



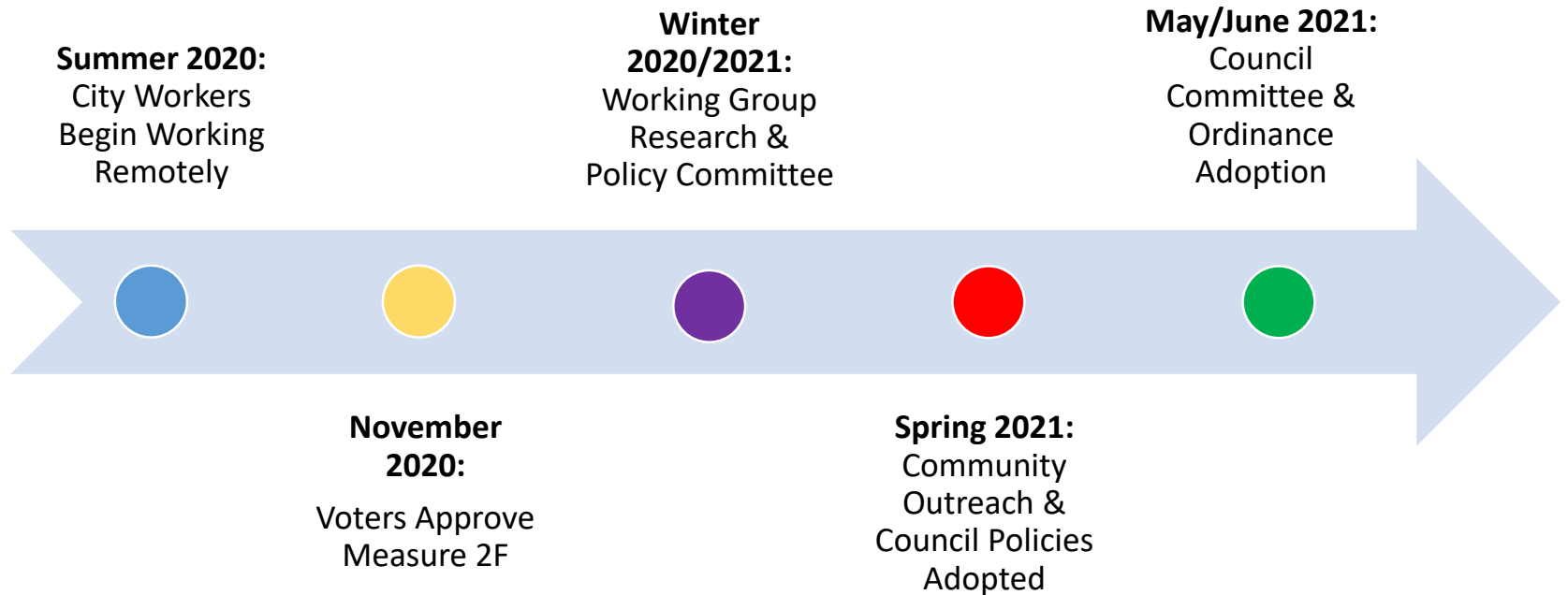
Councilwoman Amanda Sawyer
Denver District 5

Denver Remote Meetings Ordinance

May 18, 2021



Timeline





Working Group Members

- City Council
- Mayor's Office
- Boards & Commissions
- HRCP
- CPD
- Tech Services
- Denver TV8





Goals



1. Update Denver's Open Meetings Law
2. Add a Remote Meetings Policy to DRMC
3. Add remote meetings policies to Boards & Commissions Bylaws if needed
4. Create official remote meetings policy for City Council meetings & committees
5. Identify Technology options and services to achieve goal of community accessibility



Issues Identified



- Who will the law apply to?
- When is the law going to apply?
- What will the “Emergency” look like and who will declare it?
- What will the notice requirements be?
- What kind of technology and connectivity issues do we need to look at?
- What would the cost be to address technology needs?



Stakeholder Outreach

- Seven Working Group Meetings
- Four Tech Services Meetings
- January Policy Committee Presentation
- Two rounds of Councilmember Interviews
- 329 Responses to Online Community Survey (English & Spanish)
- Six Affinity Group Feedback Sessions
 - 1) Developers, business owners, & others affected by Quasi-judicial hearings
 - 2) Individuals with access challenges due to time/convenience or structural barriers
 - 3) City staff
 - 4) Boards & Commissions members
 - 5) RNO's
 - 6) Excess registration from other groups



Feedback

Strengths

- Increased accessibility to citizens.
 - Language
 - Closed Captioning
- Greater participation in the legislative process.
- Time and efficiency savings.

