

RESOLUTION NO. 2020-43

A RESOLUTION RELATING TO MEETING ATTENDANCE BY REMOTE MEANS; ESTABLISHING A POLICY FOR ATTENDANCE, FOR NOTIFICATION, AND FOR PARTICIPATION BY REMOTE ELECTRONIC MEANS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, technological advances have made it possible and feasible for council members, charter officers and department heads to attend council meetings from remote locations by use of electronic audio and visual means; and

WHEREAS, the City Council provides a preference for attendance in person where feasible, but recognizes the importance of full member participation whenever possible, and recognizes that sometimes a member for good cause cannot appear in person; and

WHEREAS, the Florida Attorney General has rendered opinions that recognize the legality of remote appearance by a member who for good cause cannot appear in person to participate remotely by electronic means, as though physically present, with all participation rights and voting privileges provided that there is a quorum physically present, that the member can hear and be heard by those present, and that there is a local policy allowing such appearance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

SECTION 1. A city council member who for good cause cannot appear in person at a meeting may appear remotely by electronic means with the same participation rights and voting privileges as though physically present providing that:

- a. There is a quorum physically present at the meeting location;
- b. There is good cause for why the member cannot attend in person;
- c. The member has provided notification to the city clerk of inability to attend in person and desire to attend electronically, at least two business days prior to the meeting, unless there is an exigent circumstance that prevented earlier notification; and
- d. The member is visible and audible, or at least audible, to and from the members present at the meeting and the audience.

SECTION 2. "Good cause" means that the member cannot attend in person due to city business, health issues, family emergencies or death, emergency duties, government deployment, pandemic, or other similar reason.

SECTION 3. When appearing remotely the member is by law deemed to be present for all purposes and has all participation rights and voting privileges as if physically present. For quasi-judicial matters, any member appearing remotely must be and remain visible for the entire agenda item.

SECTION 4. A charter officer or department head may appear at a city council meeting remotely by electronic means if in person attendance is not feasible due to city business, health issues, family emergencies or death, emergency duties, government deployment, pandemic, or other similar reason.

SECTION 5. This resolution shall take effect immediately upon adoption.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 8th DAY OF DECEMBER, 2020.

Ron Feinsod, Mayor

ATTEST:

Lori Stelzer, City Clerk

I, Lori Stelzer, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by the City Council of the City of Venice, Florida, at a meeting thereof duly convened and held on the 8th day of December, 2020, a quorum being present.

Lori Stelzer, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney