



## PLANNING COMMISSION STAFF REPORT

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**MEETING DATE:** July 22, 2024

**AGENDA ITEM TITLE:** Discussion Regarding Planning Commission Bylaws

**AGENDA SECTION:** Work Session

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Recently, some commissioners have asked about adopting Planning Commission Bylaws. Bylaws for local government boards and commissions, especially for planning commissions, are typical throughout the state and are generally advisable. Based upon institutional memory over the last many years, the Salida Planning Commission does not seem to have working or recent bylaws. Currently, the guidance that exists is found within Chapter 2, Article VIII of the Salida Municipal Code (attached).

Tonight is meant to serve as a preliminary discussion and roadmap for a future draft of potential Planning Commission Bylaws.

We recommend reviewing the attached resources and examples before Monday evening's work session.

*Potential Bylaws Topics for discussion will include the following (and more):*

- Roles and responsibilities
- Procedure and applicable laws while in a meeting
- Conflicts of interest
- Attendance and other expectations of active membership
- Membership, term and appointment
- Public Hearing outline
- Legal requirements, regarding quasi-judicial proceedings and Open Meetings Law
- Others

Attachments:

- Chapter 2, Article VIII of the Salida Municipal Code, entitled "Planning Commission"
- Guidance memo prepared by City Attorney law firm regarding "Bylaws for Boards & Commissions"
- Avon Planning and Zoning Commission Rules of Procedure
- Salida City Council Handbook

## ARTICLE VIII. PLANNING COMMISSION

### Sec. 2-8-10. Establishment.

Pursuant to the authority granted by Part 2 of Article 23 of Title 31, C.R.S., there is hereby created a Planning Commission for the City, which shall be a part of the City government.

### Sec. 2-8-20. Purpose.

The Planning Commission is created for the following purposes:

- (1) To prepare and maintain, subject to periodic revision as necessary, a Master Plan as described by state statutes.
- (2) To implement the provisions of Chapter 16 of this Code, and to perform all functions and powers referred to in said chapters where reference is made.
- (3) To study and recommend to the City Council amendments to the Zoning Map of the City.
- (4) To study and recommend appropriate zoning classifications for all annexations to the City.
- (5) To exchange information with the various governmental agencies charged with planning and zoning responsibilities.
- (6) To have all other duties and powers incidental to the above and any and all powers and duties set out by state statute, except that nothing herein shall permit the Planning Commission to make amendments or changes in the zoning of the City, such powers expressly being reserved by the City Council.

### Sec. 2-8-30. Membership and organization.

- (a) The Planning Commission shall consist of seven (7) members and two (2) alternates, each of whom shall maintain his or her primary residency within the City. No person shall be a member of the Planning Commission who is also the Mayor, an active member of the City Council or a full-time employee of the City as defined in the City personnel manual, or who holds any other municipal office.
- (b) Alternate members to the Planning Commission may attend any Planning Commission meeting and shall have the right to participate in any matter before the Planning Commission, but shall not have the right to vote except as otherwise provided herein. An alternate member of the Planning Commission may be designated to vote on any matter before the Planning Commission in which such alternate member has participated, such designation to be made by the Chairman of the Planning Commission. Such designation of an alternate member to vote may occur only on the absence or other nonparticipation by a regular member of the Planning Commission. Such designation of an alternate member to vote shall be made on a case-by-case basis and shall not continue beyond those cases for which the designation has been made.
- (c) A person shall take office as a member of the Planning Commission by indicating his or her assent to the appointment in a public fashion. An oath is not necessary, and attending a meeting and voting at the meeting is sufficient to indicate acceptance of the office.
- (d) A quorum for the Planning Commission to transact business shall consist of four (4) members.

(Ord. No. 2020-06, § 2, 3-17-2020)

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**Sec. 2-8-40. Term of office.**

All members of the Planning Commission shall serve a term of four (4) years from the date of their appointment. A person appointed to fill a vacancy shall serve until the term of his or her predecessor terminates according to the time of his or her predecessor's appointment and in accordance with the term schedules maintained by the City.

**Sec. 2-8-50. Power and duties.**

- (a) The Planning Commission shall have all authority conferred upon municipal planning commissions by state statute and shall serve, ex officio, as the Zoning Commission of the City.
- (b) In addition to its duties created by state law, the Planning Commission may review and initiate zoning changes within the City. The Planning Commission shall recommend zoning for land annexed to the City.
- (c) Changes in zoning or in Chapter 16 of this Code may be initiated by the Planning Commission or the City Council; however, the City Council shall take no action on changes in zoning until such time as the Planning Commission has reviewed proposed changes and made a recommendation to the City Council.



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### Bylaws for Boards & Commissions

#### Introduction

Boards, commissions, and the residents who comprise them provide essential support to City Council by recommending policy decisions and administering various programs and powers, as directed by local ordinances. Further, boards and commissions give the City an opportunity to leverage the talents of local experts and to allow residents with special interests to serve their community in an area of personal concern.

The first step in understanding a board or commission's role in the City is to look at the enabling authority (*i.e.*, the law which originally established the board or commission), typically found in the City's Municipal Code. Using the enabling authority, the next step is to determine whether the board or commission is advisory or decision-making in nature. Advisory bodies provide recommendations to City Council; decision-making bodies have specific authority to rule on policy decisions.<sup>1</sup>

Some boards and commissions, in an effort to more effectively articulate and administer their functions, will elect to adopt bylaws. Bylaws help boards and commissions by clearly and deliberately specifying their authority, structure, and procedures. Further, the process of adopting or amending bylaws allows members to be actively involved in the manner in which the board or commission conducts its business.

Boards and commissions seeking to adopt bylaws should adhere to the following procedure. First, the Chair or another member of the board or commission should draft the proposed bylaws, to be reviewed by the City Attorney, for consideration at an upcoming meeting. Notice of the proposed adoption of bylaws should be made in advance of the meeting and copies of the proposed bylaws should be circulated to all members of the board or committee in advance of the meeting. Next, at the meeting, the board or commission should discuss the proposed bylaws, amending the provisions as the members see fit. Upon approval by a majority vote of the board or commission, the bylaws must be forwarded to City Council for their review and final approval. Upon approval by the City Council, the bylaws become effective and binding on the board or commission.

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#### Model Bylaws

##### I. Establishment and Purpose.

A. Enabling Authority. The [insert name of board or commission] (the "Board")<sup>2</sup> is established pursuant to Section [insert relevant section] of the [City/Town] Municipal Code (the "Code").

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<sup>1</sup> If there is any uncertainty with respect to the proper authority of a board or commission, please consult the City Attorney for clarification.

<sup>2</sup> For ease of review, these Model Bylaws use the term "Board" throughout; this can and should be replaced by the term "Commission" when appropriate.



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B. Purpose. The purpose of these Bylaws is to establish rules and procedures necessary to carry out the purpose and duties of the Board, as set forth in the Code. Pursuant to Section [insert relevant section] of the Code, the Board has the following purpose(s):

1. [Insert purposes identified in the enabling authority for the board or commission. If none, delete this list and the second sentence under “B. Purpose” above.]
2. [...]
3. [...]

### II. Authority and Duties.

A. Authority. The Board is established to serve in [insert “an advisory” or “a decision-making”] capacity and to [insert “make recommendations to City Council” or “take action on”] the following matters:

1. [Insert the specific authority conferred upon the board or commission, as specified in the enabling authority.]<sup>3</sup>
2. [...]
3. [...]

B. Duties. [If the board or commission has any recurring obligations or duties, the most common of which would be an annual or quarterly reporting requirement to the City Council, include those here with the relevant Code citation.]

1. [...]
2. [...]

### III. Membership, Terms, and Appointment.

A. Membership. Membership on the Board shall be in accordance with Section [insert relevant section] of the Code, which states that the Board shall be comprised of the following members:

1. [Insert written number (n)] of the members shall be residents of the City and appointed by a majority vote of the City Council.
2. [If additional members with different qualifications, insert here.]
3. All members shall serve without compensation.