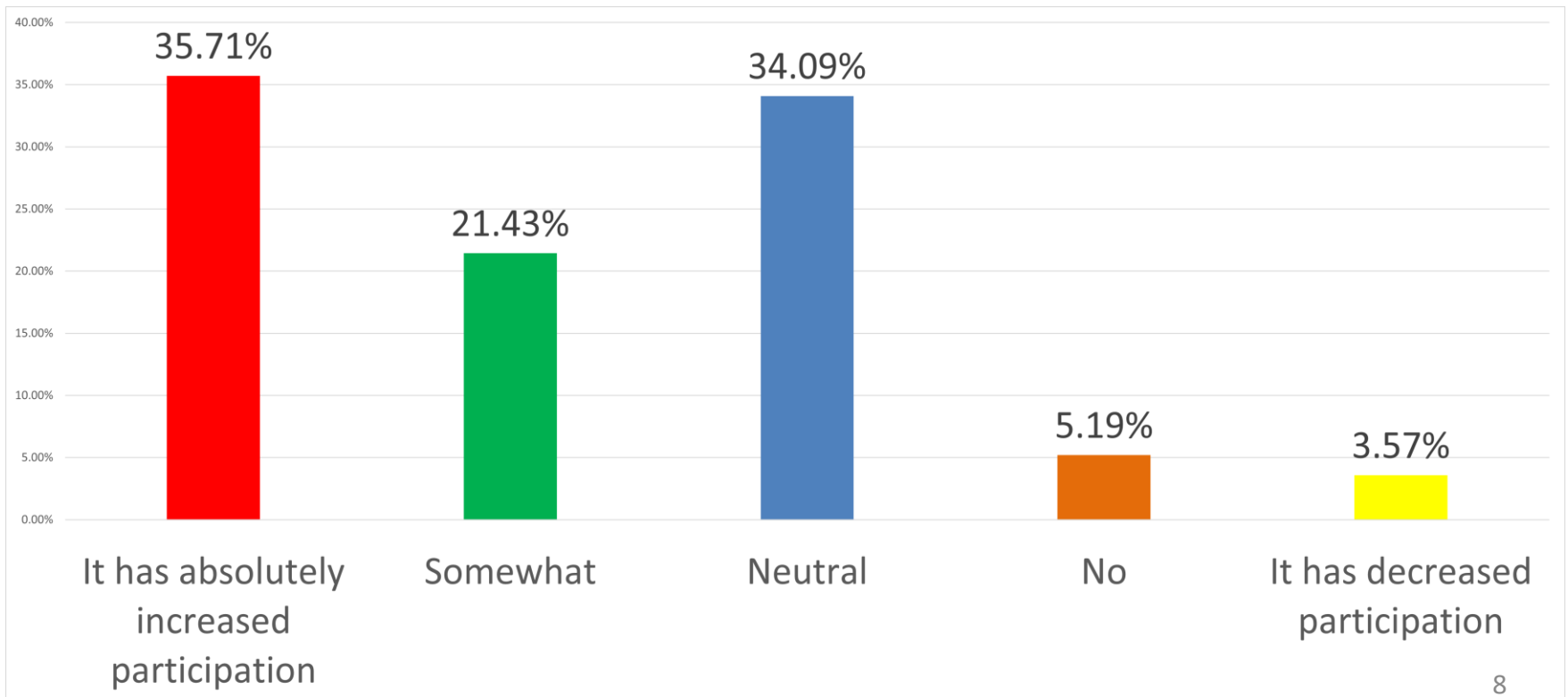
Challenges

- Ease of use and sign-up process for commenting.
- Feels “removed” without personal interaction.
- Sound quality.



Feedback

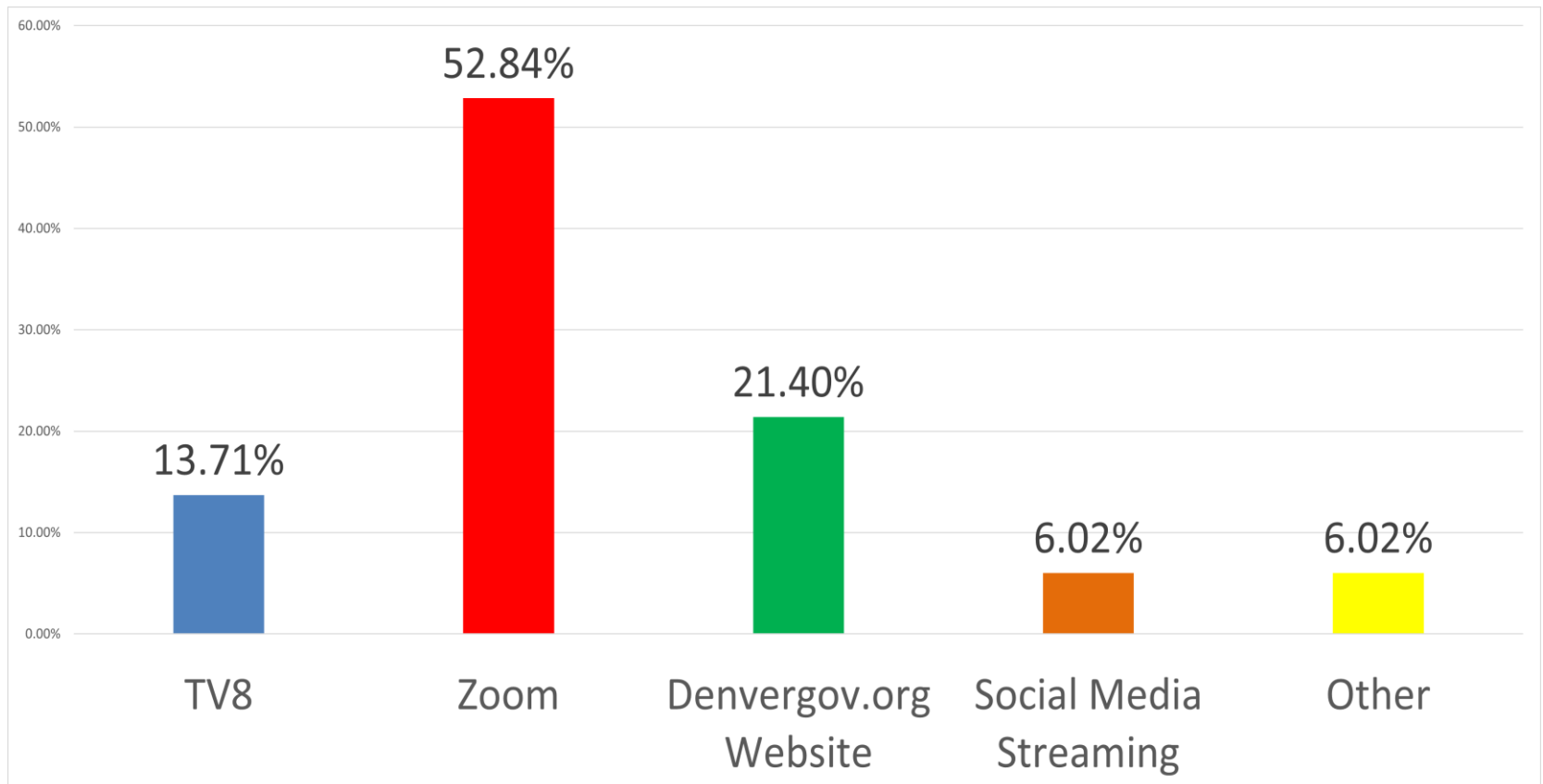
Overall, do you feel Denver's move to online meetings has increased community participation?





