Holding Successful Virtual Public Meetings

Panelist Discussion
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Panelists

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Moderator: Amy C. Stewart, Esq., Deputy Chief of Legal Services, DBR
1st Poll

Getting to know our audience.

What is your role in public meetings?
### Polling 1: Scope of Participants

#### 1. In what role do you primarily participate in public meetings?

<table>
<thead>
<tr>
<th>Role</th>
<th>Votes</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Clerks/Planners</td>
<td>36</td>
<td>25%</td>
</tr>
<tr>
<td>Municipal Managers/Mayors/Council Presidents</td>
<td>5</td>
<td>4%</td>
</tr>
<tr>
<td>Public Entity IT Staff</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>Solicitor/Legal Counsel</td>
<td>7</td>
<td>5%</td>
</tr>
<tr>
<td>State Employee</td>
<td>50</td>
<td>35%</td>
</tr>
<tr>
<td>Quasi-Public Entity member or employee</td>
<td>15</td>
<td>10%</td>
</tr>
<tr>
<td>Fire District entity member or employee</td>
<td>6</td>
<td>4%</td>
</tr>
<tr>
<td>School Committee Member or Employee</td>
<td>6</td>
<td>4%</td>
</tr>
<tr>
<td>Member of the Public</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Other</td>
<td>14</td>
<td>10%</td>
</tr>
</tbody>
</table>
COVID-19 RELATED MODIFICATIONS TO THE OPEN MEETINGS ACT
Executive Order 20-46 OMA Provisions

• Extended by Executive Order 20-75, currently in place through October 10, 2020.

• Key Provisions:
  • Suspended provisions of the OMA that prohibit using telephonic or electronic means to conduct a meeting;
  • All meetings must provide free, adequate alternative means for public to access meeting in real-time;
  • Any meetings may be conducted by adequate alternative means, not just those for an essential purpose;
  • Means of public participation must be provided when required by law;
  • Except as specified in the Executive Order, usual OMA requirements remain in place.
Adequate Alternative Means

- Measures that ensure transparency and provide real-time public access, such as video-conferencing
- Must be provided for free
- May require subscription or registration, as long as there is no cost and it is available to the public at large
- Examples: Zoom, GoTo Meeting, Microsoft Teams
- Members of public body do not need to be in the same physical place
- Even if a public body is able to meet in person, it must also offer adequate alternative means of public access to meeting
Posting Notice

• OMA notice requirements remain in place
• Notice must be posted 48 hours in advance (excluding weekends and holidays), in 3 locations:
  • Secretary of State website
  • Principal office or building in which meetings usually held
  • At least one other prominent place within the governmental unit
    R.I. Gen. Laws § 42-46-6(b), (c)
  • If building where notice is normally posted is closed, you may post notice on outside door of the building
• For "Place" on Agenda, provide how the public can access the meeting (URL address, etc.) or where that information is available
  • Also provide physical location if public body is meeting in person
Executive Session

• Public body may use virtual means to meet in executive session if the usual requirements of the OMA for meeting in executive session are satisfied. See R.I. Gen. Laws §§ 42-46-4, 5.

• The OMA requires an "open call" in open session prior to entering executive session. R.I. Gen. Laws § 42-46-4(a).

• At the conclusion of executive session, the public body must return to open session to report out any votes from closed session. R.I. Gen. Laws § 42-46-4(b).

• These "open call" and reporting out requirements remain in place for virtual meetings.
Other Considerations

• OMA does not require public comment, but public participation may be required by other applicable laws.

• If a law requires allowance for participation by the public at large, or by certain impacted individuals, then the public (or the specific individuals entitled to participate) must be able to appear and participate the same way a member of the public body would.

• Public body must comply with all applicable nondiscrimination laws and ensure virtual meetings are open and accessible to persons with disabilities. See R.I. Gen. Laws § 42-46-13.
OMA Compliance Questions?

