

ORDINANCE O-2021-

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.12 OF THE LONGMONT
MUNICIPAL CODE TO AUTHORIZE CITY COUNCIL MEETINGS BY ELECTRONIC
MEANS OF PARTICIPATION

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 1

In this ordinance, ellipses indicate material not reproduced as the Council intends to leave that material in effect as it now reads.

Section 2

The Council amends section 2.12 of the Longmont Municipal Code, by adding italicized material and deleting stricken material, to read as follows:

2.12.010. Service of members on advisory bodies restricted.

Unless otherwise required by the City Charter or applicable provision of a Colorado statute reflecting a matter of statewide concern, no member of the city council shall concurrently serve in other than an ex officio capacity as a member of any board, commission or advisory committee to the city council.

2.12.020. Harassment.

If the mayor receives a complaint by a city employee against a member of the city council alleging sexual harassment, the mayor shall promptly cause an investigation of the complaint. The mayor may use the services of an independent investigator. The mayor shall communicate the resulting findings and

1 recommendations to the council, city manager and city attorney in an executive
2 session of the city council. If the complaint is against the mayor, the mayor pro tem
3 shall act in the mayor's place. The council shall promptly take reasonable,
4 appropriate and effective steps to remedy and prevent any sexual harassment by its
5 members, and to prevent any retaliation against complaining parties, and shall
6 advise the city manager and city attorney of those steps. The city manager shall
7 advise the complaining employee of the results of the investigation in a timely
8 manner.

9 2.12.030. Compensation of councilmembers.

10 Beginning January 1, 2000, the compensation for councilmembers shall be as
11 follows:

12 A. Mayor: \$1,500.00 per month;

13 B. Other councilmembers: \$1,000.00 per month;

14 C. If any councilmember is absent from four entire council meetings in any
15 calendar year, then for the remaining months of that year, that member's monthly
16 compensation shall decrease, on a month-to-month basis, for additional entire
17 meetings missed in each respective month, by the following amounts:

18 1. Mayor: \$346.15 per additional entire meeting missed that month;

19 2. Other councilmembers: \$230.77 per additional entire meeting missed that
20 month.

1 *2.12.040. Special provisions for city council meetings during a declared state of*
2 *emergency.*

3 *A. In case of an emergency requiring immediate action of the city council to*
4 *protect public health, safety or welfare, the council may convene an emergency*
5 *meeting without any advance public notice or with such limited advance public*
6 *notice as the mayor or other presiding officer finds feasible in the circumstances.*
7 *At such emergency meeting, the council may take any action within its authority*
8 *that is necessary for the immediate protection of public health, safety or welfare;*
9 *provided however, that any action taken at the emergency meeting shall be effective*
10 *only until the next meeting that complies with the advance notice requirements of*
11 *the Colorado Open Meetings Law. At that next meeting, the council may ratify any*
12 *action taken at the emergency meeting, notwithstanding any limitation on final or*
13 *official action in the council's Rules of Procedure. The agenda and posted public*
14 *notice for that next meeting shall include the question of ratifying such emergency*
15 *action. If the council fails to ratify any such emergency action taken, that action*
16 *shall be deemed rescinded.*

17 *B. During a state of disaster or emergency, declared under this chapter, the*
18 *city council may meet by telephone, electronically, or by other means of*
19 *communication. The city manager shall take reasonable and practical measures to*
20 *ensure that:*

- 21 *1. Each such meeting is open to the public at all times;*
22 *2. Councilmembers and others may participate in each such meeting from*
23 *multiple separate locations, including, but not limited to, the Longmont Civic*

Center, at Third Avenue and Kimbark Street in Longmont or any other location the city manager may designate as a temporary city hall, under section 10.08.180 of this Code; and

3. Each such meeting provides citizens and employees a reasonable opportunity to be heard;

4. A reliable and public record is made and kept of each councilmember's vote cast at any at any such meeting.

2.12.050. Special provision for city council meetings by telephone or other electronic means of participation.

City council may provide for electronic participation in council meetings by designating a temporary city hall for the purposes of Charter 3.9, subject to the Council Rules of Procedure.

Section 3

The Council amends section 2.20.125 of the Longmont Municipal Code, by adding italicized material and deleting stricken material, to read as follows:

~~2.20.125. Special provisions for city council meetings during a declared state of emergency.~~

~~A. — In case of an emergency requiring immediate action of the city council to protect public health, safety or welfare, the council may convene an emergency meeting without any advance public notice or with such limited advance public notice as the mayor or other presiding officer finds feasible in the circumstances. At such emergency meeting, the council may take any action within its authority that is necessary for the immediate protection of public health, safety or welfare;~~

1 ~~provided however, that any action taken at the emergency meeting shall be~~
2 ~~effective only until the next meeting that complies with the advance notice~~
3 ~~requirements of the Colorado Open Meetings Law. At that next meeting, the~~
4 ~~council may ratify any action taken at the emergency meeting, notwithstanding~~
5 ~~any limitation on final or official action in the council's Rules of Procedure. The~~
6 ~~agenda and posted public notice for that next meeting shall include the question of~~
7 ~~ratifying such emergency action. If the council fails to ratify any such emergency~~
8 ~~action taken, that action shall be deemed rescinded.~~

9 ~~B. During a state of disaster or emergency, declared under this chapter, the~~
10 ~~city council may meet by telephone, electronically, or by other means of~~
11 ~~communication. The city manager shall take reasonable and practical measures to~~
12 ~~ensure that:~~

13 ~~1. Each such meeting is open to the public at all times;~~

14 ~~2. Councilmembers and others may participate in each such meeting from~~
15 ~~multiple separate locations, including, but not limited to, the Longmont Civic~~
16 ~~Center, at Third Avenue and Kimbark Street in Longmont or any other location~~
17 ~~the city manager may designate as a temporary city hall, under section 10.08.180~~
18 ~~of this Code; and~~

19 ~~3. Each such meeting provides citizens and employees a reasonable~~
20 ~~opportunity to be heard;~~

21 ~~4. A reliable and public record is made and kept of each councilmember's~~
22 ~~vote cast at any at any such meeting.~~

1 Section 4

2 To the extent only that they conflict with this ordinance, the Council repeals any conflicting
3 ordinances or parts of ordinances. The provisions of this ordinance are severable, and invalidity of
4 any part shall not affect the validity or effectiveness of the rest of this ordinance.

5 Introduced this _____ day of _____, 2021.

6
7 Passed and adopted this _____ day of _____, 2021.
8
9

10 _____
11 MAYOR
12

13 ATTEST:
14
15

16 _____
17 CITY CLERK
18
19

20 NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
21 7:00 P.M. ON THE _____ DAY OF _____, 2021, AT THE
22 LONGMONT CITY COUNCIL MEETING.
23
24

25 APPROVED AS TO FORM:
26
27

28 _____
29 ASSISTANT CITY ATTORNEY
30
31

DATE

32

33 _____
34 PROOFREAD
35

DATE

36

37 APPROVED AS TO FORM AND SUBSTANCE:
38
39

40 _____
41 ORIGINATING DEPARTMENT
42

DATE

CA File: 19-000249