Feedback

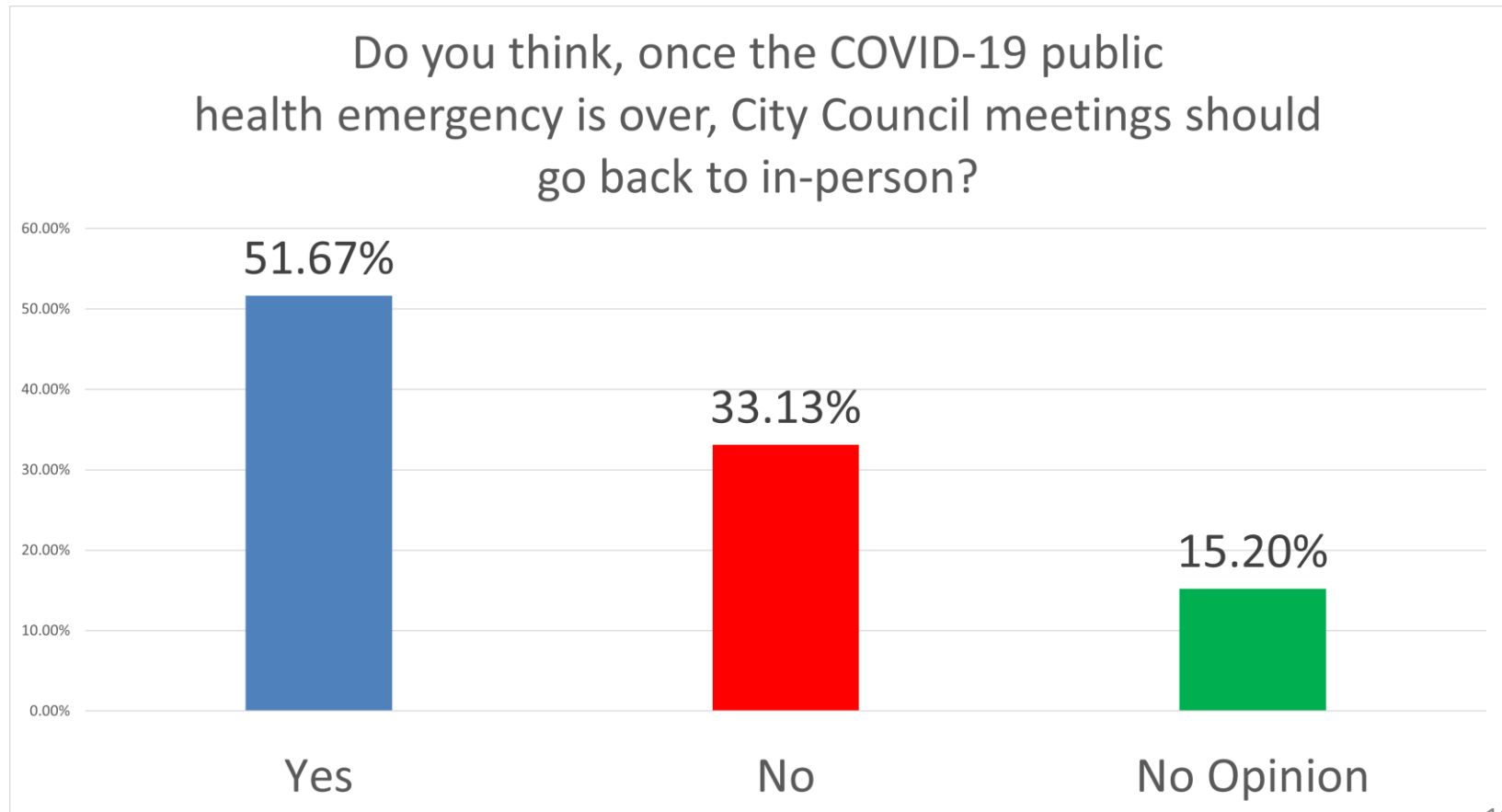
How are Denver Residents accessing meetings?





