



# Commerce City

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## Council Communication

File Number: Ord 2504

**Agenda Date:** 4/3/2023

**Version:** 1

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

FIRST READING OF AN ORDINANCE AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE TO REVISE SECTION 2-2001 CONCERNING REGULAR MEETINGS AND STUDY SESSIONS; ADDING A NEW SECTION 2-2004 CONCERNING EMERGENCY MEETINGS; AND REPEALING AND REPLACING ORDINANCE 2291

### **Summary and Background Information:**

The purpose of the proposed municipal code revisions is to permanently codify the use of electronic meetings and electronic attendance at public meetings. This ordinance makes permanent three interconnected aspects that have previously been adopted by City Council but each has been dependent on the existence of a public health emergency. The Executive branch of the federal government is ending the public health emergency declarations and proclamations effective May 11, 2023. It is expected that the State of Colorado will no longer extend its public health emergency executive orders beyond this date as well. This Ordinance is therefore necessary for City Council, as well as other Boards and Commissions, to lawfully continue the practice of conducting electronic meetings.

First, this Ordinance modifies CCRMC sec. 2-2001. Presently, this section has no subparts. As modified, the new section 2-2001 will have subparts a, b, and c. Subpart a specifically adds "electronic means" as a location where City meetings can occur. The Council's authority to change meeting times and locations is moved to a new subpart b. Finally, subpart c has been created to define "electronic means" and the parameters under which a public meeting may be conducted in that format.

Second, this Ordinance permanently codifies a new section of the CCRMC at 2-2004 authorizing emergency meetings. This was previously authorized through Ordinance 2271 (repealed) and then by Ordinance 2291, each of which relied on the existence of a public health emergency. This new section allows the City Council to convene emergency meetings in situations where advance public notice is not possible. Any action taken at an emergency meeting must be ratified at the next properly noticed public meeting or it is otherwise deemed rescinded.

Third, this Ordinance repeals Ordinance 2291, discussed in the preceding paragraph, because it is no longer necessary if electronic meetings are made available through the adoption of new section 2-2004.

If approved, the procedures governing electronic meetings, adopted by Resolution 2023-35 on March 20, 2023, will become effective.

**Staff Responsible (Department Head):** Sarah Geiger, Interim City Attorney

**Staff Member Presenting:** Matt Hader, Deputy City Attorney

**Financial Impact:** No direct cost. Electronic meetings do require ongoing IT support and associated costs of the meeting platform, e.g. Zoom.

**Funding Source:** Not applicable

**Staff Recommendation:** The City Attorney's Office recommends that the Ordinance be adopted

**Suggested Motion:** "I move to adopt Ordinance 2504 as introduced on first reading."