



Commerce City

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Council Communication File Number: Res 2023-045

Agenda Date: 4/3/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

A RESOLUTION ESTABLISHING POLICIES FOR CONDUCTING PUBLIC HEARINGS DURING ELECTRONIC MEETINGS AND REPEALING RESOLUTION 2020-30

Summary and Background Information:

The purpose of this resolution is two-fold. First, the resolution establishes policies for conducting public hearings, i.e. quasi-judicial proceedings, during public meetings held in an electronic format. Second, the resolution repeals Resolution 2020-30, that adopted these same procedures but was dependent upon a public health emergency.

In 2020, to comply with restrictions on public gatherings and to adhere to social distancing advisements necessitated by the COVID-19 health emergency, City Council adopted Resolution 2020-30 to allow public hearings on development applications to occur electronically. That resolution established a process and procedure as well as certain requirements specific to quasi-judicial hearings in an effort not to inhibit the public hearing process for development applications.

The resolution and the policies and practices therein, were dependent upon the existence of a public health emergency. With the pending cessation of the federal emergency declaration and proclamation 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. The adoption of this Resolution will allow quasi-judicial proceedings to continue in the absence of a public health emergency. This resolution is further dependent upon the passage of Ordinance 2504.

The substantive aspects of this resolution are the same as those previously adopted. This Ordinance is necessary for City Council, as well as other Boards and Commissions, to lawfully continue the practice of conducting electronic hearings.

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

Staff Member Presenting: Matt Hader, Deputy City Attorney

Financial Impact: None

Funding Source: Not applicable

Staff Recommendation: The City Attorney's Office recommends the Resolution be adopted.

Suggested Motion: "I move to adopt Resolution 2023-045 as introduced."