Feedback

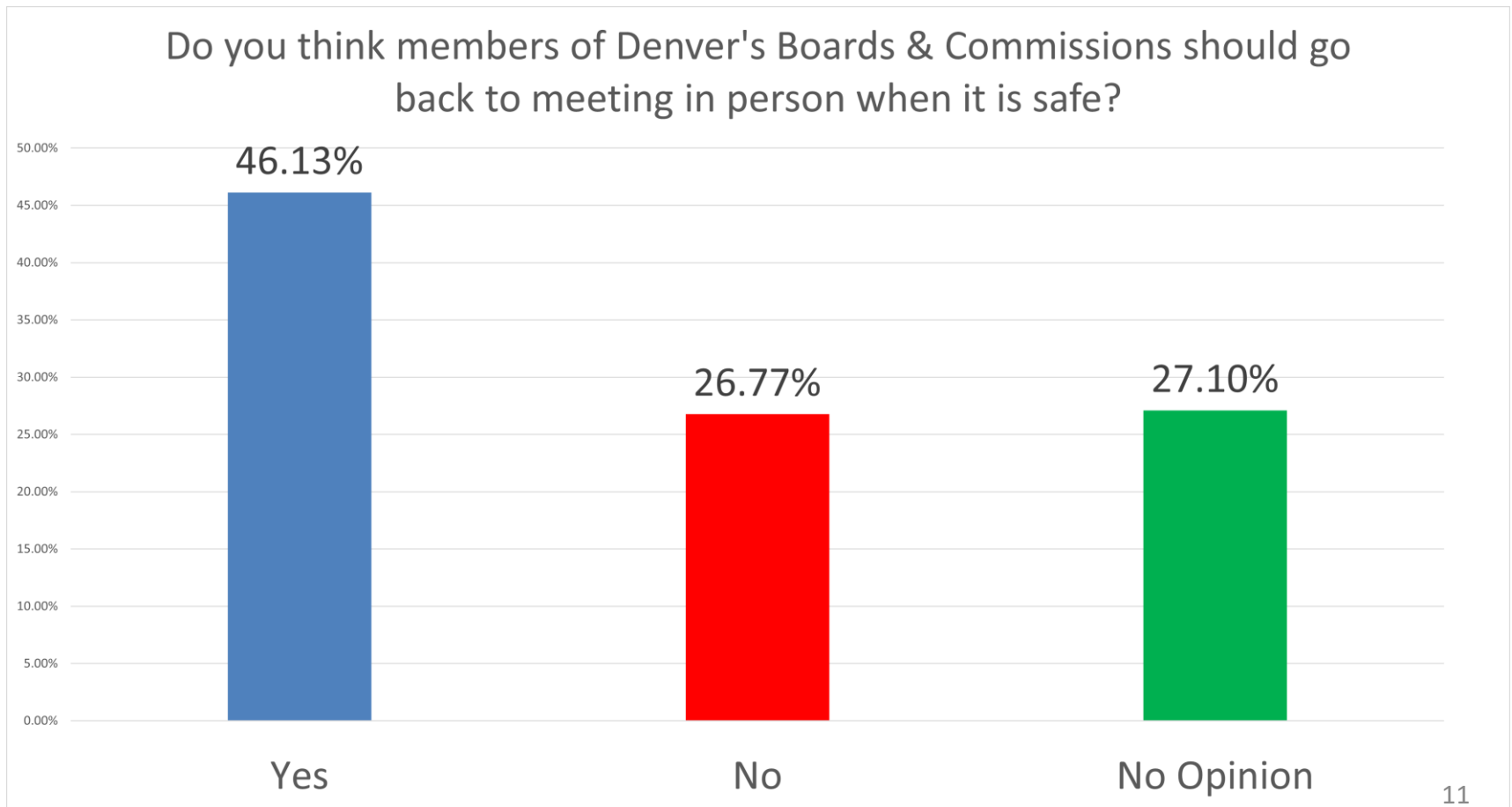
Do Denver Residents Want Meetings in Person or Remote?





Feedback

Do Denver Residents want Meetings in Person or Remote?

