

HISTORIC DISTRICT COMMISSION
GUIDANCE ON VIDEO CONFERENCE MEETINGS

CITY OF NEWPORT

DEPARTMENT OF ZONING AND INSPECTIONS

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Reference:

- (A) Open Meetings Act (OMA)
- (B) Rhode Island General Laws 45-24.1-6 (2012)
- (C) Newport City Ordinance 17.80.040 (C)(3)(c)
- (D) Rhode Island Executive Order 20-25

Following requirements in references (A), (B) and (C), the Historic District Commission (HDC or Commission) is required to conduct all meetings open to the public and allow any person or his or her duly constituted representative to appear and be heard on any matter before the HDC prior to reaching its decision.

To conduct the City's business with respect to Historic District decisions on Applications brought forward for its review, and in accordance with reference (D), the following guidelines are set forth for conducting public meetings using video conference tools and best-practices:

1. Meeting Format

- a. Meeting Format. HDC meetings may be held either 'in-person' or 'virtual' (video conference), as determined by the Commission Chair in consultation and support of City Staff.
- b. Preferred Format. In-person meetings are the preferred format whenever possible. The opportunity for in-person meetings will be determined by the City Manager and City Council based on public safety.

2. Video Conference Tools:

- a. Access. The City will provide unrestricted video conference access to allow for up to 100 participants to join.
- b. Basic Skills. Basic skills to join and participate in a video conference will be made available to all commission members, staff, applicants and the public.
- c. Specific Product. Zoom is the recommended video conference tool. It works on a wide range of personal and easily accessible technology platforms – PC, iPad, smart phone. It meets the requirements for 100-person access. It has proven to be a stable and reliable platform. The Commission Chair reserves the right, with one month's notice, to

change the video conference tool if, he or the city deem there is a more favorable format.

3. Digital Application Distribution and Use

- a. Digitizing of Applications. All applications must be digitized.
- b. Distribution of Applications. Commission Members are required to access digitized applications on the city's website in advance of each meeting. Any ancillary documents (communications, minutes, and staff reports) will be electronically distributed to the commission members one week prior to each meeting.
- c. Use during the meeting. Digitized applications will be shared on the meeting video conference during the presentation of each specific application.

4. Meeting Agenda

- a. Published in advance. Per requirements of reference (A), the agenda will follow its traditional structure and be published both physically and electronically. Broadly the agenda will follow its traditional format and sequence. The electronic agenda version will be created with each application hyperlinked to the online digitized application. Both the physical and the electronic agendas will clearly identify the format of the meeting – 'In-person' or 'Virtual' – as well as the date, time and location of the meeting. For virtual meetings, the agenda will direct all Staff, Commission Members and participants with information on where to find and access the 'joining link' to the meeting.
- b. Electronic publishing. In addition to physical posting requirements, the agenda will be posted on the City's website, and emailed to all Commission Members and Applicants.
- c. Joining Link. The link to join a scheduled virtual meeting will be posted on oth the City's website under the HDC section, and on the City's Facebook page.

5. Conduct of the Pre-Meeting and the Meeting

- a. Training. Staff, Commission Members, and Alternates, will be trained in the specifics of the video conference tool.
- b. Timing.
 - i. Pre-Meeting. Pre-Meetings will be scheduled for 6pm to allow for time to connect to the relevant technology. When all Commission Members attending are present the Pre-Meeting will commence.
 - ii. Full Meeting. Meetings will start as scheduled with a 2 minutes delay in start time to ensure all attending have the opportunity to connect prior to starting.
- c. Procedure. Additional procedures will be used on all video conference meetings:
 - i. Meeting Business Rules. At the start of each meeting the Chair will review virtual meeting protocols.
 - ii. Video. All Commission Members and Staff will make every effort to join with video, identified with full names and role. Applicants presenting should have their video on will presenting. All other attendees, including waiting Applicants, should join without video.

- iii. Audio. Everyone joining the meeting should join with audio. Audio will be muted except for those presenting.
- iv. Votes. All votes will be roll call with names of Commission Members clearly enunciated for each vote. The Chair will call the vote.
- v. Identification of Speakers. Staff, Commission Members, Applicants and other participants must be clearly identified before speaking.
- vi. Breaks. Breaks will be taken as determined by the Chair with clear re-joining times. Commission Members shall mute their audio and video during breaks.
- d. Adherence to Conduct. The Commission Chair with support from the City Staff shall ensure video conference conduct and procedures are adhered to.
- e. Recording. Meetings will be recorded electronically. All video, audio chat and typed questions/answers will be recorded and part of the public record. The recording shall be stopped for the break period.

6. Practical and Intended Accomplishments of the HDC via a Video Conference Meeting

- a. Full Review of the Agenda and Communications. This will be accomplished by advance electronic publication and distribution of the agenda, along with any communications, all applications and any other business to come before the Commission. This will be reviewed again in the Pre-Meeting.
- b. Summary Hearings. All applications deemed straight-forward, with no questions by Commission Members and no objectors shall be approved and completed.
- c. Full Hearings. Applications requiring a full hearing will be heard on an 'Opt-In' basis provided the applicant is prepared to join and present, and has agreed in advance to the conditions below:
 - i. Applicant must ensure and confirm with City Staff that he or she along with their representatives all have access to internet with an adequate personal technology device to allow for clear audio and video; and
 - ii. Should an objector to the application be identified before or at the time the application is being presented, and the objector does not have sufficient access to internet or relevant technology, the application must be continued to the next regular in-person meeting.
- d. Other Business. Other business as identified by the agenda shall be completed.

7. Recognition of Open Meeting Act specific to opportunity for Adversarial Presentation and Objection

- a. Objectors to any application will be invited to participate in all meetings.
- b. For each application, the Chair will make a specific 'pause' to identify any objectors.
- c. Objectors will have the opportunity to present.
- d. If an objector does not have sufficient internet or relevant technology to present virtually, the application will be continued to the next regular in-person meeting.

8. Obligations and Responsibilities

- a. City Staff
 - i. Prepare agenda, communication and applications digitally.

1. At the time of publishing, the agenda will have links to the video conference.
 2. Along with agenda, distribute these video conference meeting guidelines.
 - ii. Distribute the same to all Commission Members.
 - iii. Create and publish the meeting agenda per reference (A) requirements – both physically and electronically.
 - iv. Ensure video conference tool is available for training and for use at meeting time.
 - v. Be trained and knowledgeable on video conference tool and prescribed video conference policies and procedures.
- b. Commission Members
- i. Receive and review all published electronic meeting information.
 - ii. Ensure individual access to internet with an adequate personal technology device to allow for clear audio and video.
 - iii. Be trained and knowledgeable on video conference tool and prescribed video conference policies and procedures.
- c. Applicants and Representatives
- i. Submit all applications as prescribed by Newport City Ordinance.
 - ii. Will have an option to ‘Opt-In’ to present their application and have it considered by the HDC with the following requirements and conditions set out in Section 6(c) above.
 - iii. Alternatively, all Applicants will have the option to ‘Opt-Out’ of video conference presentation. If this option is selected, the application will be continued until the next in-person meeting.
- d. Objectors, General Public, Press
- i. May join the meeting with the restriction that they will be on ‘MUTE’ (listen and watch only) unless identified by the Chair to present.
 - ii. Ensure individual access to internet with an adequate personal technology device to allow for clear audio and video.
 - iii. Objectors are specifically requested (but not required) to make themselves known to City Staff prior to each meeting.

9. Continued Applications

Any application continued under this policy represents a mutually agreed upon continuance between the Applicant and the HDC, thereby tolling the requirement to hear an application within 45 days of its filing.