- Office of Attorney General Guidance and FAQ Document
- Rhode Island Office of Attorney General Open Government Unit
  - Kate Sadeck, Chief Open Government Unit
  - opengovernment@riag.ri.gov
  - 401-274-4400
  - http://www.riag.ri.gov/CivilDivision/OpenGovernmentUnit.php
FILING A VIRTUAL MEETING NOTICE
2nd Poll

How much experience do you have with holding meetings via video conference?
Polling 2: Familiarity with video conferencing for public meetings

1. How comfortable are you with holding a public meeting via video conference?
   - Very comfortable: 45 (30%)
   - Comfortable: 51 (34%)
   - Somewhat comfortable: 42 (28%)
   - Not comfortable: 10 (7%)
   - Terrified: 0 (0%)

2. Approximately how many public meetings has your entity held via video conference?
   - None: 14 (9%)
   - 1-2: 22 (15%)
   - 3-5: 37 (25%)
   - 6-9: 26 (18%)
   - 10 or more: 40 (33%)
DBR Zoom Enterprise Accounts

Notable Default Settings for Meetings

- Waiting Room and Passcodes Enabled
- Start meeting with Host and Participants Video Off
- File Transfer is Off
- Only Host can Share Screen
- Nonverbal feedback and meeting reactions are enabled
- Removed Participants cannot rejoin the meeting
- Livestreaming is allowed
DBR Zoom Enterprise Accounts

Notable Default Settings for Webinars

- Passcodes Enabled
- Registration not required
- Only Host can Share Screen
- Q&A and Polls are enabled
- Livestreaming is allowed
Scheduling Video Conferences

Zoom Webinar or Zoom Meeting
Open Session Meetings

General Settings

Limiting the public’s access to certain functionality can help prevent “Zoom bombing” and assists the Host with maintaining control of the meeting.

- Disable Chat/Q&A or limit it only to technical questions regarding connecting to the meeting
- Disable private chat and polls because of problems with transparency
  - Caution - Chats may be a public record – both chats among the whole group and private chats.
- Mask Phone Numbers for privacy of participants
- Only allow screen sharing by the Host (this includes co-hosts)
Scheduling Video Conferences

Zoom Webinar for Open Session

- The Host has more control over the participants in a webinar than they do in a meeting.
- Clear roles for entity members as “Panelists” and the audience as “Attendees.”
- Avoids “Zoombombing” because participation by “Attendees” is limited viewing only, unless promoted by the Host to a “Panelist” or “Allow to Talk.”
- Webinars can be a useful format for meetings that include public hearings/appeals.

- Be specific when you name each webinar
- Include the date, short name of entity and note whether Open or Executive (if applicable).

![Webinar Schedule Form](image-url)
Scheduling Video Conferences

Zoom Webinar Panelist Invitations

- Host enters each entity member’s name (as it should appear during the meeting) and email into the invitation.
- Zoom emails a personalized invitation to each panelist from the Zoom Host.
- Panelists must click on the link in their “panelist invitation” to join the meeting automatically as a panelist. (No need to identify and promote from attendee.)
- Panelists can call into a meeting with their personalized “Participant ID”
- Explain to your entity members how the panelists invites work.

Once you schedule the webinar, scroll down to the bottom of the page and you will see this. Click on “Edit” to enter the names and emails of each panelist.
Webinar Panelist Invitations

After clicking “Edit,” this form pops up. Enter each panelist’s name and email address. Once you hit “Save,” the panelists will automatically be sent the Webinar invitation unless you uncheck the box.

Once you click on save, you will return to the Webinar scheduling page and the invited panelists will appear in a list.
It's the day of the meeting and a member lost their panelist invitation. Here's what to do:

- Go to the list of panelists and click “Edit.” This list will pop up.
- You can copy the invitation or resend the invitation email.

Here is Stacy DiCola’s personal panelist invitation to this Webinar. You can find this quickly for any panelist and resend their invitation or just their personalized hyperlink to join the webinar.
At the bottom of the Webinar scheduling page, click on “Email Settings” to set reminder emails for your webinar.

For public meetings, it is helpful to use the 1 day and 1 hour before reminder settings.
• Be specific when you name each meeting.
• Include the date, short name of entity and note whether Open or Executive (if applicable).