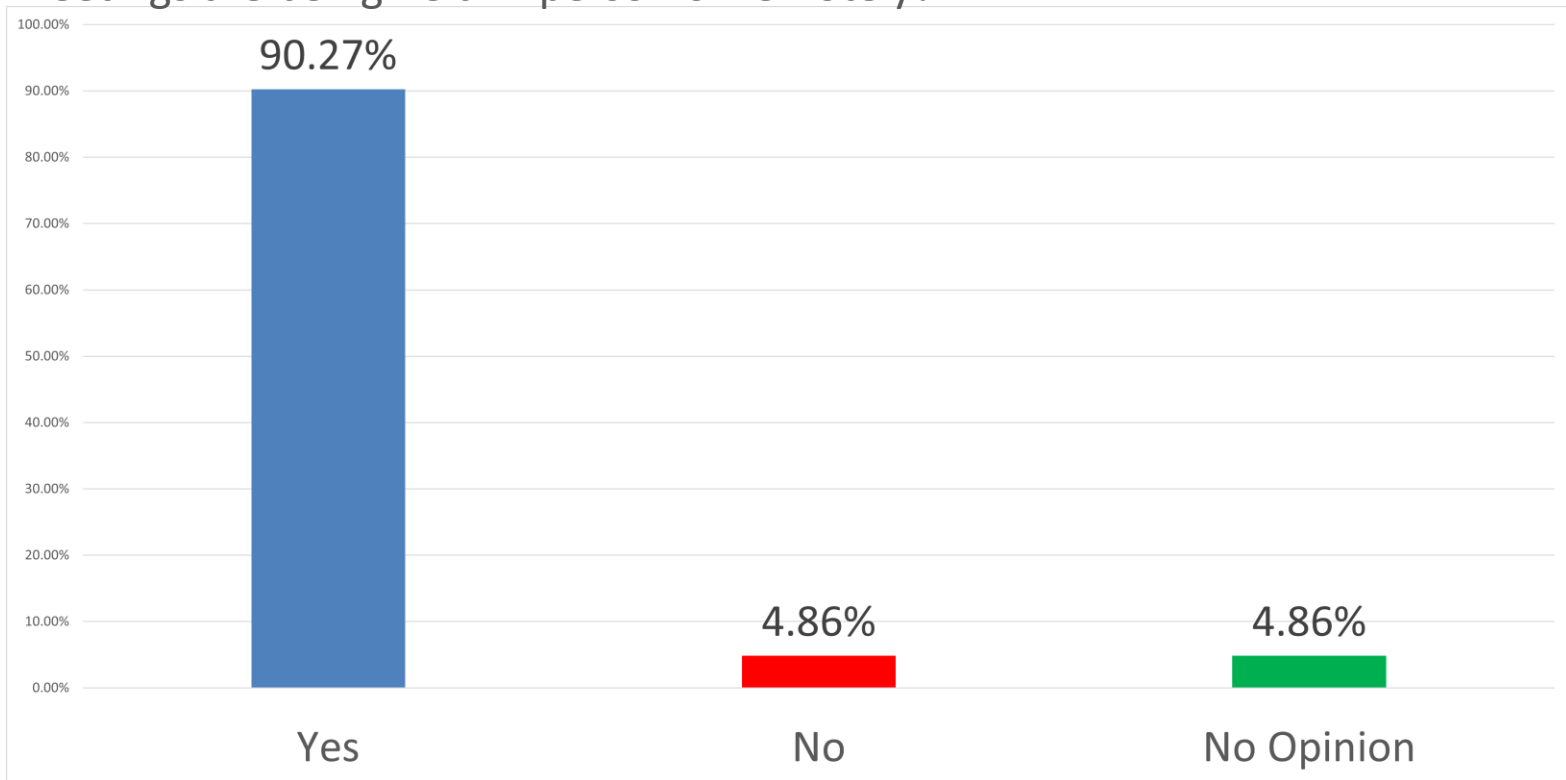




Feedback

Do Denver Residents want a Council hybrid option?

Do you think, once the COVID-19 public health emergency is over, City Council meetings should include a remote public comment option at every meeting, regardless of whether the meetings are being held in person or remotely?

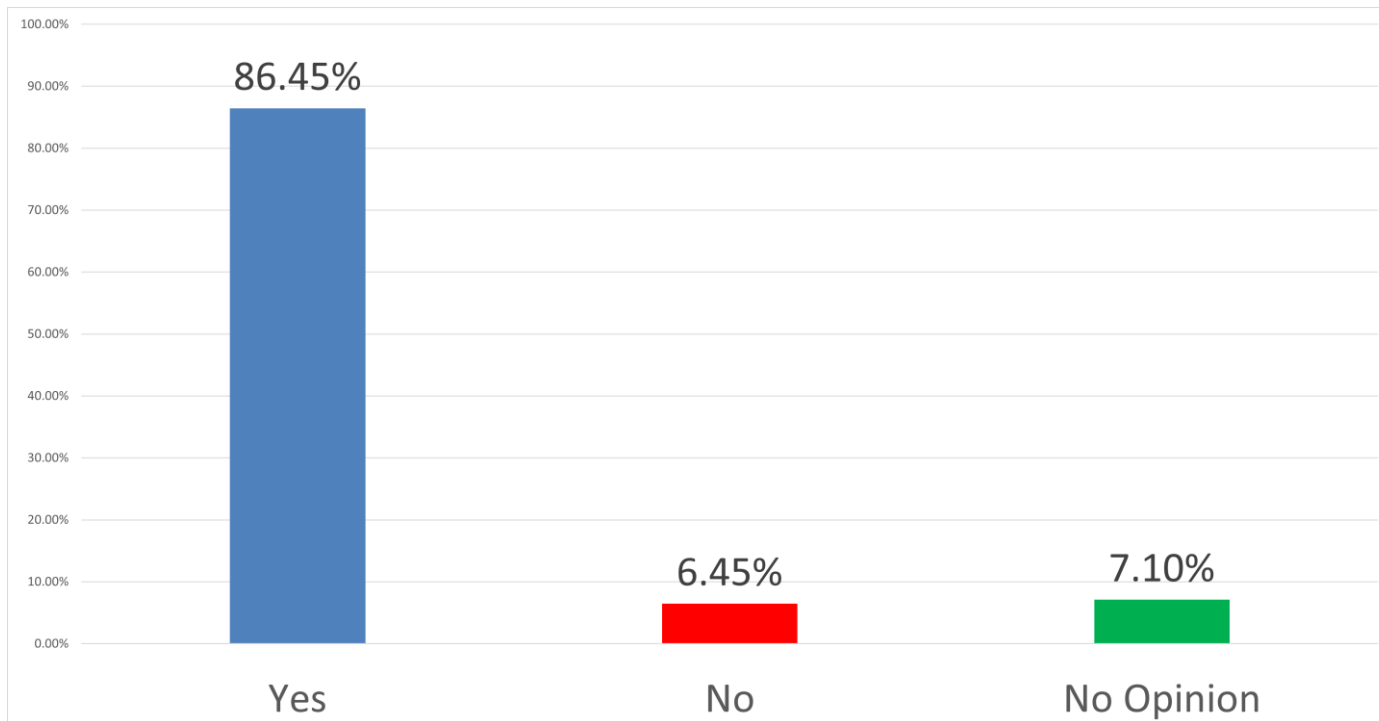




Feedback

Do Denver Residents want a hybrid option for Boards & Commissions?

Do you think, once the COVID-19 public health emergency is over, meetings of Denver's Boards & Commissions should include a remote public comment option, regardless of whether the meetings are being held in person or remotely?

