

ELECTRONIC PARTICIPATION POLICY DURING LONGMONT CITY COUNCIL MEETINGS

I. Purpose.

The purpose of this Policy is to specify the emergency circumstances under which a member of the City Council may participate in Regular Session and Study Session meetings (as defined in Council Rule of Procedure 25.A and .B) by telephone or other electronic means of participation, such as video-conferencing ("Electronic Participation"). Electronic Participation has inherent limitations because Electronic Participation effectively precludes a member of the City Council from contemporaneously observing documentary information presented during meetings; from fully evaluating a speaker's non-verbal language in assessing veracity or credibility; and from observing non-verbal explanations (*e.g.*, pointing at graphs and charts) during a speaker's presentation or testimony. The City Council finds that these limitations, inherent in Electronic Participation, may produce inefficiencies in meetings, increase the expense of meetings, and may undermine the decision-making process.

II. Statement of General Policy.

A member of the City Council may participate in a meeting of the City Council by electronic means only in accordance with this Policy.

A. Emergency Situations

In the event a quorum is unable to meet at the day, hour, and place fixed by the rules and procedures of the City Council because meeting in-person is not practical or prudent due to a health pandemic or emergency affecting the City, meetings may be conducted by telephone, electronically, or by other means of communication so as to provide maximum practical notice. Meetings may be held by telephone, electronically, or by other means of communication only when all of the following conditions are met:

1. The City Manager determines that meeting in person is not practical or prudent because of a health pandemic or declaration of emergency affecting the City, and has activated the Emergency Operations Center;
2. All members of the City Council can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation;
3. Members of the public present at the regular meeting location can hear or read all discussion, testimony and votes, unless not feasible due to the pandemic or emergency;
4. At least one member of the City Council is present at the regular meeting location, unless not feasible due to the pandemic or emergency declaration;
5. All votes are conducted by roll call;

6. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and

7. To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, the fact that some members of the City Council may participate electronically, and the right of the public to monitor the meeting from another location.

If meeting in-person is not practical or prudent due to a health pandemic or emergency affecting the City, the City shall use best efforts to provide the public a reasonable opportunity to be heard electronically, and such electronic meeting shall be deemed to be held at a temporary emergency city hall for purposes of Charter 3.9.

Refer to Longmont Municipal Code 2.20.125 for Special Provision for City Council Meetings During a Declared State of Emergency.

III. Arranging for Electronic Participation.

A. To arrange to participate via Electronic Participation, a Council member shall:

1. Contact the Mayor, City Manager, or City Clerk in advance of the meeting to determine if an arrangement for such participation via telephone conference or video conference is possible. Council members shall endeavor to advise the City of their intent to participate via Electronic Participation at the earliest possible time and not less than twenty-four (24) hours prior to the requested participation.

2. The City shall initiate the Electronic Participation not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the City Clerk or designee shall make one attempt to re-initiate the connection.

IV. Effect of Electronic Participation.

Telephonic participation shall only constitute actual attendance for purposes of establishing a quorum for meetings during which no quasi-judicial matters will be heard or considered, unless meeting in-person is not practical or prudent due to a health pandemic or emergency affecting the City.

V. Limited Applicability of Policy.

This Policy shall only apply to Regular Session and Study Session meetings (as defined in Council Rule of Procedure 25.A and .B) of the City Council of the City of Longmont.

VI. Reasonable Accommodations.

The City shall provide reasonable accommodation and shall waive or modify provisions of this Policy to provide members of the City Council with disabilities full and equal access to City Council meetings.