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<sup>3</sup> Note, however, that the duties and authority of a board or commission cannot extend beyond the scope of what is specifically authorized by the enabling authority. Even if the members of the board or commission unanimously agree otherwise, the board or commission is nevertheless limited to the authority conferred upon it by the City Council.



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4. [If members are precluded from serving on another board or commission while serving on this board or commission, include that limitation here.]

B. Terms. [Include language from the relevant Code section describing the term lengths of members. Often the Code will include language about initial terms to ensure that the members' terms are overlapping. This language can be removed if the board or commission has existed for long enough that such provisions are irrelevant.]

C. Appointment. With the exception of City Staff holding a position on the Board by virtue of their employment, all members of the Board shall be appointed by a majority vote of the City Council. Upon the expiration of the term of office of a member of the Board, the City Council shall either appoint a successor to the position or reappoint the member by a majority vote.

D. Resignation. Resignations of members of the Board shall be made in writing to either the City Clerk or to any member of the Board, at which time such member shall promptly forward the resignation to the City Clerk. The resignation of a member of the Board shall be effective immediately upon receipt and verification by the City Clerk's office.

### IV. Officers and City Staff.

A. Officers. The officers of the Board shall be a Chair and Vice-Chair. Officers shall serve a term of one (1) year [and may serve a maximum of two (2) consecutive terms in a single office—include if a limitation is applicable]. Officers shall be elected by a majority vote of the Board at the first regular meeting of the calendar year. A vacancy in an officer position shall be filled by election at the next regular or special meeting of the Board.

1. The Chair shall preside over all regular and special meetings of the Board, and shall, subject to these Bylaws [and rules of procedure, if applicable], decide all points of procedure, unless otherwise directed by a majority of the members present at a particular meeting. The Chair shall sign all documents of the Board and shall serve as the primary contact between the Board and the City Staff liaison.

2. The Vice-Chair shall assume the duties and responsibilities of the Chair in the event the Chair is absent or unable to perform the duties of the office.

3. When both the Chair and Vice-Chair are absent or unable to perform the duties of the office, the members present shall select another member to preside over the meeting by a majority vote.

B. City Staff. A non-voting City Staff member shall act as a liaison between the Board, the City Council, and the City Manager and provide administrative support to the Board.

### V. Meetings.

A. Regular and Special Meetings. Regular meetings of the Board shall be held [insert regular time and place of board or commission meetings—for example, “on the second Thursday of each month at 4:00 PM at City Hall, in the City Council meeting room”]. Special meetings may be scheduled with the approval of a majority of the Board, if deemed necessary for the Board to



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complete its pending business in a timely manner, provided that at least three (3) days' notice is given to all members, and notice to the public is provided as required by the Colorado Open Meetings Law.

B. Open Meetings. All meetings of the Board at which a quorum present where any public business is discussed or any formal action taken shall be open to the public at all times and preceded by public notice, as required by the Colorado Open Meetings Law. Chance meetings, social gatherings, and informational communication during which the discussion of public business is not the central purpose are not required to be noticed or held in public.

C. Voting. A quorum of the Board shall consist of a majority of the appointed members. A quorum is necessary for the Board to hold a public meeting or to take official action. All official actions of the Board shall be taken by vote, with a majority of those members present and voting needed to approve a vote. A tie vote shall be considered a denial of the action.

D. Attendance. Any member who has unexcused absences from two (2) consecutive regular meetings or three (3) regular meetings in a six- (6) month period shall receive a written notification from the Chair advising the member of the absences. If a continued pattern of absences occurs the Chair may notify the City Council, which may remove such member by a majority vote.

E. Minutes. The Board shall keep a record of its proceedings, which shall be open to inspection by the public during regular City office hours and on the City website, when practicable. Written minutes, which summarize the official action taken at a meeting of the Board, shall be approved at a subsequent meeting by a majority vote of the members present at the subsequent meeting.

### **VI. Conflicts of Interest.**

A. Conflicts of Interest. No member shall participate in or vote with respect to any matter pending before the Board if that member has a financial, personal, or official interest in or conflict with the matter of such nature that it prevents or may prevent that member from acting in an impartial manner. Any member having such an interest or conflict shall reveal such fact, to the extent possible, prior to any official Board hearing or action on the matter, and shall refrain from sitting with the Board in its consideration of and decision on such matter. Moreover, no such member shall testify before the Board as a member of the public on any such matter in order to avoid any appearance of impropriety.

### **VII. Amendments to the Bylaws.**

A. Amendments. These Bylaws shall be reviewed from time to time and may be amended by a majority vote of the Board, subject to the review and approval of City Council.



**Planning and Zoning Commission**  
**Rules of Procedure**  
**April 2013**



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### **1. Authority For Adoption**

These Rules of Procedure are adopted pursuant to the authority granted to the Town of Avon Planning and Zoning Commission by §7.12.040(l) of the Avon Municipal Code.

### **2. Applicability**

These Rules of Procedure shall apply to all meetings of the Town of Avon's Planning and Zoning Commission. These Rules of Procedure are intended to supplement and be superseded by the codified Rules listed in §7.16.040, *Planning and Zoning Commission*, of the Avon Municipal Code.

### **3. Definitions**

*Rules* means these Rules of Procedure, as amended from time to time.

*Commission* means the Town of Avon's Planning and Zoning Commission and also defined as PZC.

*Director* means the Community Development Director of the Town of Avon, or such person's designee.

*Presiding Officer* means the Chair, or to the Vice-Chair or Temporary Chair when acting in the absence of the Chair.

### **4. Other Laws**

These Rules must be read in conjunction with the Town of Avon's Development Code, as well as all applicable Town, state or federal laws, rules or regulations. In the event of a conflict between these Rules and provision in the Town's Home Rule Charter, any ordinance or statute, the Home Rule Charter, ordinance or statute shall control.

### **5. Regular Meetings**

#### **(a) Date, Time and Place of Regular Meetings**

The Commission shall hold regular meetings on the first and third Tuesdays of each month, except that if a regular meeting day is a legal holiday, the meeting may be rescheduled or cancelled at the discretion of the Commission.

All regular meetings of the Commission shall be held in the Town Council Chambers of the Avon Municipal Building, One Lake Street, Avon, Colorado, unless the Commission shall otherwise order. Each regular meeting of the Commission shall begin at 5:00 P.M., unless otherwise provided in the notice of the meeting.

At the discretion of the Director an application may be scheduled out of the normal order of business if it involves a matter of substantial public interest, or if the Director determines that good cause exists to vary the normal order of business. Further, by general consent of the Commission, items may be considered out of order.

#### **(b) Notice of Regular Meetings**

Notice of each regular meeting shall be posted by the Director in Town Hall and 2 additional public locations as designated by the Director not less than 24 hours prior to the holding of the meeting. The meeting notice shall include specific agenda information where possible.

## **6. Special Meetings**

Special meetings of the Commission shall be called by the Director on the written request of the Chair, the Vice-Chair in the absence of the Chair, or on the written request of any four (4) members of the Commission. A special meeting may also be called or scheduled by vote of the Commission in open session during another duly called meeting.

Notice of a special meeting shall be posted in accordance with Section 5(b). The notice shall set forth the date, hour, place and purpose of such meeting.

No business shall be conducted at a special meeting of the Commission unless the same has been stated in the notice of such meeting; except that any business which may lawfully come before a regular meeting of the Commission may be transacted at a special meeting if all members of the Commission are present and consent thereto.

## **7. Continued Meetings**

A properly called regular or special meeting may be continued to a date, time and place certain by motion made and adopted in open session during the regular or special meeting. The motion shall state the date, time and place when the meeting will reconvene. Additional notice is not required for any continued meeting, business item and/or public hearing which has been continued in accordance with this Section 7.

