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L E G I S L A T I V E   A C T I O N   I T E M

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**DATE:** October 4, 2002  
**TO:** City Council Members  
**FROM:** Gary Mumford  
**RE:** **Legislative Action Item: Majority of a quorum of City boards or commissions to be physically present when conducting electronic meetings**  
**CC:** Rocky Fluhart, Steven Allred, David Nimkin, DJ Baxter

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Originally, a proposed ordinance amendment to allow for the canceling of Airport board meetings also provided for electronic meetings. Before the Council adopted this amendment, the Administration removed the electronic-meeting portion of the proposed ordinance on the basis that State code would apply if electronic meetings were held. Council Member Christensen suggested that the Council may wish to pursue consideration of an ordinance requiring that at least a majority of a quorum be physically present in order for City boards or commissions to hold electronic meetings. At a Council work session, Council Members were generally in favor of requesting that the Administration draft an ordinance for the Council's consideration.

***Proposed Motion:***

***I move that the Council refer this item to the Administration for development and review.***

Council Member Saxton mentioned that those serving on boards and commissions should make themselves available to attend meetings and suggested that those with excessive absences should be replaced. Current City code provides that board or commission members may be removed from office, for cause, prior to the normal expiration of the term. *Does the Council wish to request that the Administration include a review of the appropriateness of defining the number of allowed absences and a review of consistency between all boards and commissions?*

**Background**

The 1997 legislative session authorized public bodies to hold meetings electronically. In order to hold such meetings, members of the public body must have "the ability to communicate with all of the members of a public body, either verbally or electronically so that each member of the public body can hear or see the communication." As with any public meeting, electronic meetings must be properly noticed in compliance with the Open Meetings Act. State code (52-4-7.8) provides that interested persons can attend and monitor an electronic meeting at a location in the building where the public body would normally meet if it were not holding an electronic meeting.

## **ITEM F-2**

The Salt Lake City Council's policy for electronic City Council Meetings is that at least a quorum (four City Council Members) be physically present. The policy allows Council Members the option to be connected by telephone when they are traveling outside the City.

Since State law allows for electronic meetings without members being physically present, Council Member Christensen suggested that it may be appropriate for the Council to consider an ordinance requiring that at least a majority of a quorum be physically present for meetings of other City groups (boards, committees, councils, commissions). The Council was in favor of advancing this legislative action item to a Council Meeting for consideration of requesting that the City Attorney's Office develop a draft ordinance.