



CITY MANAGER'S OFFICE MEMORANDUM
#20-2021

DATE: June 28, 2021

TO: Honorable Mayor Meredith Leighty and City Council Members

FROM: Heather Geyer, City Manager 
Johanna Small, City Clerk 

SUBJECT: COVID-19 Update and Resuming In-Person City Council Meetings

PURPOSE

To provide a COVID-19 update and to discuss resuming in-person City Council meetings.

BACKGROUND

On May 4, City Council discussed options resuming in-person meetings. Based on public health data available at the time, Council decided to continue meeting virtually through the end of August.

Update on State and Local Public Health Orders

Adams County is at the Clear Level of the simplified Tri-County Health Department COVID-19 Dial. Colorado Department of Public Health and Environment requires face coverings for those 12 years and older and not vaccinated while in schools, summer camps, prisons and jails and healthcare settings. No capacity restrictions exist for indoor and outdoor gatherings.

Emergency Declaration Removal

The City local emergency disaster declaration remains in effect. Staff recommends that City Council consider a resolution to remove the existing emergency declaration on July 19, 2021 and resume in-person meetings on July 26.

Resuming In-Person Meetings

Staff is providing the following three options for Council's consideration for resuming in-person Council meetings:

Option 1 – Remain virtual until September

- Current Council direction
- TCHD observational period lifts on August 16
- Staff recommends keeping the emergency declaration in place under this option

Option 2 – Resume in-person meetings on July 26

- Phased approach starting with the DEI Workshop on July 26
- Includes a Council Chambers Dais Reboot/Mini Orientation on August 9
- Council and staff in-person
- Public would have the option of in-person or virtual

Option 3 – Council hybrid of in-person & virtual

- Council would have the option to attend in-person or virtual
- Public would have the option of in-person or virtual
- Staff recommends keeping the emergency declaration in place under this option

Staff recommends Council consider moving forward with Option 2.

Electronic Participation Policy

The Electronic Participation Policy specifies when Council members may participate in meetings

by electronic means such as by telephone or video conferencing. During emergency situations, which include a health pandemic or emergency declaration, Council meetings may be conducted electronically as long as certain conditions are met regarding notice, public access, the ability to hear or communicate, etc.

In non-emergency situations, electronic participation by Council members is available, and limited as follows:

- Council members may participate electronically and vote in legislative matters, but may not participate nor vote in a quasi-judicial public hearing.
- Electronic participation is intended to be an infrequent or occasional substitution for physical attendance. Infrequent or occasional shall mean no more than 4 City Council meetings, including study sessions, per year.
- Council approval is required for electronic participation in excess of 4 meetings in any calendar year.
- Council may discontinue the use of electronic participation by members during a meeting where the participation results in delays or interference in the meeting process.

Opportunities for Flexibility

Council requested staff to provide opportunities for flexibility with the existing Electronic Participation Policy. One area for Council's consideration regarding greater flexibility could be increasing the number of meetings at which Council could participate electronically. When the City's emergency declaration is lifted, the policy will provide Council the ability to participate in meetings electronically four times per year, or more than four times per year with Council approval.

Staff does not recommend allowing electronic participation for quasi-judicial matters.

Staff recommends Council provide feedback on their concerns about the current Electronic Participation Policy and specific revisions they would like to consider for non-emergency situations.

Hybrid Participation

Council Chambers is equipped to accommodate hybrid meetings where some individuals participate remotely and others are in-person. The audio system has been upgraded and provides the ability for members of the public to listen to Council meetings by phone and also provide live public comment by phone that can be heard clearly by those in Council Chambers. Council members would be able to see remote Council members, staff, and presenters on a monitor in Council Chambers, and participants connected to the RingCentral meeting remotely would be able to view a video connection showing Council members on the dais. Individuals providing public comment virtually would do so by phone and would not be connected to the meeting by video. The public would have access to watch the live meeting video on the City's YouTube channel.

Boards and Commissions

Based on Council feedback, staff liaisons will work with boards and commissions to determine the best approach to resuming in-person meetings. There is some level of interest by boards and commissions to have an electronic participation option as in-person meetings resume.

TIME IMPLICATIONS/STAFF RECOMMENDATION

Staff recommends that City Council resume in-person meetings, through a phased approach beginning with the July 26 DEI Workshop. If Council desires to remain virtual until September or proceed with a hybrid option to attend virtually or in-person, staff recommends that Council keep

the emergency declaration in place. Additionally, staff recommends City Council provide feedback on desired revisions to the Electronic Participation Policy.

STAFF REFERENCE

If Council members have any questions, please contact Heather Geyer, City Manager, at hgeyer@northglenn.org or 303.450.8706.

