



Legislation Details (With Text)

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|----------------------|--|----------------------|---|--------------|--|
| File #: | Ord 2291 | Version: | 1 | Name: | |
| Type: | Ordinance | Status: | | Passed | |
| File created: | 8/27/2020 | In control: | | City Council | |
| On agenda: | 11/2/2020 | Final action: | | 11/2/2020 | |
| Title: | AN ORDINANCE OF THE CITY OF COMMERCE CITY, COLORADO ESTABLISHING ELECTRONIC AND EMERGENCY MEETING PROCEDURES AND AUTHORIZING THE REMOTE CONDUCT OF MEETINGS FOR THE CITY OF COMMERCE CITY DURING CERTAIN DECLARED DISASTERS AND EMERGENCIES AND REPEALING ORDINANCE 2271 | | | | |

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance - Final, 2. Redline - Ordinance (Comparison Purposes Only)

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|------------------------------------|--------|
| 11/2/2020 | 1 | City Council | approved on second & final reading | Pass |
| 10/5/2020 | 1 | City Council | amended | Pass |

AN ORDINANCE OF THE CITY OF COMMERCE CITY, COLORADO ESTABLISHING ELECTRONIC AND EMERGENCY MEETING PROCEDURES AND AUTHORIZING THE REMOTE CONDUCT OF MEETINGS FOR THE CITY OF COMMERCE CITY DURING CERTAIN DECLARED DISASTERS AND EMERGENCIES AND REPEALING ORDINANCE 2271

On March 13, 2020, the City Council enacted Ordinance 2271 as an emergency ordinance to provide for remote council meetings conducted virtually during the COVID-19 public health emergency. Subsequently, the City Council approved Resolution 2020-30 to establish procedures for conducting quasi-judicial hearings remotely. The City Council has resumed its regular meeting schedule and other City boards and commissions have conducted meetings.

The proposed ordinance updates the authorization of virtual meetings to account for the need to conduct public business and ongoing nature of the public health emergency, restrictions on public gatherings, and additional technologies for conducting meetings in the current environment. The ordinance proposes more efficient, flexible measures and accounts for the needs of boards and commissions.

The proposed ordinance:

- Confirms the ability to conduct hybrid meetings, with some in person presence subject to resource availability and public health requirements. This may require the limitation of council member presence as well as the presence of the public (Section 2(a, c)).
- Reduces the use of roll call voting (as long as the identity and vote are not concealed) (Section 2 (e)).
- Limits the requirement to record meetings to regular and special City Council meetings and boards or commissions exercising quasi-judicial authority. Study sessions, committee meeting, GID and URA meetings, and board and commission meetings need not be recorded (Section 2(f); Section 2(k)).

- Repeals Ordinance 2271 (Section 4).
- Incorporates the quasi-judicial hearing requirements of Resolution 2020-30 (Section 2(j)(2)).

The ordinance is proposed as an emergency ordinance to allow for the changes to take effect immediately. To approve as a standard ordinance on first reading, the following language should be deleted from Section 1(c) should be amended to state, "The passage of this ordinance is necessary for the preservation of the public health, safety, and welfare for the reasons set forth in this ordinance." (Other references to "emergency ordinance" should also be removed.)

Staff Responsible (Department Head): Robert Sheesley, City Attorney

Staff Member Presenting: Matt Hader, Deputy City Attorney

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation: Approve the ordinance as an emergency ordinance

Suggested Motion: I move to introduce and approve ordinance 2291 as an emergency ordinance.