Scheduling a Zoom Meeting for Open Session

Zoom Meetings allow all attendees the ability to participate.
Zoom settings that give the Host more control over the participants, include:
• Mute Participants Upon Entry
• Prohibit Participants from Turning Video On Themselves
• Make all entity members/staff Co-hosts so they will be exempt from these restrictions.
• Permit members of the public to participate by unmuting them one at a time.
Executive Session

Scheduling Examples

Providence City Council — Schedules on Open Session Webinar and an Executive Session Meeting on two different Zoom Accounts, with two different hosts.

Portsmouth Town Council — Schedules a Webinar and uses the “Practice Session” Feature for the Executive Session portion of the meeting. Send “Panelist” invitations to Council members and staff.

DBR Licensing Boards — Schedules a Webinar for Open Session and a Meeting for Executive Session on the same Zoom Account. Only 1 host. Persons invited to Executive Session for a complaint matter stay in the “waiting room” until the Board comes to that agenda item when they are admitted by the Host.

Another Option — Schedule One Zoom Meeting — After the vote to enter Executive Session, send all members of the public out to the waiting room and only allow the persons into Executive who have been invited for a matter on the agenda. Make sure you turn the recording off for Executive Session. You may resume the recording upon return to Open Session.
Recording Meetings with Zoom Enterprise Accounts

- The DBR Zoom licenses include unlimited cloud storage for recording and it will automatically generate a transcript.

- When scheduling the Meeting or Webinar, use a descriptive name of the entity and the date, because that is how the recording will be labeled.

- Make sure you record Open and Executive Session meetings separately.

- Recording to Zoom is not required. You can still use a digital audio recorder or other recording devices to record meetings.
HYBRID MEETINGS

Some Participants Are in the Meeting Room, While Others Participate Remotely

What type of equipment needs to be purchased in order to host Hybrid Meetings?

**Microphones**
- In general, each in-person participant needs their own microphone.
- Have one microphone available for public comment.
- Headsets or Headphones are strongly recommend.

**All Participants and Attendees (in person or remote) need to be able to Hear and See the Entire Meeting**

**Meeting Room with AV Equipment**
- Work with IT Staff to integrate this into the Zoom Meeting/Webinar.
- Make sure there are screens in the room for everyone to see the remote participants.

**No AV Equipment**
- Each in-person participant must access Zoom from their own computer/tablet/phone.
- All in-person participants should use a headset to avoid feedback.

NOTE: During the Covid-19 Pandemic, entity staff should disinfect shared microphones after each person provides public comment.
Hybrid Meeting Examples

Portsmouth Town Council
Jennifer West, Town Clerk

Scituate Plan Commission
Ashley Sweet, Town Planner
What is audio feedback and why does it happen?
Adapting to Virtual Public Meetings

- Contact Participants on the agenda ahead of time. Have they used Zoom before?
- Prepare a list of participants so the Zoom Hosts and Meeting Chairs know who to expect for each agenda item.
- Post Open Session materials online ahead of the meeting.
- Set a deadline for the submission of exhibits or materials requiring board review, or for sign-ups for public comment.
Role of the Zoom Host

• It is hard to be both the Zoom Host and a meeting participant.
• Ideally, the Host should be a technical moderator, perhaps an IT staff member, who is not an entity participant.
• Designate other entity staff as co-hosts.
• Co-hosts can assist with identifying and renaming participants, keeping track of the quorum, and assisting with public participation.
• Monitor Attendee List and match people with their matters on the agenda.
• Ask callers to identify themselves, then rename them.
3rd Poll

Which video conferencing platforms have you used for public meetings?
1. Have you used Zoom before, prior to today’s webinar?

<table>
<thead>
<tr>
<th>Response</th>
<th>Votes</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>111</td>
<td>96%</td>
</tr>
<tr>
<td>No</td>
<td>5</td>
<td>4%</td>
</tr>
</tbody>
</table>

2. Which video conferencing platforms have you used to participate in and/or host a virtual public meeting? Select all that apply (Multiple choice)