ATTACHMENTS

1. Electronic Participation Policy
2. Presentation

ELECTRONIC PARTICIPATION POLICY DURING CITY COUNCIL MEETINGS

I. Purpose.

The purpose of this Policy is to specify the circumstances under which a member of the City Council may participate in regular and special meetings 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. *Non-Emergency Situations.*

Electronic Participation in non-emergency situations shall be made available and shall be limited as follows:

1. A member of the City Council may listen by telephone or other electronic means to any Council meeting. Such Council member listening via telephone shall be deemed present for purposes of determining a quorum, but only for meetings during which no quasi-judicial matters will be heard or considered. The member of City Council may not participate nor vote in a quasi-judicial public hearing; however, the Council member may maintain the electronic connection and monitor and listen to the hearing. The member of City Council may participate and vote in legislative matters.

2. Listening telephonically or by electronic means is intended to be an infrequent or occasional substitution for physical attendance. For purposes of this policy, infrequent or occasional substitution for physical attendance shall mean no more than four (4) posted City Council meetings, including study sessions, per calendar year. Provided, however, a Council member may request City Council approval of Electronic Participation for more than four (4) posted City Council meetings in any calendar year in the event of unforeseen circumstances that warrant, in the sole discretion of the City Council, authorizing Electronic Participation for a Council member in excess of four (4) meetings in any calendar year. The City Council may, by majority vote of a quorum present, declare a Council member's repeated use of Electronic Participation excessive and deny a Council member's privilege to use Electronic Participation for a specific meeting or meetings.

3. Electronic Participation may also be made available to a City Council member during an executive session.

4. The City Council may discontinue the use of Electronic Participation by one or more members during a meeting where the participation results in delays or interference in the meeting process; *e.g.*, where the telephone connection or connection by other electronic means is repeatedly lost, the quality of the connection is unduly noisy or otherwise problematic to the conduct of the meeting, or the listening member is unable to hear speakers using a normal speaking voice amplified to a level suitable for the meeting audience in attendance.

B. *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 if all of the following conditions are met:

1. The City Manager or the Mayor determines that meeting in person is not practical or prudent, because of a health pandemic or declaration of emergency affecting the City;

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 by telephone, and the right of the public to monitor the meeting from another location.

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 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.

V. Limited Applicability of Policy.

This Policy shall only apply to regular and special meetings (including study sessions) of the City Council of the City of Northglenn.

VI. Reasonable Accommodations.

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

COVID-19 Update and Resuming In-Person Meetings

Heather Geyer

City Manager

303.450.8706 | hgeyer@northglenn.org

Regular Meeting

June 28, 2021



CITY OF
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Why are we talking about this?

- **Pulse check on previous Council direction**
- **Follow up on Electronic Participation Policy**
- **Health department data has shifted**
- **Continue to move further out of recovery**

Public Health Orders

- **TCHD Simplified Dial**
 - **Currently, in observation period until August 16**
- **CDPHE is requiring face coverings for those 12 and older and not vaccinated while in schools, summer camps, prisons and jails, and healthcare settings**
 - **Masks still required on public transportation despite vaccination status**
- **No capacity restrictions, including large indoor gatherings**