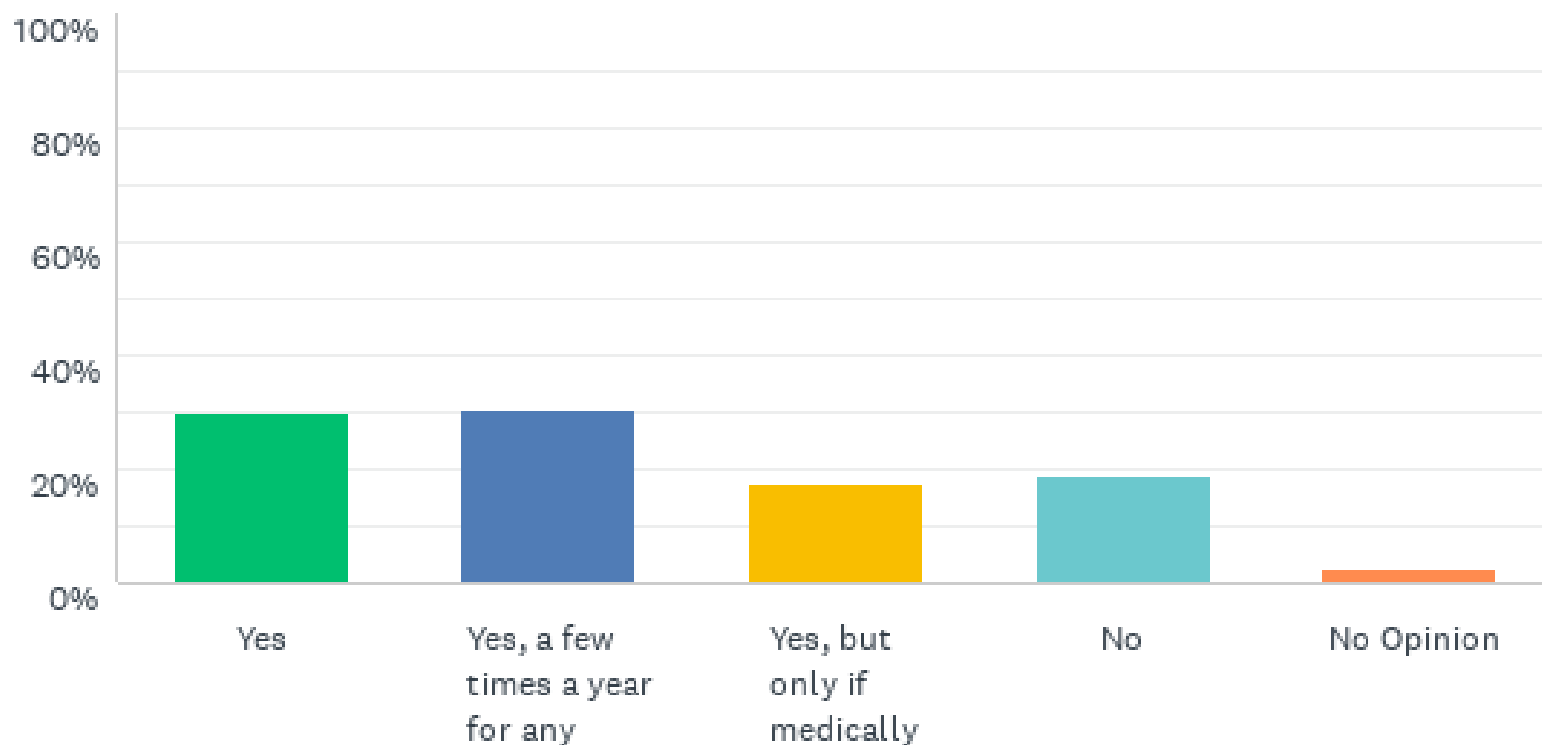




Feedback

Should Councilmembers Be Allowed to Attend Meetings Remotely?

Do you think members of City Council should be given the flexibility to attend meetings remotely when there is not a declared emergency?

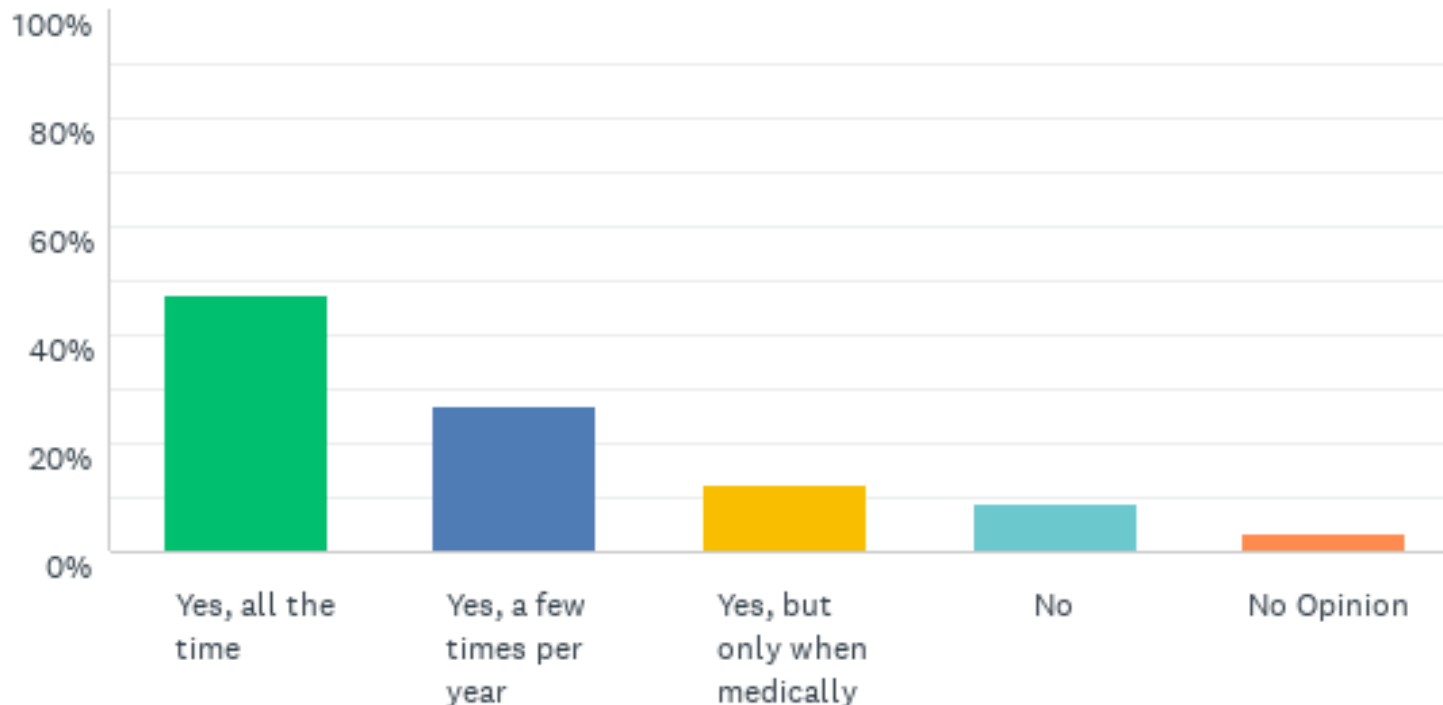




Feedback

Should Boards & Commissions Members Be Allowed to Attend Meetings Remotely?

Do you think members of Denver's Boards & Commissions should be given the flexibility to attend meetings remotely when there is not a declared emergency?





Who Will The Law Apply To?