## **8. Cancellation of Meeting**

If: (i) no business is scheduled before the Commission; (ii) it is apparent that a quorum will not be available; or, (iii) the scheduled date for any Commission member is a legal holiday, then a meeting may be cancelled by the Chair or the Director by giving notice to all members prior to the time set for such meeting. Notice of cancellation of a meeting may be given by telephone, electronically (email), fax, in person, or by first class mail. If no quorum is present at the meeting, the Director shall cancel the meeting and all items scheduled to be heard shall be rescheduled by the staff.

## **9. Applicability of Colorado Open Meetings Law**

All meetings of the Commission shall be subject to the provisions of the Colorado Open Meetings Law (Colorado Sunshine Law) set forth in C.R.S. §24-6-401 *et. seq.*.

## **10. Electronic Record/Minutes**

The Commission shall keep an electronic record of its meetings in accordance with the Town's public record retention schedule. A copy of the electronic record shall be made available to any party in accordance with the Town's public record request policies.

## **11. Director**

The Director shall designate a person or persons to provide the necessary recording services for the Commission. The Director shall be responsible for the giving of all required notice of Commission public hearings and actions under the Development Code or Subdivision Standards.

## **12. Agenda and Meeting Materials**

### **(a) Proposed Agenda**

The Director shall set forth the agenda for each meeting. The Director may consult the Chair for input when formulating the agenda. The proposed agenda should generally be consistent with the Order of Business as follows:

- Call to Order
- Roll call
- Amendments to the Agenda
- Conflicts of Interest Disclosure
- Consent Agenda
- Regular Agenda Items (Public Hearings)
- Regular Agenda Items (Non-Public Hearings)
- Approval of Meeting Minutes
- Adjournment

At the discretion of the Director, an application may be scheduled out of the normal order of business if it involves a matter of substantial public interest, or if the Director determines that good cause exists to vary the normal order of business. Further, by general consent of the Commission, during the Amendments to the Agenda portion of the meeting items may be considered out of order.

**(b) Meeting Packets**

Meeting Packets should be provided to the Commission not later than 48 hours prior to the meeting. The meeting packets shall include the proposed agenda and meeting materials for each agenda item. The meeting materials for each agenda item should generally include a staff summary as well as accompanying information.

**13. Officers**

Pursuant to Section 7.12.040(i), *Officers*, the PZC shall select its own chairperson, a vice chairperson and a secretary from among its members. This selection shall occur on a yearly basis immediately after the appointment of new members or re-appointment of existing members to the Commission.

The Chair shall preside at all Commission meetings if he or she is present. The Chair may vote in all cases. In order to address the Commission, a member must be recognized by the Chair.

If the Chair is absent, the Vice-Chair shall preside. If both the Chair and Vice-Chair are absent, another member designated by vote of the Commission shall preside as Temporary Chair. The Vice-Chair or Temporary Chair retains all of his or her rights as a member, including the right to make motions and the right to vote.

The Presiding Officer shall maintain order and decorum, and to that end may order removal of disorderly or disruptive persons.

**14. Conduct of Commission Members**

**(a) Conformity With Town Code of Ethics**

The conduct of Commission members shall at all times conform with the requirements of the Town of Avon Code of Ethics (Chapter 2.30, AMC).

(b) **Ex Parte Contacts**

- (1) Each member of the Commission shall comply with the requirements regarding Ex Parte Contacts as set forth in Exhibit A.

**15. Conflicts of Interest**

The topic of conflicts of interest of Commission members is specifically dealt with in the Town's Code of Ethics, specifically §2.30.060, *Conflict of Interest*.

**16. Expressions of Bias, Prejudice, or Individual Opinion Prior to Hearing and Determination**

No member of the Commission shall express any bias, prejudice, or individual opinion on the proper outcome of a matter prior to conducting a hearing.

**17. Action by the Commission**

All official PZC actions are initiated by motion. These following rules and procedures apply to motions. There are two basic motions: action motions and procedural motions. Only one action motion may be on the floor at a time. A procedural motion may be proposed, discussed and acted upon when an action motion is on the floor or at any other time.

- (a) **Basic Motion:** The basic motion to take action is stated as, "I move to . . . ." Every motion requires a second. Once a motion is made no further discussion can continue until a second is made to support the motion.
- (b) **Discussion:** All PZC members have the right to discuss the motion on the floor. Discussion cannot be concluded unless (1) all PZC members present consent or (2) a majority of PZC members present approve a procedural motion to "Call the Question" and end debate.
- (c) **Withdraw a Motion:** The maker of a motion may choose to withdraw the motion at any time prior to the vote on the motion and may interrupt a speaker to withdraw the motion and consent of the PZC member who seconded the motion is not required. The motion is immediately withdrawn; however, the Presiding Officer may ask the PZC member who seconded the withdrawn motion and any other PZC member if such PZC member wishes to make the motion.
- (d) **Amendment to Motion:** Any PZC member may request an amendment to a pending motion. The maker of the pending motion and PZC member who seconded the motion must consent to the proposed amendment. Any PZC member may also propose a substitute motion to a pending motion which also requires consent of the maker of the pending motion and the PZC member who seconded the pending motion.
- (e) **Procedural Motion:** A procedural motion may be made at any time and may impose or modify any procedural rule provided that such procedure is not in conflict with the Avon Home Rule Charter, any ordinance adopted by the Town, or any applicable state law. Procedural motions require a majority vote of the quorum present.

- (f) **Motion to Call the Question or End the Discussion:** A motion to “call the question” or a motion to end the discussion is a procedural motion to end debate and discussion. A motion to call the question or end the discussion cannot be made until each PZC member has had at least one reasonable opportunity to ask questions and discuss the matter. Once a motion to call the question or to end the discussion is made and seconded, it shall be the Presiding Officer’s discretion to allow any further discussion on such procedural motion for the purpose of clarifying any technical, procedural or legal issue related to the procedural motion. A motion to call the question requires a majority vote of the quorum present. Once a motion to call the question is approved, the pending action motion on the floor must be voted upon promptly or, if no action motion is pending, the Presiding Officer shall proceed to the next agenda item.
- (g) **Motion to Continue:** A motion to continue an agenda item must include a specific future PZC meeting date for the continued matter to be considered again. Generally, a noticed public hearing is not required to be “re-noticed” for public hearings which are continued to a specific date, time, and place.
- (h) **Motion to Table:** A motion to table places the agenda item on hold and does not require a specific time for the return of the agenda item.
- (i) **A Motion to Reconsider:** A motion to reconsider allows the PZC to reconsider a vote on a matter. A motion to reconsider may only be made in the following circumstances: (1) at the meeting in which the motion to be proposed for reconsideration was made, (2) at the next regular meeting after the meeting in which the motion to be proposed for reconsideration was made, or (3) the motion for reconsideration is based on new information not available at the time the original motion was acted upon. Furthermore, a motion to reconsider may only be made by a member of PZC who voted in the majority on the motion which is proposed for reconsideration.
- (j) **Point of Privilege:** A PZC member may interrupt the speaker to raise a matter related to the comfort of the meeting, such as room temperature, distractions, or ability to hear speaker.
- (k) **Point of Order:** A PZC member may raise a Point of Order at any time that the Presiding Officer permits meeting conduct which does not follow these Rules or otherwise fails to maintain civility and decorum by the PZC and the general public.
- (l) **Appeal:** A PZC member may move to appeal the ruling of the Presiding Officer on any procedural matter or other decision related to the conduct of the meeting. If the motion is seconded and, after debate, it such motion passes by a simple majority vote of the quorum present, then the ruling or conduct of the Presiding Officer shall be overruled and reversed.
- (m) **Call for Orders of the Day:** A PZC member may call for Orders of the Day when such PZC member believes that PZC discussion has strayed from the agenda. No second or vote

is required. If the Presiding Officer does not return to the agenda, then such ruling may be appealed.

**(n) Adjournment:** The Presiding Officer may announce the meeting adjourned when there are no further items on the agenda which have not been addressed. The PZC may adjourn a meeting at any time by motion, second and approval by a majority of the quorum present.

