



REMOTE MEETING ATTENDANCE POLICY AND PROCEDURES FOR CITY COUNCIL, BOARDS AND COMMISSIONS

I. Purpose: The purpose of this policy is to allow and establish guidelines for members of the Anoka City Council, Anoka City Boards and Anoka City Commissions to attend and participate in meetings by interactive technology means as authorized by Minnesota Statute Chapter 13D, the Open Meeting Law. Members participating in Meetings remotely are cautioned that the same obligations of consideration apply as in any physical Meeting. Remotely participating Members should direct all their attention to the Meeting and should make their decisions based upon the same information as is available to all other participants at the Meeting.

II. Definitions:

“City” means the City of Anoka

“Councilmember” means any member of the Anoka City Council

“Interactive Technology” means a device, software program, or other application that allows individuals in different physical locations to see and hear one another.

“Meeting” means any open or closed regular, special or executive meeting of the Anoka City Council, Anoka City Board or Anoka City Commission, as the case may be.

“Member” means any member of the Anoka City Council, Anoka City Board, or Anoka City Commission.

III. Meetings Conducted by Interactive Technology

A. *Conditions.* A Meeting may be conducted by interactive technology so long as:

- (1) all Members participating in the Meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one Member is present;
- (2) with the exception of closed or executive Meetings, members of the public present at the regular Meeting location of the body can hear and see all discussion and testimony and all votes of Members;
- (3) at least one Member is physically present at the regular Meeting location;

- (4) all votes are conducted by roll call so each Member's vote on each issue can be identified and recorded;
 - (5) with the exception of closed or executive Meetings, each location at which a Member is present is open and accessible to the public.
- B. A Member may participate from a location that is not open or accessible to the public if:
- (1) the Member is serving in the military and is at a required drill, deployed, or on active duty;
 - (2) the Member has been advised by a health care professional against being in a public place for personal or family medical reasons;
 - (3) the Meeting is a closed or executive Meeting; and
 - (4) the Member has not participated more than three times in a calendar year from a location that is not open or accessible to the public due to personal or family medical reasons.
- C. *Members are present for quorum, participation.* Each Member participating in a Meeting by interactive technology is considered present at the Meeting for purposes of determining a quorum and participating in all proceedings.
- D. *Monitoring from remote site.* With the exception of closed or executive Meetings, if interactive technology is used to conduct a Meeting, and to the extent practical, the City shall allow a person to monitor the Meeting electronically from a remote location.
- E. *Notice of regular and all Member locations.* If interactive technology is used to conduct a regular, special, or emergency Meeting, the City shall provide notice of the regular Meeting location and notice of any location where a Member will be participating in the Meeting by interactive technology, except for the location of Members participating pursuant to Section III. B (1) and (2) above. The timing and method of providing notice must be as described in Minnesota Statute Section 13D.04
- F. *Record.* The minutes for the Meeting must reflect the names of any Members appearing by interactive technology and state the reason or reasons for the appearance by interactive technology.

IV. Meetings During Pandemic or Minnesota Statute Chapter 12 Emergencies

- A. *Conditions.* A Meeting may be conducted by telephone or interactive technology so long as:
- (1) the City mayor determines that an in-person Meeting or a Meeting conducted by interactive technology is not practical or prudent because of a health pandemic or an emergency declared under Minnesota Statute Chapter 12;
 - (2) all Members participating in the Meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;
 - (3) with the exception of closed or executive Meetings, members of the public present at the regular Meeting location of the City Council can hear all discussion and testimony and all votes of the Members, unless attendance at the regular Meeting location is not feasible due to the health pandemic or emergency declaration;
 - (4) at least one Member is physically present at the regular Meeting location, unless unfeasible due to the health pandemic or emergency declaration; and
 - (5) all votes are conducted by roll call, so each Member's vote on each issue can be identified and recorded.
- B. *Members are present for quorum, participation.* Each Member participating in a Meeting by telephone or interactive technology is considered present at the Meeting for purposes of determining a quorum and participating in all proceedings.
- C. *Monitoring from remote site.* With the exception of closed or executive Meetings, if telephone or interactive technology is used to conduct a Meeting, and to the extent practical, the City shall allow a person to monitor the Meeting electronically from a remote location.
- D. *Notice of regular and all Member sites.* If telephone or interactive technology is used to conduct a regular, special, or emergency Meeting, the City shall provide notice of the regular Meeting location, of the fact that some Members may participate by telephone or interactive technology, and of the provisions of subdivision C. The timing and method of providing notice is governed by Minnesota Statute Section [13D.04](#).
- E. *Public comment period during health pandemic or emergency.* If attendance at the regular Meeting location is not feasible due to the health pandemic or emergency declaration and the City's practice is to offer a public comment period at in-person Meetings, members of the public shall be permitted to comment from a remote location during the public comment period of the Meeting, to the extent practical.

V. Restrictions on Remote Meeting Attendance

No Member may attend any portion of a Meeting through interactive technology or telephone, as provided in this policy, unless:

- (1) with the exception of a Meeting occurring after a health pandemic or an emergency has been declared under Minnesota Statute Chapter 12, at least one Member is physically present at the Meeting;
- (2) the Member provides notice to the City Manager, in the case of a Councilmember, or to the staff liaison in the case of a Board or Commission, of his or her request to remotely attend the Meeting at least 4 days prior to the Meeting;
- (3) the electronics being utilized by the Member to remotely attend the Meeting is fully functional so as to allow all Members and any members of the public allowed to be present at the Meeting, to hear all communications taking place at the Meeting;
- (4) the Member participating in the Meeting remotely has access to all materials being presented and/or reviewed at the Meeting location; and
- (5) the remote Member's location is open and accessible to the public and the Member has not attended more than four (4) Meetings remotely per calendar year. These four (4) Meetings are in addition to those meetings authorized under Section III B.

VI. Technical Difficulties

The person chairing the Meeting may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote Member's ability to hear or be heard clearly by all persons present at the Meeting location. If technical difficulties result in a remote Member being disconnected from the Meeting, that fact and the time at which the disconnection occurred shall be noted in the Meeting minutes. If a public hearing occurs after disconnection, the remote Member shall be noted as absent in the Meeting minutes.

VII. Procedures

A. All Meetings

At the beginning of the Meeting, the mayor or person chairing the Meeting shall announce the name of the Member who will be participating remotely and the reason. This information shall be recorded in the minutes. (See suggested language below).

- a. “Let the record reflect that (Councilmember or Member) _____ is attending today’s Meeting remotely via (interactive technology/telephone) for (reason) _____ as allowed under City Policy and pursuant to Minnesota Statute Chapter 13D.”
- b. “(Councilmember or Member) _____, can you hear me?” [There must then be a clearly audible response in the affirmative.]
- c. “Let the record reflect that (Councilmember or Member) _____’s attendance via (interactive technology/telephone) can be heard by all present at the Meeting.”

B. *Closed or Executive Meetings*

In addition to the forgoing, at the start of a closed or executive Meeting, the Member participating remotely shall state that no person is present and/or able to hear the discussion at the remote location and that the Meeting is not being remotely recorded by any device. (See suggested language below).

“I certify that no other person is present and/or able to hear the discussion and that this discussion is not being recorded at this location”.

VIII. Applicability

The requirements of this Policy may be waived in the event of an emergency as define by Minnesota State Statute. If any provision of this Policy conflicts with any provision of the Open Meeting Law under Minnesota Statute Chapter 13D, the provisions of the Open Meeting Law shall prevail.

Policy History

Initially Adopted: 10.07.2019

Revised: 10.04.2021

Revised: 06.26.2023