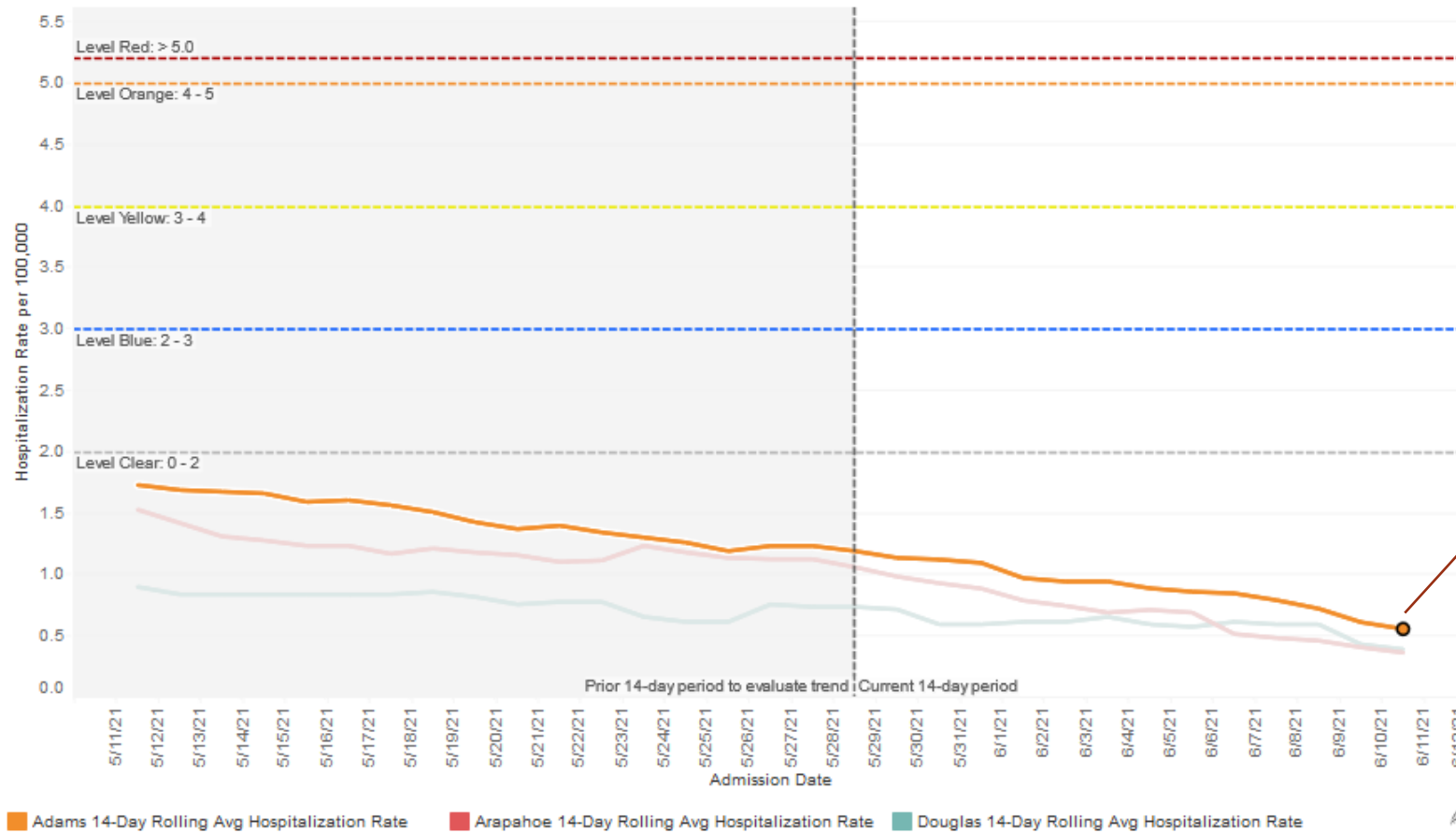
TCHD Simplified Dial

COVID-19 Hospitalization Rate per 100,000, 14-Day Rolling Daily Rate

*Rates of hospitalizations are calculated based individual patient's addresses and county of residence and not the location of the provider

Month Filter

Past Month



Vaccine Data

- **Adams County overall vaccination rate**
 - At least 1 dose
 - 60.8%
- **Adams County completed vaccination rate**
 - At least 2 doses of Pfizer or Moderna; or 1 dose of Johnson & Johnson)
 - 52%
- **Northglenn – 29%-63% (by Census tract)**
- **Employee self-reported rate in April: 71.3%**

What are other cities doing?

Adams County

In-Person	Virtual
Arvada	Aurora
Brighton	Commerce City*
Thornton	Federal Heights
Westminster	

**Will be resuming in-person meetings*

Metro-area

In-Person	Virtual
Broomfield	Denver
Centennial	Lakewood
Englewood	
Golden	
Littleton	
Wheat Ridge	

Most cities are continuing to offer remote participation for public comment for the convenience of the community and to increase public participation.

Emergency Declaration

- **March 13, 2020 – Mayor issued an order declaring a local disaster emergency**
- **March 19, 2020 – Resolution No. 20-65 – Council consented and extended order until April 17, 2020**
- **April 13, 2020 – Resolution No. 20-75 – Extended until such time Council terminates the declaration**
- ***Recommendation:* July 19, 2021 – consider a resolution to terminate the emergency declaration and resume in-person meetings on July 26**

Resuming in-person meetings

- **Option 1 – Remain virtual until September**
 - Current Council direction
 - TCHD observational period lifts on August 16
 - Staff recommends keeping the emergency declaration in place with this option
- **Option 2 – Resume in-person meetings on July 26**
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 - Public would have the option of in-person or virtual
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 - Public would have the option of in-person or virtual
 - Staff recommends keeping the emergency declaration in place with this option

*****Or a combination of any of these*****

What If....

- **... I want to wear a mask?**
 - We encourage everyone to wear a mask if they feel more comfortable.
- **... I'm not ready to go back?**
 - Council consideration of Electronic Participation Policy
- **... I'm vaccinated but others are not?**
 - Council can agree to plexiglass dividers, mask wearing, limit in-person public attendance

Electronic Participation Policy

- **Non-emergency situations – Current policy**
 - Council can only vote remotely in legislative matters. For quasi-judicial matters, Council must be in-person to vote
 - Intended to be infrequent or occasional substitution for physical attendance
 - Policy defines this as no more than 4 posted City Council meetings, including study sessions, per calendar year
 - Council members may request Council approval for more than 4 meetings for unforeseen circumstances that warrant additional use
- **Council Discussion on 5/3/21**
 - Desire for flexibility
 - Appreciative of the employee Flexible Work Schedule pilot program

Boards & Commissions

- **Most are following Council's lead and meeting virtually**
- **3 are currently meeting in-person or using the hybrid option**
- **Council to consider whether to continue offering boards & commissions the hybrid option, post-pandemic**

QUESTIONS?



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