## **18. Voting**

### **(a) Who May Vote**

Except as provided in Section 15, with respect to a member who has a conflict of interest, each member of the Commission, including the Presiding Officer, must vote on any motion.

### **(b) Adoption by Majority Vote**

A motion shall be adopted by a majority of the votes cast when a quorum is present. A majority is more than half.

### **(c) Duty to Vote**

Every member of the Commission must vote unless excused by a majority vote of the remaining members of the Commission. The types of vote are limited to: (1) Yes; (2) No; and, (3) Abstain.

## **19. Debate**

The Presiding Officer shall state the motion and then open the floor to debate. The Presiding Officer shall preside over the debate according to the following general principles:

1. The maker of the motion is entitled to speak first;
2. A member who has not spoken on the issue shall be recognized before someone who has already spoken.

At their discretion, the Presiding Officer may alter the order of the debate or allow members to further comment during the debate. It is the Presiding Officer's duty to allow any member of the Commission to comment or debate if that member wishes to be heard.

## **20. Executive Sessions**

PZC may convene into executive session at any time by the affirmative vote of 2/3rds of the quorum present and by announcing the specific statutory citation and purpose of the executive session in accordance with the Colorado Open Meetings Law, CRS §24-6-402(4). The PZC is not permitted to take official, final action on any matter in executive session. PZC shall comply with the requirements of Exhibit A concerning executive sessions.



## **21. Site Visits**

Each commissioner should visit sites of proposed developments prior to attending a meeting, as a helpful way to gather relevant facts concerning the proposed development. A site visit often leads to a better understanding of a proposed development and, therefore, enhances the ability of the Commission to make appropriate decisions concerning the development of the site.

The Commission, as a whole, may schedule and conduct a site visit when requested to do so by the applicant, the staff, the general public, or on its own initiative. In connection with any site visit conducted by the Commission, the applicant shall be notified not less than 48 hours in advance and given an opportunity to attend and participate in the site visit. A site visit shall be noticed by the Director as a public meeting of the Commission. However, a site visit is not a public hearing. Members of the public shall be permitted to attend the site visit to listen to the questions and comments of the staff, the applicant and the Commission, but only at the discretion of the Presiding Officer does the public have the right to ask questions of the staff, the applicant or the Commission members. Commission members shall avoid engaging in improper ex parte contacts during a site visit. No minutes of a site visit shall be kept by the Director, although the minutes of the Commission should reflect that a site visit was conducted.

## **22. General Provisions Governing Public Hearings**

### **(a) Part of Meeting**

A public hearing is considered to be part of a regular or special meeting of the Commission.

### **(b) Representation**

At any hearing, any person may appear or be represented by authorized agents or attorneys at their own expense. Any person who appears before the Commission at any hearing shall be required to state the name(s) and address(es) of all persons whom he or she has been authorized to represent at the hearing.

### **(c) Testimony Under Oath Not Required**

Testimony offered at a hearing before the Commission shall not be required to be given under oath or affirmation.

### **(d) Right To Present Evidence And Cross-Examine Witnesses**

At a hearing held before the Commission, each party shall have the right to present such evidence as may be relevant, and to cross-examine all witnesses.

### **(e) Rules Of Evidence**

The strict rules of evidence shall not apply to a hearing held before the Commission.

### **(f) Objections**

Objections by the Applicant to submitted evidence shall be stated orally for the record. Any objection not made in a timely and proper fashion shall not be recognized.

### **(g) Burden Of Proof**

The burden of proof shall be on an applicant to prove compliance with the applicable requirements of the Development Code, Subdivision Standards, or other applicable law by a preponderance of the evidence. *Preponderance of the evidence* means to prove that something is more probably true than not.

**(h) Limitation of Evidence**

The Presiding Officer shall have the authority to limit the presentation of evidence tending to be repetitious or which is immaterial or irrelevant.

**(i) Order of Debate**

Orderly procedure requires that each side shall proceed without interruption by the order; that all arguments and pleadings shall be addressed to the Commission; and that there be no questioning or argument between individuals.

**(j) Commission and Staff's Remarks**

During the hearing, Commission members and members of the staff may ask questions and make appropriate comments pertinent to the application; however, no member should debate or argue an issue with the applicant.

**(k) Applicant (and Others) Questioned**

The Commission members may direct questions to the applicant or any person speaking in order to bring out all relevant facts, and may call for questions from members of the staff.

**23. Consent Agenda**

Items are presented to the Commission on a Consent Agenda when Commission action is required, but Staff expects that the Commission will approve the item without conditions. The Commission may call up items for further review when warranted, at their discretion. The following procedures shall be utilized for the review of the Consent Agenda; this review is intended only to ascertain if the items should remain on the Consent Agenda or be pulled off for further review:

- A. The Commission reviews the requests and asks minimal questions of the staff and applicants. These comments may be brief, and shall be limited to: (i) clarification of the Commission's understanding of the application(s); and (ii) the issue of whether a particular item should be removed from the Consent Agenda and called up by the Commission.
- C. The Commission may make motions to pull items off the Consent Agenda for further review.
- D. Any motions to remove items from the Consent Agenda shall be acted on at the time the motion is made.
- E. If no items are removed from the Consent Agenda, the Chair shall state "the Consent Agenda stands approved as presented". If an item has been removed, the Chair shall state that "all remaining items on the Consent Agenda stand approved as presented," and the Commission shall move on to the review of those items removed.

F. Items removed from the Consent Agenda shall be reviewed in the order that would pertain to that type of application as is outlined in Sections 24 and 25.

#### **24. Regular Application Items (Non-Public Hearings)**

The following process shall be utilized for all regular application items that are not specifically designated as public hearings and may be amended by the Chair at their discretion, subject to the right of the Commission to overrule the Chair:

- A. The Chair opens the hearing.
- B. Staff introduces the application and may provide a summary of the staff analysis.
- C. The Commission asks questions of the staff concerning the staff analysis or procedure of the application.
- D. The applicant or applicant's representative presents the applicant's evidence in support of the application.
- D. The Commission asks questions of the applicant (or applicant's representative) concerning the application.
- F. Audience participation and comment may only be allowed at the discretion of the Chair, subject to the right of the Commission to overrule the Chair. If comment is allowed, it shall take place prior to Commission comments; shall be allowed equally for all participants; and shall allow for an opportunity for the applicant to respond to any opposition comments.
- G. The staff is given the opportunity to rebut any evidence presented by the applicant or the public, and make its final comments.
- H. The applicant is given the opportunity to rebut any evidence presented by the staff or the public, and make its final comments.
- I. The Commission members are given a second opportunity to examine any witnesses and the applicant, and to discuss the request.
- J. Members of the Planning Commission make individual comments concerning the application. The analysis, as presented by the staff, and testimony, as presented by the applicant, may be discussed by the Commission.
- K. The Chair shall ask if any motions to accept or change the staff analysis and recommendation are to be made. Motions shall be made pursuant to Section 17.
- L. The Commission shall then vote on the proposed motion, including any and all additional, specific findings and conditions to be placed upon the application if approved. The vote from the Commission shall be pursuant to Section 18.

#### **25. Regular Application Items (Public Hearings)**

The following process shall be utilized for all regular application items that are not specifically designated as public hearings and may be amended by the Chair at their discretion, subject to the right of the Commission to overrule the Chair:

- A. The Chair opens the public hearing.

- B. Staff introduces the application and may provide a summary of the staff analysis.
- C. The Commission asks questions of the staff concerning the staff analysis or procedure of the application.
- D. The applicant or applicant's representative presents the applicant's evidence in support of the application.
- E. The Commission asks questions of the applicant (or applicant's representative) concerning the application.
- F. The Chair opens the Public Hearing and the Commission takes public comment concerning the application. Once all public comment is received the Chair closes the Public Hearing, unless reopened pursuant to Section 29.
- G. The staff is given the opportunity to rebut any evidence presented by the applicant or the public, and make its final comments.
- H. The applicant is given the opportunity to rebut any evidence presented by the staff or the public, and make its final comments.
- J. Members of the Planning Commission make individual comments concerning the application. The analysis, as presented by the staff, and testimony, as presented by the applicant, may be discussed by the Commission.
- K. The Chair shall ask if any motions to accept or change the staff analysis and recommendation are to be made. Motions shall be made pursuant to Section 17.
- L. The Commission shall then vote on the proposed motion, including any and all additional, specific findings and conditions to be placed upon the application if approved. The vote from the Commission shall be pursuant to Section 18.

