

## **EMERGENCY RULES OF PROCEDURE**

Due to the widespread occurrence or imminent threat of severe damage, injury or loss of life or property resulting from COVID-19, this Emergency Rule will be effective during the period of emergency to avert danger or damage and to protect public health. The Denver City Council and Mayor Michael B. Hancock hereby exercise all powers granted to the legislative and executive branches to continue to provide essential government services and offer innovative and inclusive technological solutions so that the public can continue to have the fullest possible access to the deliberations and proceedings of City Council, Council Committees, and certain City Boards and Commissions under the power and authority of Mayor and/or City Council, as the case may be. These Emergency Rules of Procedure will supplement other rules during the Period of Emergency and where they are in conflict will supplant such other rules.

### **DENVER CITY COUNCIL REGULAR MEETINGS**

**Emergency Rule 1. Attendance of the Public at City Council Regular Meetings.** The intent and purpose of this Rule is to permit the City to be innovative in providing the public the most meaningful access possible in light of the current period of emergency. Therefore, to the extent feasible or permissible under public health orders, members of the public will be offered both the opportunity to be physically present in the designated location or alternative locations at the City and County Building and the ability to access the meeting electronically from a remote location.

**Emergency Rule 2. Attendance of Councilmembers at City Council Regular Meetings.**

- (a) **Absences.** In the event any one councilmember has been exposed to the COVID-19 virus, and is unable to participate by being physically present or by electronic means, such member may request that the Denver City Council excuse such absence in advance. Charter § 3.1.6. Nothing herein prohibits or limits Councilmembers from exercising authority to compel the attendance of absent members under Charter, §3.3.4.
- (b) **Council President or their designee.** The Council President or their designee shall take reasonable and practical measures to ensure that each such meeting is open to the public at all times and Legislative Services will offer solutions to distancing orders.
- (c) **Councilmembers participating in the designated location or alternative locations.** Councilmembers who have established with the Council Secretary that they will be physically present at the meeting will be permitted to enter the meeting at separate times in order to adhere to Public Health Orders requiring social distancing requirements.
- (d) **Councilmembers participating electronically.** During the state of local disaster, councilmembers will be provided alternative methods of participating in the meeting either by telephone, electronically, or by other means of communication.
  - i. Those members who have chosen to participate electronically in lieu of physical presence due to health concerns or otherwise, may be physically located in multiple separate locations.
  - ii. Councilmembers who are participating from remote locations will be counted for purposes of a quorum.
  - iii. If Councilmembers are dropped from the meeting due to electronic problems, the President may exercise discretion about whether to permit members who are

dropped to re-enter the meeting when there are extended or continued interruptions. A member that is not able to re-enter the meeting may not cast a vote and a meeting should be adjourned if a quorum is lost.

- (e) **Exceptions.** These emergency rules do not apply to quasi-judicial hearings or executive sessions with associated special rules. During the period of emergency, city staff will evaluate technology and consider the implications of expanding virtual meeting capabilities to such hearings.

### **Emergency Rule 3. Voting.**

- (a) Councilmembers who are physically present shall cast their vote in the designated place in person and will be allowed to cast their vote in a stated period of time to adhere to social distancing Public Health Orders.
- (b) Current technology does not permit councilmembers to cast their vote electronically from remote locations. Therefore, Councilmembers who are participating remotely shall be required to speak their vote which will be registered by the Council Secretary or her designee.
- (c) A reliable and public record will be made and kept of who is physically present and who is participating remotely. Each councilmember's vote shall be recorded and kept whether present or remote unless such member has been dropped from the meeting due to electronic problems in which case no vote will be registered.

**Emergency Rule 4. Attendance of Legislative Services and Other Staff at City Council Regular Meetings.** While electronic participation depends on technological infrastructure supported by city staff, nothing in this Rule supersedes or changes any laws, orders, rules or regulations for city employees. City employees will continue to follow all laws, orders, rules or regulations of the city and supervisors while attempting to accommodate the electronic capabilities where feasible.

