



Legislation Text

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A RESOLUTION ESTABLISHING MEETING PROTOCOL FOR THE CITY OF JONESBORO DURING TIMES OF NATIONAL OR STATEWIDE EMERGENCY

WHEREAS, because of health concerns regarding the COVID-19 virus, and following a declaration of national and state emergency due to the same, limits to the number of persons physically present in public groups have been put in place by the Governor of Arkansas; and

WHEREAS, due to these state mandated changes in a time of pandemic emergency, protocol must be established for holding public meetings in the City of Jonesboro, in order to conduct business while safely utilizing all means possible to adhere to the Arkansas Freedom of Information Act (FOIA); and

WHEREAS, declaration of a pandemic constitutes an emergency, which shall invoke the Mayor or his/her designee to declare a state of local emergency and thereby establish a policy for modified conduct of all of its public meetings, including electronic participation and changes to physical presence requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS, THAT THE FOLLOWING PROTOCOL BE FOLLOWED IN HOLDING COUNCIL, COMMISSION, OR ANY OTHER PUBLIC MEETING AS REQUIRED BY FOIA FOR GOVERNING BODIES OF ARKANSAS MUNICIPALITIES:

Section 1: Rules and Order of Business:

The Council of the City of Jonesboro will follow its procedural rules adopted annually and all established commissions will follow adopted bylaws, and proper advance notification to the media will be performed as required by FOIA law.

“Electronic Means” shall be defined as by a telephone, cell phone, electronic tablet, computer or other electronic device which allows video call or chat and that provides evidence of the communication and is recordable and audible to all parties participating in and attending or viewing the meeting.

Section 2: Physical Presence at Meetings Requirement

(A) The Mayor, City Clerk, City Attorney, Committee Chair, and/or Commission Chair (or each official's appropriate designee), if applicable and possible, will be physically present at the place where the meeting is being held.

(B) Council and Commission Members shall be entitled to participate in the meeting via electronic means, including discussion, debating and voting, as if they were physically present at the meeting, provided that the electronic means that they are communicating by is audible and recordable.

Section 3: Public Participation

(A) During times of declared public pandemic emergency, all public meetings will be conducted with a city administered virtual web conferencing application. In addition, all meetings will be able to be viewed live through Legistar as always. All such public meetings will also be aired via “facebook live” on the City of Jonesboro facebook page and live on Channel 24, as a means of allowing public access viewing of its meetings.

(B) To ensure protection and social distancing, the City encourages the public to watch these live-streamed internet broadcasts on an electronic device, as protective measures remain in place with the closure of the Municipal Center, preventing public access.

(C) To ensure access for public participation, input and commentary for these virtual meetings, any member of the public wishing to be heard may direct all comments or citizen forum items to the City Clerk no later than one hour prior to the start of the meeting. Said comments shall be mailed, emailed, messaged or otherwise delivered to the City Clerk and shall be presented and heard at the appropriate time during the meeting, as indicated on the published agenda. In addition, every effort shall be made to communicate all comments or questions received via facebook, email, or by telephone to the council members live during the meeting.

(D) All City of Jonesboro public meetings shall continue to be recorded and available to the public for viewing in all the manners available in non-emergency situations.