## **26. Continuance of Hearing**

The Commission may continue any hearing, upon timely request, for good cause shown, or upon its own initiative. If a hearing is continued to a date certain, it shall not be necessary to re-notice the hearing; it shall be conclusively presumed that all interested parties are aware of the continuation of the hearing. If any hearing is continued without a date certain being specified, it shall be necessary to re-notice the hearing in the same manner as the original notice of hearing was given.

## **27. Audio-Tape of Public Hearing**

An audio-taped record shall be made of each hearing which is held by the Commission. The Town shall retain the original audio-tape in accordance with the Town's public record retention schedule. A copy of an audio-taped record of a hearing shall be made to any party in accordance with the Town's public record request policies. The Town shall not be obligated to provide a transcript of a hearing which is held before the Commission, and any party desiring such transcript shall obtain and pay the cost thereof.

## **28. Record of the Public Hearing**

The record of a public hearing which is held before the Commission shall consist of: (i) all staff reports and similar information which is provided to the Commission in connection with

the public hearing, excluding confidential attorney-client communications from the Town Attorney; (ii) all documents admitted into evidence by the Commission; (iii) all documents offered into evidence at the hearing, but not admitted; (iv) the written decision of the Commission; (v) copies of any applicable statutes, ordinances, rules or regulations; (vi) a transcript of the public hearing; and (vii) such other documents as may properly be included in the record.

### **29. Reopening of a Public Hearing**

Whenever a public hearing has been opened and continued to another date, or where it has been closed and the Commission wishes to take additional evidence prior to a vote or a reconsideration of a vote, the Chair may reopen the public hearing for purposes of taking such additional evidence. The Chair may limit the scope of such evidence to be taken. Whenever a public hearing is reopened and additional evidence is taken, all such additional evidence shall be deemed to be a part of the original public hearing.

### **30. Decisions By Commission**

The decisions by the Commission shall be pursuant to §7.16.020(f), *Step 6: Review and Decision* or such other provisions of the Avon Development Code or other procedures and review criteria adopted by ordinance of the Town as may be applicable.

### **31. Execution of Documents**

Any document which requires the written approval of the Commission may be executed by the Chair, or in absence or incapacity of the Chair, by the Vice-Chair. In the event that both the Chair and the Vice-Chair are absent from the Town or are incapacitated at the same time, any member of the Commission may lawfully sign a document in the capacity of Assistant Vice-Chair.

### **32. Suspension of the Rules**

Any provision of these Rules not governed by the Town Charter or the ordinance which created the Commission may be temporarily suspended at any meeting of the Commission by a majority vote of the Commission. Any Rule may be suspended by general consent if the matter is presented by the Chair and there is no objection by any member of the Commission.

### **33. Amendment of the Rules**

These Rules may be amended pursuant to the procedures in §7.12.040(l) of the Avon Development Code.

### **34. Effect of Adoption of Rules**

These Rules supersede all prior rules and regulations of the Commission.

Adopted: April 23<sup>rd</sup>, 2013

## **Exhibit A: Ex Parte Contact and Executive Sessions**

This Exhibit A sets forth supplemental meeting rules and procedures that may be amended and updated by the Avon Town Council by motion at any time.

### **Ex Parte Contact:**

Each member of the Commission must refrain from any communications with the applicant or the general public concerning pending quasi-judicial applications. Members of the Commission are charged with conducting public hearings on quasi-judicial applications which are impartial and without bias or pre-judgment.

An ex parte contact is any communication (written, oral or electronic) with the applicant, representative of the applicant or member of the general public that is offered to or received by a member of the Commission outside of the actual public hearing process concerning a quasi-judicial application pending before the Commission.

Whenever a person attempts to make an ex parte contact with a member of the Commission, the member shall, to the extent possible, refuse to accept such ex parte contact. The member shall advise the person who is attempting to make the ex parte contact that all comments and information related to the pending matter should be presented to the entire Commission, as well as all interested parties, at the time of the public hearing.

Any member of the Commission who has received an ex parte contact must report the information and identify the source and date of the contact, to the full Commission and the Applicant, for inclusion in the formal record of the public hearing on the application.

Any written ex parte contact transmitted to or received by a member of the Commission concerning a quasi-judicial application which is pending before the Commission, including printed and mailed communications, shall be forwarded directly to the Director for review and incorporation into the staff's report. A copy of such written material shall also be provided to the applicant not later than the commencement of the hearing.

The rule against ex parte contacts shall not apply to preclude members of the Commission from contacting the Director, the Town Attorney, or staff members of the Department of Community Development for the purpose of asking questions concerning a pending quasi-judicial application provided that such member shall not express any bias or otherwise formulate any opinion concerning the application prior to the public hearing.

### **Executive Sessions:**

The Commission shall keep an electronic record and written minutes of its meetings, including any executive sessions, as required by the Colorado Open Meetings Law, Colorado Open Records Act, and such laws and rules as may be adopted by the Town to implement state statutes.

At any meeting the Commission, by consent of 2/3 of the quorum present, may go into executive session for those purposes authorized by law. No adoption of any proposed policy, position, resolution, rule, regulation or formal action shall occur at any executive session of the Commission which is not open to the public, except as authorized by the Colorado Open Meetings law. Prior to the Commission going into executive session the Chair shall announce to the public the general topic of executive session, including a specific citation to the applicable provision of the Colorado Open Meetings law which authorizes the Commission to meet in an executive session, and identification of the particular matters to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. The Commission shall terminate the executive session by a majority vote. Only those matters authorized by statute may be discussed in an executive session. A motion to adjourn or recess a meeting shall not be in order during an executive session.

A tape recording of the actual contents of the discussion during an executive sessions shall be made by the Presiding Officer except for executive sessions held for the purpose of receiving legal advice.

The tape recording or written record of an executive session shall not be subject to public disclosure or to discovery in any administrative or judicial proceeding, except in an action brought pursuant to Section 24-72-204(5.5)(a), C.R.S. If it appears that the tape recorder in the Commission chambers is not functioning properly at the time that an executive session is to be held, or if there is no tape recorder available at the location where the executive session is to be held, or when otherwise deemed necessary or advisable by the Commission, a written record of the actual contents of the discussion during an executive session which satisfies the requirements of Section 24-6-402 (2)(d.5)(II)(A) and (B), C.R.S., shall be kept. Such tape recording and/or written record shall be retained and destroyed by the Town in accordance with the Town's document retention policy. The provisions of Section 24-6-402(2)(d.5)(II)(B), C.R.S., concerning privileged attorney-client communications that occur in an executive session shall apply to any record of an executive session kept by the Commission.

## Salida City Council Handbook

[ADOPTED May 7, 2024 via Resolution 2024-    ; Amended April 6, 2021 via Resolution 2021-08; Amended via Resolution 2021-29, 8/3/21] (Replaced previous "Council Meeting Rules of Procedure")

# Chapter 1: Introduction of City Government

### **Mission Statement**

It is the mission of the Salida City Council to guide the City through constructive, thoughtful and inclusive decision-making, preserving what makes Salida unique and focusing on the most positive outcomes.

### **Roles and Responsibilities of City Council**

Council members are the leaders and policy makers of the City. The City Council has the authority to create and approve laws, regulations and policies that guide City Government. The City Council serves as the Local Liquor Licensing Authority, the Marijuana Licensing Authority and hears appeals of certain decisions made pursuant to the Municipal Code.

