

# AGENDA

**City of University Heights, Iowa**  
**Special Meeting of City Council**  
*Tuesday, March 17, 2020*  
**Community Center-OUP**  
**1302 Melrose Avenue**

**Note Time: 11:00am – 11:15am**

**Meeting called by Mayor Louise From**

<b>Time</b>		<b>Topic</b>	<b>Owner</b>
<b>11:00am</b>	Call to Order Special Meeting	Roll Call	Louise From
		-Consideration of Resolution No. 20-10 establishing procedures for City meetings to be conducted electronically.	Steve Ballard
<b>11:15am</b>	Adjournment		Louise From

**Next Regular Meeting of the City Council is Tuesday, April 14, 2020 @ 7:00pm**

RESOLUTION NO. 20-10

**RESOLUTION ESTABLISHING PROCEDURES FOR CITY MEETINGS TO BE CONDUCTED ELECTRONICALLY**

**WHEREAS**, circumstances may exist making it impossible or impractical for the City Council of the City of University Heights and/or other City Boards or Commissions to conduct in-person meetings; and

**WHEREAS**, Iowa Code § 21.8 contemplates that in such circumstances, governmental bodies may hold electronic meetings; and

**WHEREAS**, the City Council previously adopted Resolution No. 10-16, which permitted Council members to participate in Council meetings by phone; and

**WHEREAS**, the City Council now desires to update, clarify, and strengthen its policy concerning electronic meetings,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of University Heights, Iowa, as follows:

1. **Electronic Meetings.**
  - A. The City Council of the City of University Heights, Iowa may conduct a meeting by electronic means where meeting in person is impossible or impractical;
  - B. The City Council shall provide public access to the conversation of the meeting to the extent reasonably possible (provided, however, if the Council holds a Closed Session as provided by Iowa Code § 21.5, then public access may be restricted); and
  - C. The City Council shall comply with Iowa Code § 21.4, which requires giving notice and posting a tentative meeting agenda 24 hours in advance of the meeting (provided, however, that for purposes of this provision the place of the meeting is the place from which the communication originates or where public access is provided to the conversation or City Hall; and
  - D. An electronic meeting of the City Council may include a public hearing or any other matter, measure, or item of business required or permitted to be undertaken, considered, and voted on by the City Council; and
  - E. Minutes shall be kept of the meeting and shall include a statement explaining why a meeting in person was impossible or impractical; and

- F. The same rules and procedures set forth above for conducting Council meetings electronically shall also apply to meetings of all City Boards and Commissions and other tribunals and panels of the City that are subject to the provisions of Iowa's Open Meetings Laws.

2. **Electronic Participation in Meetings.**

- A. The Mayor, any Council Member, and City Staff may participate electronically in City Council meetings held in person; and
- B. The person desiring to participate electronically shall make arrangements to participate through electronic means (e.g., telephone, conference call, videoconference, etc.); and
- C. The person participating electronically shall be deemed to be "present" at the meeting for purposes of establishing a quorum, determining passage of motions, resolutions, ordinances, and other measures, and for all other purposes;
- D. The person participating electronically shall be permitted to engage in and perform any function or action that the person could engage in and perform in person, including but not limited to discussing, debating, and voting on various measures; and
- E. The person participating electronically shall have all other rights, privileges, and prerogatives the person would have if attending in person; and
- F. The same rules and procedures set forth above for participating in Council meetings electronically shall also apply to participation in meetings of all City Boards and Commissions and other tribunals and panels of the City (by their respective chairs, members, and staff) that are subject to the provisions of Iowa's Open Meetings Laws.

3. **Repealer.** Resolution No. 10-16 is hereby repealed.

Upon motion by \_\_\_\_\_, and seconded by \_\_\_\_\_, the vote was as follows:

	AYE	NAY	ABSENT	ABSTAIN
Cook	_____	_____	_____	_____
Moore	_____	_____	_____	_____
O'Sullivan	_____	_____	_____	_____
Scott	_____	_____	_____	_____
Swales	_____	_____	_____	_____

Upon Roll Call thus recorded, the Resolution is declared adopted this 17<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
 Louise A. From, Mayor

ATTEST:

\_\_\_\_\_  
 Steven E. Ballard, City Attorney  
 for Christine M. Anderson, City Clerk

RESOLUTION NO. 10-16

**RESOLUTION ESTABLISHING A RULE FOR  
ELECTRONIC PARTICIPATION IN CITY COUNCIL MEETINGS**

WHEREAS, participation through electronic means including, but not limited to, telephone, speakerphone, conference call, and videoconference, fully comports with the policy considerations underlying Iowa's Open Meetings Law, Iowa Code ch. 21, the purpose of which is to assure that the City's decision making occurs in public session to which all members of the public are afforded participatory access to the extent reasonably possible; and

WHEREAS, the City Council member is unavailable to be personally present at the City Council meeting and has made arrangements to participate through electronic means in the discussion, debate and vote on measures; and

WHEREAS, under no circumstances will a quorum of the City Council be participating electronically in such meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of University Heights, Iowa:

That it shall be the local rule of this City Council that whenever a Council member or the Mayor is unable to be personally present at a Council meeting, he or she may participate in the meeting, including the debate, discussion, and vote on all measures, if he or she has made sufficient arrangements to participate through electronic means. An absent Council member or Mayor shall have all of the rights and voting privileges as a Council member or Mayor personally present at the Council meeting. The rule shall not apply to electronic participation by a majority of the members of the Council.

Passed and approved this 13<sup>th</sup> day of July, 2010.

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Louise From, Mayor

ATTEST:

\_\_\_\_\_  
Christine Anderson,  
City Clerk

Approved by