- City Council and Committees
- Commission on Aging
- Mayor's Commission on Youth
- Commission on People with Disabilities
- Library Commission
- Board of Public Health and Environment
- Board of Human Services
- Board of Water Commissioners
- Parks and Recreation Advisory Board
- Board of County Commissioners
- Board of Equalization
- Board of Adjustment-Zoning
- Mayor's advisory council (community development)
- Landmark Preservation Commission
- Denver Planning Board
- Civil service commission
- Career Service Board
- Old Hire Firefighter's Pension Fund
- Old Hire Police Pension Fund
- Retirement Board
- Denver Commission on Cultural Affairs
- Board of Building Appeals
- Community Corrections Board
- Health Insurance Committee
- City-School Coordinating Committee
- Employee Deferred Compensation Committee
- Employee Voluntary Salary Redirection Committee
- Denver Women's Commission
- Denver Lesbian, Gay, Bisexual, Transgender, and Queer Commission
- Denver Latino Commission
- Denver African American Commission
- Denver American Indian Commission
- Denver Asian American Pacific Islander Commission
- Citizen Oversight Board
- ACCESO-Spanish Language Voter Advisory Board
- Housing Stability Strategic Advisors
- Green Building Technical Advisory Committee
- Lower Downtown Design Review Commission
- Denver Immigrant and Refugee Commission
- Human Rights and Community Partnerships Advisory Board
- Department of Transportation and Infrastructure Advisory Board
- Board of Ethics
- Head Start Policy Council
- Denver Office of Strategic Partnerships Commission
- Any Board or Commission created in the Denver Revised Municipal Code that explicitly provides it is subject to local open meetings provisions; including Denver Food Commission (Healthy Food for Denver's Kids) and Caring for Denver Board.



When Will The Law Apply?

General Policy

Sec. 2-33. - Open meetings required; exceptions.

(d) Meetings shall be conducted in person at a designated physical location except in the following circumstances:

- (1) The president of city council or the chair of any board or commission has the discretion to conduct a meeting including any hearings by electronic means in an emergency under 2-32 of this code. Meetings conducted by electronic means must provide the members of the public and city staff access to deliberations of the public body and meaningful opportunity to participate electronically in hearings of the public body.
- (2) A member may request to participate in a meeting including any public hearings by electronic means if otherwise authorized by this code, rules or bylaws duly adopted by a public body.



When Will The Law Apply?

Definition of Emergency

Two Kinds of Emergencies: General & Personal

- General:
 - *Emergency.* An emergency means any state of local disaster or emergency declared by the mayor, a public health order issued by the executive director of the department of public health and environment or other unforeseen circumstances that clearly threatens public health, safety, welfare or life.
- Personal:
 - A member of a public body may request to participate in a meeting including any public hearings by electronic means if otherwise authorized by this code, rules or bylaws duly adopted by a public body.
 - A member of city council may participate in a meeting including any public hearings by electronic means during work travel, personal or medical emergency, or if authorized by the President of council.



When will the law apply?

Electronic Presence & Quorum

Sec. 13-2. -Council rules governing meetings and procedures.

(c) A member of city council may participate in a meeting including any public hearings by electronic means during work travel, personal or medical emergency, or if authorized by the President of council. To establish presence for purposes of the charter § 3.1.6 and to establish a quorum under charter § 3.3.4, a member participating by electronic means must:

- (1) Appear live on camera when establishing quorum, when speaking, and when voting;
- (2) Appear using electronic means that includes video capability; and,
- (3) Appear on video when casting a vote or such vote will not be recorded.



When will the law apply?

Quasi-Judicial

Municipality	Remote Quasi-Judicial Hearings	Notes
Aurora	Proceeding	
Boulder	Not Proceeding	
Broomfield	Not Proceeding	
Colorado Springs	Not Proceeding	
Commerce City	Not Proceeding	
Fort Collins	Proceeding	(a)
Longmont	Proceeding	
Loveland	Not Proceeding	
Northglenn	Not Proceeding	(b)
Telluride	Proceeding	(c)
Thornton	Proceeding	
Westminster	Proceeding	
Wheat Ridge	Proceeding	

(a) Only hearings which are “essential/critical to maintaining citizen’s physical and economic health” are currently proceeding.

(b) Individual councilmembers may listen to quasi-judicial hearings remotely but may not vote or participate in any other way.

(c) Hearings are only proceeding with an applicant’s written consent and signed waiver.



When will the law apply?

Executive Sessions

Sec. 2-34. - Executive sessions.

(e) Notwithstanding section 2-33 of this code, attendance at executive sessions must be in person at a designated location and no member or participant is authorized to attend by electronic means.



Notice Requirements

Sec. 2-35. - Public notice; exception for emergencies.

(a) Except as provided in the Charter and in sections 2-33 and 2-34, any meeting of or between a public body of the city, at which a quorum of the public body is expected to attend, shall be held only after notice thereof is given to the public not less than forty-eight (48) hours in advance of such meeting; and

(1) Public notice shall be satisfied by:

- a. Electronic posting on the public website of the city and county of Denver or website of the applicable local public body; or,
- b. Posting by the means available whether in electronic or physical format at the principal office of such public body, or if no such office exists, at the building in which the meeting is to be held

(b) Notwithstanding any of the provisions of this article, an emergency meeting may be held without advance notice to the public when the person chairing the public body that is involved determines that an emergency situation exists; and the person may determine that such meeting shall be either open to the public or an executive session, as circumstances may require, without taking a vote as otherwise required by section 2-34(a); provided that the nature of the emergency and the action taken at such meeting shall be made known to the public within forty-eight (48) hours thereafter, in accordance with the provisions for posting of public notices of subsection (a).



Questions