Council members also serve as City representatives on Boards of several external organizations such as, but not limited to, Chaffee Housing Authority and Harriet Alexander Field Airport Board.

The City Council appoints the City Administrator, City Clerk, City Attorney, Municipal Prosecutor and Municipal Judge. These appointed positions serve at the will of the City Council, and all have written agreements with the City specifying the parameters and expectations.

### **Role of the City Council as the Local Liquor & Marijuana Licensing Authority**

Liquor & Marijuana Licenses in Colorado must be approved by both the State Liquor/Marijuana Authority and the local jurisdiction. The City Council acts as the Local Liquor Licensing Authority (LLA) and Marijuana Licensing Authority (MLA) for the City of Salida. All new liquor and marijuana licenses and transfers must be approved by the LLA or MLA following a public hearing. Liquor license/Marijuana license renewals are approved administratively by the City Administrator or City Clerk as long as no violations have occurred, and no complaints have been made against a liquor license/marijuana license holder. If complaints are filed, renewals must be considered by the LLA or MLA.

The LLA or MLA has the authority to hold hearings and impose sanctions against liquor license or marijuana license holders if an establishment violates state liquor or marijuana codes. Sanctions may include fines, suspension or in severe circumstances revocation of a liquor/marijuana license. Sanctions may only be imposed in conjunction with a legal proceeding called a show/cause hearing conducted by the LLA or MLA.

### **Role of City Council on Boards and Committees**

City Council members are appointed to serve on various external task forces, boards and committees. Council members serve as voting members on several boards such as but not limited to the Chaffee Housing Authority and Harriet Alexander Field Airport Board and may be appointed to serve as ex-officio members of several boards such as the Sustainability Committee. Initial appointments are made soon after the Council's organizational meeting following elections. Council members who serve on external boards and committees are expected to report to the full Council regarding the activities of the board or committee on which they serve. These updates can occur verbally during the Council Reports section of



the regular City Council meeting, or through written reports submitted to the City Clerk by noon on Thursday prior to a Council meeting for inclusion in the meeting packet. Council members may also be appointed to a committee for special projects or to review and make recommendations regarding service grant applications.

### **City Administrator**

The City Administrator is the chief administrative officer of the City and is responsible for carrying out the Council's directives and administering the day-to-day operations of the City.

"The purpose of the office of the City Administrator is to provide the centralization of the administrative responsibilities of the City, with the City Administrator to be the administrative head of the City government under the direction and control of the Mayor and City Council and to be responsible to the Mayor and City Council for the efficient conduct of the office." (SMC 2-3-70(a))

"The City Administrator is the personnel director of the City and is charged with establishing appropriate personnel rules and regulations in compliance with state and federal laws, subject to the approval of the City Council. As the chief administrative officer, the City Administrator shall have the responsibility and authority to appoint, supervise and discharge all non-elected department heads and employees, excepting" appointed officials. (SMC 2-3-70(b))

### **City Attorney**

The City Attorney is the legal advisor for the Council, Administrator and Department Heads. The general legal responsibilities of the City Attorney include:

- Provide legal assistance necessary for the formulation and implementation of legislative policies.
- Represent the City's interests, as determined by the City Council, in litigation, administrative hearings, negotiations and similar proceedings.
- Prepare ordinances, contracts and other legal documents.
- Keep the City Council and staff apprised of court rulings and legislation affecting the legal interests of the City.
- Attend City Council meetings, and where necessary, other board and commission's meetings

## **Chapter 2: Council and Staff Interaction**

Governance of a City relies on the clear, honest, cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council's policies. Therefore, every effort should be made to be civil, professional, and show mutual respect for the contributions made by each individual for the good of the community.

### **Communications through appropriate senior City staff**

In general, the City Council should communicate all directives to the City Administrator and the City Administrator, in turn, directs staff. Questions and requests for information should be directed to the City Administrator, City Attorney, City Clerk, Municipal Judge, or their designees, including relevant Department Heads. When in doubt about what staff contact is appropriate, Councilmembers can ask the City Administrator or the affected appointed official for direction.

### **Requests for routine research by staff**

In order to assure proper coordination and an efficient allocation of City resources, routine requests for research by City staff should be made to the City Administrator, who will determine what follow-up to which staff member is appropriate.

#### **Policy or program modifications**

Requests to research and analyze the viability of new or modified legislation, policy, or programming should be presented as a request at a Council meeting, where it shall be decided whether the request is something that merits an investment of staff time.

#### **Political support from staff**

Councilmembers must refrain from soliciting any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff at work. Staff certainly may, as any other citizen, support political candidates away from the workplace, and on their own personal time. The City as an employer requests that personal mail for employees, including campaign material, be sent to their home address.

#### **Administrative functions**

Councilmembers should avoid staff interactions that may be construed as trying to direct or shape staff operations.

#### **Same information to all Councilmembers**

Council should expect that staff will make every attempt to provide each individual member of Council with the same information for decision-making. (i.e., requests made of staff for research will be distributed to all; correspondence to one Councilmember on policy issues will be distributed to all).

#### **Whistleblowers**

In the event a Councilmember is approached by an employee with concerns that there is an illegal activity, including the alleged violation of City policy, the Councilmember shall direct that complaint to the Mayor. The Mayor will provide the information to the appropriate appointed official for investigation. If the complaint is made against an appointed official, then the Mayor shall determine what action should be taken. Where the Mayor desires legal advice he or she should use the City Attorney, or if the complaint is against the City Attorney, then he or she has the authority to obtain outside legal counsel to assist with investigation and advice.

#### **Personnel**

Members of the Council shall not attempt to individually direct the City Administrator, the City Clerk, the City Attorney, the Municipal Judge or any City Staff on employment or personnel matters or decisions, awarding of contracts, selection of consultants, processing of development applications, or the granting of City licenses or permits.

## **Chapter 3: City Council Meeting Essentials**

#### **Regular Meetings of City Council**

Regular meetings are typically conducted in Council Chambers at City Hall on the first and third Tuesday of the month, excluding holidays, and begin at 6:00 p.m., unless another day or time is set by prior approval of a majority of the City Council. Regular meetings shall adjourn no later than 9:00 p.m. unless a later time is agreed upon by a majority vote of the council members present at said meeting.

In the event one or more agenda items have not been called prior to 9:00 p.m., and majority approval for extension of the meeting has not been obtained, such item or items shall be automatically continued to the next regular city council meeting.

### **Work Sessions of City Council**

Work Sessions are typically held in Council Chambers in City Hall on the first and third Monday of the month, as needed, and usually begin at 6:00pm. The purpose of a Work Session is for general informal discussion, review and education of policy or operational topics. No formal action or decisions may be taken at a Work Session, and minutes are not taken. However, the council may direct appointed officials during Work Sessions to prepare information for a discussion and possible decision at a regular City Council meeting.

### **Special Meetings of City Council**

The Mayor and any three (3) members of the City Council may call a special meeting by having written notice of such meeting personally served on all other Council members, or left at their usual place of residence. Except in cases of emergency, special meetings shall not be conducted except upon twenty-four-hours notice.

Special meetings may also be called by majority vote of the membership of the City Council taken and announced at a regular Council meeting. Notice of such meeting shall be given to any member of the City Council not in attendance.

Should the City Council convene for a special meeting pursuant to a request of an interested party for the purpose of accommodating time constraints of said interested party, the City Council may, in its discretion, assess fees for the special meeting against the interested party. The City Council may from time to time by resolution adopt a schedule of fees which may be assessed for special meetings. Said fees shall reasonably compensate the staff of the City and the City Attorney for time spent in preparation for attendance at special meetings.

### **Council Meeting Agenda and Packets**

Council meeting agendas are set by the City Clerk by end of day on the Thursday before the Council meeting. The City Clerk manages the scheduling of agenda items and the publication and posting of agendas. Council meeting packets are assembled and the link is delivered via e-mail to council members by the Friday evening prior to regular Council meetings. City Council agendas and e-packets are posted on the City website by the Friday evening prior to regular meetings.