<table>
<thead>
<tr>
<th>Platform</th>
<th>Votes</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cisco WebEx</td>
<td>27</td>
<td>23%</td>
</tr>
<tr>
<td>Zoom</td>
<td>166</td>
<td>91%</td>
</tr>
<tr>
<td>Microsoft Teams</td>
<td>34</td>
<td>29%</td>
</tr>
<tr>
<td>Google Hangouts</td>
<td>6</td>
<td>7%</td>
</tr>
<tr>
<td>Google Meet</td>
<td>12</td>
<td>10%</td>
</tr>
<tr>
<td>GoToMeeting</td>
<td>23</td>
<td>20%</td>
</tr>
<tr>
<td>Skype for Meetings</td>
<td>13</td>
<td>11%</td>
</tr>
<tr>
<td>Other</td>
<td>7</td>
<td>5%</td>
</tr>
</tbody>
</table>
Hosting Successful Virtual Public Meetings

Good Audio Connections are Essential

- Use a headset.
- Call in if you have a bad internet connection.
- In general, avoid sharing microphones with others.
Set the ground rules at the beginning of the meeting
• Please mute yourself when not speaking
• No side conversations
• Speak into your microphone
• Warning: you may be muted for background noise
• Entity members should stay focused on the meeting.

Start with a roll call of all members in Attendance
• If a hybrid meeting – state who is participating in-person and who is participating remotely.
• Announce yourself each time you speak or make a motion for the benefit of people listing on the phone.

Make sure the record is clear
• Take Roll Call Votes
• Make clear motions, state who made the motion and who seconded it, before taking the vote.
Guidance for Public Participation

Additional Instructions Required for Virtual Meetings

Explain:

- How your public entity will receive public comment during the virtual public meeting
- How to sign up for public comment, if advanced registration is required.
- How to make a request for Disability Accommodations
- How will Executive Session occur.

State these instructions both on the agenda and during the meeting. Could also post this information on the entity’s website.

Repeat the public participation instructions a few times during the meeting in case people arrived late, or prior to each public hearing/appeal.
Strategies for Public Participation

Identifying Meeting Attendees

- When they call in on the phone/number is masked?
- Use the raise hand feature - Where do they find it?
- Enable Webinar attendees to talk and ask them to identify themselves
- Is it a public hearing? Do we need their name and address?
- Pros and cons of using the Chat feature
Simple Troubleshooting

- Operator Error v. System Failure
- Download Zoom Client to desktop/laptop AND smartphone.
- Keep apps updated.
- Learn how to connect on all devices. Phones can be used during an internet outage.
- Make sure the camera and microphone on your computer are enabled for use.
- Log out of VPN.
- Check Zoom Service Status here [https://status.zoom.us/](https://status.zoom.us/)
“Zoom bombing”
Reacting to and handling meeting interruptions

Providence City Council
Shawn Selleck, City Clerk

RI Fire Safety Code Board of Appeal and Review
Keith Burlingame, Executive Director

What did they learn and how did they change their settings?
Long-Term Impacts

- Many entities have seen increased public participation due to the accessibility of virtual meetings.
- Hybrid Meetings may become the standard in the future.
- Consider investing in audio/visual equipment for your meeting rooms for Hybrid Meetings.
- Economic access to technology and WIFI. How will you accommodate participants who do not have the ability to join a Zoom meeting at home?
- Monitor any Executive Orders and Legislation related to the Open Meetings Act.
4th Poll

What topics related to virtual meetings would you like additional training on?
1. What topic would you like additional training on? (Multiple choice)

- Hybrid Meetings (57/86) 66%
- Executive Sessions (45/86) 52%
- Public Interaction during virtual meetings (51/86) 59%
- Zoom Settings and Scheduling (38/86) 44%
- Attorney CLE (10/86) 12%
Questions and Answers
Special Thanks

- Director Tanner for championing this project.
- Dawne Broadfield for helping manage today’s webinar.
- The Department of State for notifying all open meetings filers about today’s webinar.
- Our Zoom Working Group that made both the guide and this webinar possible, which includes all of the panelists for this webinar, and:
  - Jennifer Slattery and Brian Daniels, RI League of Cities and Towns
  - John Marion, Common Cause of Rhode Island
  - David R. Petrarca, Jr., Esq., Ruggiero, Brochu & Petrarca
  - Amy Goins, Esq. Ursillo, Teitz & Ritch, Ltd.
Next Steps

• Please complete our survey which you will receive after the meeting.

• Check out DBR’s webpage for more information and updates to the Best Practices Guide. [https://dbr.ri.gov/](https://dbr.ri.gov/)