announce to all the close of the remote communication and shall order that the connection be stopped. The attendance of the remote party shall be at an end. The Clerk shall record the beginning and ending times of each such remote communication.

7. In the event that the remote communication link is broken or significantly degraded such that it no longer meets the full requirements of this section, the Presiding Officer shall confirm the loss of service and announce the close of the remote attendance. The attendance of the remote party shall be at an end. The Clerk shall record the time of such closure.

C. Requirements of the System(s): Any communications systems utilized shall reliably permit all persons attending --- whether they are physically in the meeting

room or in remote location(s) --- to be clearly heard by all others and to clearly hear all audio content of the meeting. Where applicable by the board's determination, such communications system shall reliably permit all attendees, whether in the meeting or in a remote location, to be clearly seen by all others and to clearly see all visual content that is determined by the board to be crucial to the understanding of matters discussed. Systems used in the course of Executive Sessions shall be reasonably secure from unauthorized access.

D. Maintenance of Public Record: Audio and video recordings of proceedings under this section shall be maintained for the public record as required by law.

E. System Initiation, Training and Maintenance: In a reasonable time, the board shall make available appropriate funds and the City Administrator or his/her designee shall arrange for the acquisition and installation of all appropriate equipment, communication systems and software as shall be necessary to fulfill this policy. The City Administrator shall ensure the maintenance of such systems. The City Administrator shall provide appropriate training to the board and to all staff who may participate in such meetings in accordance with this section. Systems, equipment and training for the purpose of this section shall from time to time be upgraded at the suggestion of the City Administrator and at direction of the board as technologies advance and city budgets allow.

Section 2. Effective Date. This Resolution shall take effect immediately upon adoption by a majority vote of the City Council.

PASSED AND ADOPTED this 26th day of March, 2020



Tami Pevey, City Clerk



Russell Wiita, Mayor