Packet information is meant to notify the public and assist Council members in preparing for the meetings. If you have questions regarding an agenda item, you may discuss it in advance with the City Administrator, or (if applicable) the City Attorney.

### **Public Hearings**

Public hearings are held before the City Council to hear testimony from the public regarding specific matters. Public hearings are held on all ordinances and on items such as the approval of certain quasi-judicial liquor licenses, marijuana licenses and land use decisions. During a public hearing certain procedural rules must be followed, which are discussed in greater detail within this Handbook.

### **Budget**

The City's fiscal year begins on the first day of January and ends the last day of December. The purpose of the budget is to keep expenditures within the City's estimated revenues. The budget consists of two parts: a carefully prepared estimate of revenues and a tabulation of the estimated cost of each item in

the budget. In the budget process, the Council essentially decides what the community needs and wants, what the community is willing and able to pay for, and what services the community can expect for its tax dollars. City staff prepares a proposed budget for City Council review and deliberation each year. The budget process usually begins in late June with work sessions to review draft budget documents and to discuss priorities, proposed projects, and the ongoing fiscal responsibilities of the City. Further drafts of the budget are reviewed until the budget is ready for final consideration and approval. The budget contains both an operational budget and a capital budget. The capital budget contains a list of all capital improvements which are proposed to be undertaken during the following fiscal year. By law, the budget must be approved no later than December 15 of each year.

## Chapter 4: City Council Meeting Procedures

### Public Hearings

Typical Order of a Public Hearing shall be as follows:

- Mayor/presiding officer opens the public hearing.
- City Staff summarizes their report; explains what is being requested; applies relevant Code provisions; makes recommendations; confirms proper notice of the public hearing.
- Applicant/Appellant presents its request and basis for same; possibly brings forward persons speaking in support of the application.
- Public Comment. Interested persons from the general public may speak, testify, address Council. (3 minute limit)  
The Mayor/presiding officer will invite public in the following order:  
In-person speakers, followed by  
Online speakers (if applicable)
- Applicant may offer rebuttal, closing statement and may cross-examine any person who presented or testified.
- City Staff may offer rebuttal, closing statement and may cross-examine any person who presented or testified.
- Council may ask questions of any party or any person who as offered comment at the hearing.
- Mayor closes public hearing.
- Preliminary Council Discussion. Council reviews all testimony and evidence presented, applies appropriate Code provisions, and then objectively discusses and deliberates the requested application(s). The Council may ask additional questions of (or seek clarification or assistance from) the applicant, City Staff, Attorney, and anyone else present.
- Call for Motion. A council member proposes a final decision on the application, in the form of a motion.
- Council deliberates on the motion, and makes any applicable amendments to the motion.

- A roll call vote of all councilmembers occurs on the final version of the motion.

### **Quorum for City Council**

Three (3) Council members and the Mayor, or four (4) Council members, shall constitute a quorum to do business at all meetings of the City Council.

### **Attendance**

Attendance at meetings is crucial to allow the City to conduct business, therefore, Councilmembers are expected to attend all meetings within reason. In the event a member of Council is unable to attend a meeting of the Council, such member is requested to make a reasonable effort to so advise the City Clerk, City Administrator, or Mayor in advance of the meeting. If a Councilmember does not provide prior notice of an absence, such absence will be declared unexcused. If a member accrues more than four (4) unexcused absences to regular City Council meetings within a twelve (12) month period, such member shall be removed, and their seat will be deemed vacant.

### **Order of Business on City Council Meeting Agendas**

All business of the council shall be considered in the order of the agenda unless otherwise directed by motion adopted by the majority of the members present. Agenda order is currently, and should normally be:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Civility Invocation
- Consent Agenda
  - Approval of Agenda
  - Approval of the Minutes
- Citizen Comment - three (3) minute time limit. (for items not on the agenda and/or agenda items that are not scheduled for public hearings)
- Public Hearings
- Unfinished Business/Action Items
- New Business/Action Items
- Reports (from Council members, appointed officials, departments, boards or commissions)
- Executive session, if applicable
- Adjournment

### **Consent Agenda**

The Consent Agenda allows the Council to approve several items of routine business with one vote. All of the consent items shall be voted on as a group. If a Council Member requests discussion or requests that any item(s) be removed from the consent items, such item(s) shall be acted upon after consideration of the remaining consent items by the Council. The individual items will then be considered for adoption.

Consent Agenda items may include, but are not limited to:

- Approval of the Meeting Agenda;
- Approval of the Minutes of prior meetings;
- Approval of contracts or awards of bids previously presented in a work session and/or approved by City Council in the annual budget;

- Approval of Memoranda of Understanding with various entities;
- Approval of administrative, organizational or employment policies;
- Appointment of members to a board or commission.

The consent items will be listed as separate items on the Agenda for the Regular Meeting and we recommend the following explanation for the general public:

*“All matters listed under Item X, Consent Agenda, are considered to be routine business matters by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary by any member of the Council, that item should be removed from the Consent Agenda and considered separately.”*

### **Citizen Comment**

During the Citizen Comment portion of the meeting, the following guidelines should be followed:

- All speakers must be recognized by the presiding official before speaking.
- Each speaker must provide their name before speaking.
- All remarks shall be addressed to the entire governing body.
- Questions posed to the relevant governing body or to the City Staff may not be directly addressed during public comment.
- Each speaker from the public will be allotted a maximum of three (3) minutes to provide their comments.
- Disorderly conduct, harassment, or obstruction of or interference with meetings by physical action, verbal utterance, nuisance, or any other means are prohibited.
- Members of the public may submit written comments at least 24 hours in advance of the scheduled meeting. Such written comments will be forwarded to the entire Council.
- Members of the public who are attending the meeting remotely will have the opportunity to speak, following the same guidelines listed above.

At the beginning of Citizen Comments, the Mayor should state, “This is an opportunity for the City Council to hear from our community. The public will be limited to three minutes each during citizen comments. The City council may not respond to your comment this evening, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate department for follow-up. If necessary, the City Administrator will correct the public record.”

Citizen comment opportunities are different than formal public hearings. The public has the opportunity to comment during the citizen comment period at the beginning of every regular Council meeting. At this time people may speak for up to three minutes on any topic that is not on the agenda. The public comment period is a time for the Council to listen to the people. Council generally should not engage in two-way conversation at this time, nor should the Council feel compelled to respond to the comments. If Council chooses to discuss or take action on a subject brought up during Public Comment that discussion should be held at the end of the Council meeting under Council Reports.

### **Reports**

City Council reports at the end of regular City Council meetings should aim to be approximately 3 to 5 minutes each.

Each department will provide a written report, monthly, which is included in the Council packet. The reports will highlight projects and programs from the previous month.

Each action item on the agenda will also contain a Council Action Form prepared by City Staff. This CAF will provide a background of the materials before the Council, any fiscal impact the decision will have, staffs' recommendations and the suggested motion.

### **Civility**

It is the intention of the Salida City Council to promote civil communication by adopting guidelines for speaking to the public in the City Council Chambers, and by reading this Civility Invocation at the beginning of each regular City Council meeting.

### **Robert's Rules of Order**

Regular City Council Meetings are conducted by the Mayor, according to "Bob's Rules of Order," the abbreviated Robert's Rules of Order (SMC 2-2-80).

### **Placement of a Work Session or Regular Meeting agenda item**

The direction of either the Mayor or a minimum of two (2) City Councilmembers is required in order to place a topic or item on a work session or regular City Council meeting agenda. Such a request should be made publicly at regular meeting, if at all possible; however, that is not required if time or other circumstances do not allow.

### **Removal of a Work Session or Regular Meeting agenda item**

An item previously added to either a work session or regular City Council meeting agenda may be removed from the agenda by a two-thirds (2/3) vote of the City Council.

