

A RESOLUTION OF THE CITY OF DAWSONVILLE

WHEREAS, the City of Dawsonville is an Agency as defined by state law and is subject to the Open Meetings Act;

WHEREAS, the City of Dawsonville has procedures providing for the general conduct of meetings of the Dawsonville City Council;

WHEREAS, the City of Dawsonville is not an agency of “state-wide jurisdiction” and as such is not permitted to conduct meetings via teleconference without emergency circumstances;

WHEREAS, there is a provision in the Open Meetings Act which permits, under emergency circumstances, for the City of Dawsonville to conduct meetings via teleconference;

WHEREAS, it is necessary to provide for a mechanism pursuant to which the business of the City of Dawsonville may continue in emergency circumstances, or if one or more members of the City’s governing authority cannot attend a City of Dawsonville Council meeting.

AND WHEREAS, the measures contemplated herein are permitted by State Law and the purpose of this Resolution is to set forth the mechanism by which the City of Dawsonville will avail itself of the opportunities to effectively administer the business of the City of Dawsonville.

NOW, THEREFORE, it is hereby resolved by the Governing Authority of the City of Dawsonville as follows:

Section 1. Definitions:

- a. **Emergency Condition:** a situation where, for reasons involving public safety or the preservation of property or public services as declared in writing by the Mayor of the City or, in the absence of the Mayor, the Mayor Pro-Tem, it is necessary to conduct a meeting via teleconference.
- b. **Teleconference:** any means by which a member or members of the governing authority may hear and interact with each other regarding official business of the City, including the ability to vote and have votes counted. Video is not required for teleconference.
- c. **Simultaneous access:** the ability of the public to hear and/or observe a meeting being conducted by the Governing Authority pursuant to this Section. Simultaneous access does not require that the public have access to the meeting in the same manner or via the same utilities or applications as the members of the Governing Authority.

Section 2. Declaration of Emergency Conditions

- a. The Mayor of the City, or in the absence of the Mayor the Mayor Pro-Tem, shall have the ability to declare that emergency conditions exist involving public safety, preservation of property, public services, or other such

emergent situations such that it is necessary for the governing authority of the City of Dawsonville to meet via teleconference. The decision of the Mayor to declare such conditions shall be in the discretion of the Mayor or, when applicable, the Mayor Pro-Tem.

- b. The decision to declare an emergency situation shall be made in writing, and shall be recorded with the records of the City by the City Clerk as soon as practicable after the declaration is made.
- c. At the conclusion of the emergency situation, the Mayor or, as applicable, the Mayor Pro-Tem, shall declare such in writing, which writing shall be recorded with the records of the City by the City Clerk as soon as practicable after the declaration is made.

Section 3. Meeting via Teleconference in Emergency Conditions

- a. Notice: In the event of an emergency condition, the City Manager or his designee shall take the following steps to notify the public that the governing authority of the City of Dawsonville shall meet via teleconference:
 - i. Post the door of City Hall with notice of the declared emergency condition as well as the measures for public access described in Section 3(b), below;
 - ii. Notify the legal organ of the City of such declared condition and such other information as may be required by the Open Meetings Act, as well as the measures for public access described in Section 3(b), below;
 - iii. As soon as possible, update the City's website with notice of the declared emergency condition as well as the measures for public access described in Section 3(b), below;
 - iv. As soon as possible, cause any social media utilized by the City to provide notice of the declared emergency condition as well as the measures for public access described in Section 3(b), below.

b. Public Access

- i. The City shall take steps to provide for public access to the meeting of the governing authority, which access may include but is not necessarily limited to:
 - 1. Live streaming via YouTube or other video sharing services
 - 2. Live streaming via Facebook or other social media services
 - 3. Dial-in numbers to listen to the meeting
- ii. The measures for public access to be utilized shall be determined by the City Manager or his designee, and shall be communicated as described in the Notice provisions above. Any measures which provide simultaneous access of the public to the teleconference meeting shall be sufficient; it shall not be required that the public and the City officials participating in the meeting access the meeting in the same method so long as access is simultaneous.

c. Meeting participation and quorum

- i. Any member of the Governing Authority which is able to come to the meeting of the Governing Authority in person may attend the meeting at the meeting site.
- ii. Any member of the Governing Authority which is not able to come to the meeting of the Governing Authority in person may attend the meeting via teleconference. Teleconference participation may be secured through, but is not limited to, the following:
 1. Skype, Facetime, or other video communication devices or services;
 2. Telephone communication;
 3. Radio communication.
- iii. In addition to those persons actually present for a meeting in person, in an emergency situation those members of the Governing Authority participating via teleconference shall also be counted towards quorum.

Section 4. Application to other Boards, Commissions, and Committees: If included in the declaration of emergency conditions by the Mayor or, when applicable, the Mayor Pro-Tem, these same procedures may be utilized by other Dawsonville Boards, Commissions, and Committees while the emergency conditions exist.

Section 5. Individual Participation via Teleconference when a Quorum is Otherwise Present

- a. In the event no emergency condition has been declared, an individual serving on the Governing Authority may participate in a meeting of the Governing Authority via teleconference when such is necessary due to personal illness, health, or absence from the jurisdiction.
- b. Absent a declared emergency condition, no person who is absent from the meeting place who is participating via teleconference shall chair the meeting of the Governing Authority, it generally being in the best interests of the City to have the chair of the meeting present when possible.
- c. Whether teleconference participation is “necessary” shall be determined in the discretion of the Mayor or, in the Mayor’s absence, the Mayor Pro-Tem.
- d. No person shall be counted towards quorum who is participating via teleconference absent the declaration of emergency conditions pursuant to this Resolution.

Section 6. Severability: If any section, provision or clause of any part of this Resolution shall be declared invalid or unconstitutional, or if the provisions of any part of this Resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution not so held to be invalid, or the application of this Resolution to other circumstances not so held to be invalid. It is hereby declared as the intent that this Resolution would have been adopted had such invalid portion not been included herein.

Section 7. Effective Date: The Resolution shall be effective on the date of its passage, the public good demanding it.

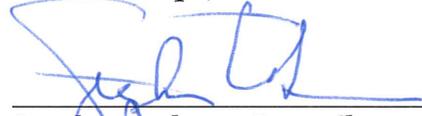
Section 8. Repealer: All Resolutions and parts of Resolutions in conflict with this action are hereby repealed.

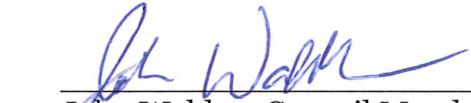
SO ADOPTED AND RESOLVED by the City Council of Dawsonville, Georgia, this 16 day of March, 2020.

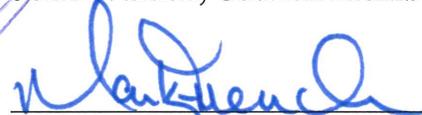
MAYOR AND DAWSONVILLE CITY COUNCIL

By: 
Mike Eason, Mayor

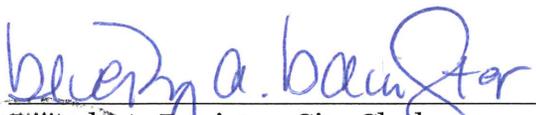

Caleb Phillips, Council Member Post 1


Stephen Tolson, Council Member Post 2


John Walden, Council Member Post 3


Mark French, Council Member Post 4

ATTESTED TO BY:


Beverly A. Banister, City Clerk