## **DENVER CITY COUNCIL COMMITTEES**

**Emergency Rule 1. Attendance of the Public at City Council Committee Meetings.** The intent and purpose of this Rule is to ensure that the City is innovative in providing the public the most meaningful access possible in light of the current emergency challenges. Therefore, subject to social distancing and public health orders, members of the public will be offered both the opportunity to be physically present in the designated location or alternative locations in the City and County Building and the ability to access the meeting electronically from a remote location.

### **Emergency Rule 2. Attendance of Councilmembers at City Council Committee Meetings.**

- (a) **Committee Chair or its designee.** The Committee Chair or its designee shall take reasonable and practical measures to ensure that each such meeting is open to the public at all times and Legislative Services will assist by providing alternative spacing solutions.
- (c) **Committee members participating in the designated location or alternative locations.** Councilmembers who have established with the Council Secretary that they will be

physically present at the meeting will be permitted to enter the meeting at separate times in order to adhere to Public Health Orders requiring social distancing requirements.

**(d) Committee members participating electronically.** During the state of local disaster, Councilmembers will be provided alternative methods of participating in the meeting either by telephone, electronically, or by other means of communication.

i. Those members who have chosen to participate electronically in lieu of physical presence due to health concerns or otherwise, may be physically located in multiple separate locations.

ii. Members who are participating from remote locations will be counted for purposes of a quorum.

iii. Members may be dropped from the meeting due to electronic problems. The Chair may exercise discretion in whether to work on the technological problems or whether to continue the meeting if there is a quorum without the Member who has been dropped.

**(e) Quorum and Voting.** Members participating electronically will be counted for purposes of a quorum. To provide more opportunity for flexibility in the committee process and to alleviate the need for staff to the extent feasible, Members will not be casting votes at committee.

**Emergency Rule 4.** Attendance of Legislative Services and Other Staff at City Council Regular Meetings. While electronic participation depends on technological infrastructure supported by city staff, nothing in this Rule supersedes or changes any laws, orders, rules or regulations for city employees. City employees will continue to follow all laws, orders, rules or regulations of the city and supervisors while attempting to accommodate the electronic capabilities where feasible.

## **CITY AND COUNTY OF DENVER BOARDS AND COMMISSIONS**

### **Emergency Rule 1. Applicability.**

- (a) This Rule applies to Boards and Commissions determined on a case by cases basis by the Department, Agency, or Director authorized to implement such decisions during the period of emergency.
- (b) Boards and Commissions subject to this Emergency Rule will be permitted to conduct agendas and work by electronic methods of communication.
- (c) This Rule does not authorize Boards and Commissions to conduct any matters subject to a quasi-judicial hearing before the Board or City Council, nor executive sessions by methods of electronic communication. During the period of emergency, city staff will evaluate technology and consider the implications of expanding virtual meeting capabilities to such hearings.

**Emergency Rule 2. Attendance of the Public at Boards and Commissions Meeting.** To the extent feasible or permissible, members of the public will be offered both the opportunity to be physically present in the designated location or alternative locations at the City and County Building subject to social distancing public health orders and the ability to access the meeting electronically from a remote location.

Effective March 23, 2020 through May 11, 2020

**Emergency Rule 3. Board Chair or its designee.** The Chair or its designee shall take reasonable and practical measures to ensure that each such meeting is open to the public at all times subject to public health orders.

**Emergency Rule 4. Attendance of Members of Boards and Commissions.** During the Period of Emergency, members may be provided alternative methods of participating in the meeting either by telephone, electronically, or by other means of communication. Those members who have chosen to participate electronically in lieu of physical presence due to health concerns or otherwise, may be physically located in multiple separate locations. Board members who are participating from remote locations will be counted for purposes of a quorum. The Chair of the Board may exercise discretion about whether to permit members who are dropped to re-enter the meeting when there are extended or continued interruptions due to electronic problems. A member that is not able to re-enter the meeting may not cast a vote and a meeting should be adjourned if a quorum is lost.