

ORDINANCE NO. 8391

AN EMERGENCY ORDINANCE AMENDING SECTION 2-2.5-11, "LOCATION AND SPECIAL PROCEDURES FOR GOVERNING BODY MEETINGS AND DEPARTMENTS," B.R.C. 1981, ALLOWING FOR REMOTE PARTICIPATION AT CITY COUNCIL MEETINGS, REQUIRING BOARD AND COMMISSIONS TO ALLOW FOR REMOTE ACCESS AND SETTING FORTH DETAILS IN RELATION THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 2-2.5-11, B.R.C. 1981, is amended to read:

2-2.5-11. - Location and Special Procedures for Governing Body Meetings and Departments.

- (a) Whenever a disaster emergency makes it imprudent or impossible to conduct the affairs of the city at regular locations, the governing body may meet at any place, inside or outside the city limits. Any temporary disaster emergency meeting location for the governing body shall continue until a new location is established or until the disaster emergency is terminated and the governing body is able to return to its normal location.
- (b) Whenever a disaster emergency makes it imprudent or impossible to conduct the affairs of any department of the city at its regular location, such department may conduct its business at any place, inside or outside the city limits and may remain at a temporary location until the disaster emergency is declared ended or until the department is able to return to its normal location.
- (c) Whenever a disaster emergency makes it imprudent or impossible for city council, or any city committee, board, or commission or other such body to meet at a previously scheduled date and time, such meeting shall be deemed to be postponed until a quorum of the city council, city committee, board, or commission or other such body is able to meet.

1 (d) Any official act or meeting that must ordinarily be performed at regular or specified
2 locations shall be valid when performed at a temporary location pursuant to this section.

3 (e) To the extent that is consistent with the United States and Colorado constitutions, any time
4 requirement, deadline, procedure, scheduled hearing, or other event in the municipal court
5 may, upon a finding of good cause, be waived, altered, or rescheduled by the presiding
6 municipal court judge during a declared disaster emergency.

7 (f) The provisions of this section shall apply to all executive, legislative, and judicial branches,
8 and to all powers and functions conferred upon the city and its officers, employees, and
9 authorized agents by the Constitution of the State of Colorado, Colorado Revised Statutes,
10 the Boulder Revised Code, and the Charter of the City of Boulder.

11 (g) In any disaster emergency resulting from a contagious disease or in the event that the
12 Governor of Colorado has issued a statewide declaration of emergency because of a
13 contagious disease, the following shall apply:

14 (1) Members of the city council may participate remotely in a council meeting or study
15 session through telephonic or other remote means, provided that such means allow
16 for the public to hear the council member and for the council member to hear both
17 members of the public recognized to speak and other members of the council.

18 (2) Members of boards or commissions may participate remotely at meetings through
19 telephonic or other remote means provided that such means allow for the public to
20 hear the board or commission member and for the board or commission member to
21 hear both members of the public recognized to speak and other members of the
22 board or commission.

1 (3) The city council, city manager, boards and commissions may exclude or limit the
2 public from personal attendance at meetings provided that the meeting is available
3 to the public either by telephone, over the internet or on television and the council,
4 board or commission provides a means for public participation.

5 (4) The city manager may cancel any city council, city committee, board or
6 commission meeting and any meeting by another such body prior to
7 commencement of such meeting to preserve the public health, safety and welfare.

8 (5) Notwithstanding any provisions to the contrary in this code or any procedural rules,
9 the city council, city manager, boards and commissions may continue consideration
10 of any item on the published agenda of a city council, city committee, board or
11 commission meeting. Continued agenda items that are concept plans or quasi-
12 judicial in nature shall be rescheduled to a time when the city council or city
13 manager finds that the city body and all interested parties will have adequate
14 opportunity to participate in the consideration of the item. Any call-up
15 consideration that would require an affirmative action of a city body and that was
16 continued under the provisions of this section shall be tolled from the date of
17 continuance to the date when the city body considers the call-up.

18 (6) The city manager may waive, alter, reschedule any time requirement, deadline,
19 procedure, scheduled hearing, or other event required for a contract, license or
20 permit from the city.

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22 Section 2. This ordinance is hereby declared to be an emergency measure due to the
23 Coronavirus Pandemic which presents an imminent threat to the health and safety of the
24 community, and as such shall be in full force and effect upon its final passage.
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