### **Executive Sessions**

The policy basis for executive sessions, which are not open to the public, is the recognition that the public interest can best be served if certain specified matters are discussed in private. The purpose of an executive session is to deliberate, not to make final decisions. No formal action shall be taken in an executive session to adopt a proposed policy, position, resolution, rule, regulation or ordinance.

#### **The Colorado Revised Statutes permit Executive Sessions in the following limited situations:**

1. *Real and Personal Property*: to discuss the purchase, acquisition, lease, transfer, or sale of property interests, so long as the executive session is not held to conceal an official's personal interest in the property. (CRS §24-6-402(4)(a))
2. *Attorney Conferences*: for the purpose of receiving legal advice on specific legal questions. (CRS §24-6-402(4)(b))
3. *Confidential Matters Under State or Federal Law*: for the purpose of discussing any topic required by state or federal law to be kept confidential. The governing body must announce the specific statutory citation or rule that requires the confidentiality of the matter to be discussed. (CRS §24-6-402(4)(c))
4. *Security Arrangements or Investigations*: for the purpose of discussing specialized details of security arrangements or investigations. (CRS §24-6-402(4)(d))
5. *Negotiations*: for the purpose of determining positions, strategy, or instructions to negotiators. (CRS §24-6-402(4)(e))

6. *Personnel Matters*: for the purpose of discussing general personnel matters. However, if the discussion involves a specific employee, that employee may request an open meeting. If the discussion involves more than one employee, the executive session may be held unless all of the employees request an open meeting. 'Personnel Matters' does not include discussions of any member of a local public body, any elected official, the appointment of any person to fill a vacancy in a local public body or elected office, or discussion of personnel policies that do not require discussion of particular employees. (CRS §24-6-402(4)(f))
7. *Documents Protected Under Open Records Act*: for discussions that involve consideration of documents protected by the mandatory non-disclosure provision of the Open Records Act. Discussion of documents protected under the 'work product' or 'deliberative process' privileges in the Open Records Act must occur in an open meeting unless an independent basis for an executive session concerning such documents exists. (CRS §24-6-402(4)(g))

#### Executive Session Procedures:

- Executive sessions may only be conducted during a regular or special meeting of the City Council.
- The City must first announce the topic of discussion to the public, including the specific citation to the Open Meetings Law (CRS section) that authorizes consideration of the announced topic in executive session, as well as "identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized."
- A City Councilmember must make an official motion to go into Executive Session (i.e. "I move to go into Executive Session for the purpose of a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b))."
- Two-thirds of the quorum present must vote affirmatively on the motion before the governing body can close the meeting to the public.
- Discussions that occur in Executive Session must be electronically recorded. The recordings must be retained for at least ninety (90) days after the date of the session. If, in the opinion of the City Attorney present, all or a portion of the discussion constitutes a privileged attorney-client communication, no record or electronic recording is required to be kept of that part of the discussion.

## Chapter 5: Conflicts of Interest

### Common Good

- City Council Members shall work for the common good of the people of the City and not for any private or personal interest; and
- City Council Members will ensure fair and equal treatment of all persons, claims, and transactions coming before the City Council.

### Definitions

For purposes of this Section, these terms shall have the following assigned meaning:

- *Financial Interest* means any interest equated with money or its equivalent.
- *Financial Interest* shall not include:



- The interest that a City Council Member or relative has as an employee of a business, or as a holder of an ownership interest in such business, in a decision of any public body when the decision financially benefits or otherwise affects such business but entails no foreseeable, measurable financial benefit to the officer, employee, or relative;
  - The interest that a City Council Member or relative has as a non-salaried officer or member of a nonprofit corporation or association or of an educational, religious, charitable, fraternal, or civic organization in the holdings of such corporation, association, or organization;
  - The interest that a City Council Member or relative has as a recipient of public services when such services are generally provided by the City on the same terms and conditions to all similarly situated citizens regardless of whether such recipient is a City Council Member or relative;
  - The interest that a City Council Member or relative has as a recipient of a commercially reasonable loan made in the ordinary course of business by a lawfully established financial or lending institution;
  - The interest that a City Council Member or relative has as a shareholder in a mutual or common investment fund in the holdings of such fund unless the shareholder actively participates in the management of such fund;
  - The interest that a City Council Member or relative has as a policyholder in an insurance company, a depositor in a duly established savings association or bank, or a similar interest-holder unless the discretionary act of such person, as a City Council Member, could immediately, definitely, and measurably affect the value of such policy, deposit, or similar interest;
  - The interest that a City Council Member or relative has as an owner of government-issued securities unless the discretionary act of such owner, as a City Council Member, could immediately, definitely, and measurably affect the value of such securities; or
  - The interest that a City Council Member has in the compensation received from the City for services provided to the City as a City Council Member.
- *Personal Interest* means any interest (other than a financial interest) by reason of which a City Council Member, or a relative of such City Council Member, would, in the judgment of a reasonably prudent person, realize or experience some direct and substantial benefit or detriment different in kind from that experienced by the general public.
    - Examples of personal interest include an increase in the value of a real property interest or advancement of an employment opportunity.
  - *Personal Interest* shall not include:
    - The interest that a City Council Member or relative has as a member of a board, commission, committee, or authority of another governmental entity or of a nonprofit corporation or association or of an educational, religious, charitable, fraternal, or civic organization;
    - The interest that a City Council Member or relative has in the receipt of public services when such services are generally provided by the City on the same terms and conditions to all similarly situated citizens; or
    - The interest that a City Council Member has in the compensation, benefits, or terms and conditions of his or her service to the City.

### **Disclosure and Abstention Procedures**

*Disclosure:* A City Council Member who has a personal or private interest in any matter proposed or pending before the Council shall disclose the interest to the other members prior to action on the matter by the Council.

*Abstention:* A City Council Member shall be excused from voting on any matter on which he or she has a conflict of interest.

- The City Council Member who has the conflict of interest shall refrain from attempting to influence the other members of the Council who are or will be voting on the matter.
- The City Council Member excused from voting because of a conflict of interest shall leave the meeting during the deliberations and the vote on the matter.

### **Privileges, Exemptions, and Services**

A City Council Member shall not use his or her official position to secure a special privilege, exemption or service for himself or herself or for others, nor shall any member of the Council seek or grant any special consideration, treatment, or advantage to or for any citizen beyond that which is generally available to every other citizen.

This provision shall not be interpreted to prohibit or hinder a member from presenting citizen concerns to the Council or to City Staff and requesting a response to the citizen concern.

### **Personal Gain and Use of Public Resources**

A City Council Member shall not take any special advantage of services or opportunities for personal gain, by virtue of his or her public office, that are not available to the public in general. City Council Members shall refrain from accepting any benefit or promises of future benefits which compromises their independence of judgment or action or gives the appearance of such compromise.

A City Council Member shall not use public resources not available to the public in general, such as City Staff time, equipment, supplies or facilities, for private gain or personal purposes, except for privileges generally available or granted to employees of the City.

### **Appearance of Impropriety**

An appearance of impropriety is created when a City Council Member takes or may take a direct official action that, although not constituting a conflict of interest, will create a reasonable perception that his or her ability to carry out his or her official duties with integrity, impartiality, and competency is impaired.

As non-exhaustive examples only, appearances of impropriety may be created in the following circumstances:

- When the direct official action involves or will involve a close friend of the City Council Member;
- When the City Council Member is a recipient of an official notice of a quasi-judicial hearing due to the City Council Member's ownership or lease of property to be affected by such hearing; or
- When the City Council Member will be called upon to consider taking official action of a quasi-judicial nature and the City Council Member has previously and publicly expressed an opinion, position, or bias regarding the matter.

A City Council Member who determines that that his or her actions may cause an appearance of impropriety may disclose the appearance of impropriety and abstain from voting as provided in the *Disclosure and Abstention Procedure* section above.

## **Employment**

It is in the interest of the City to hire the most qualified people to work in the City.

Due to the potential conflict of interest that exists when a Council member applies for an open position with the City, any councilmember that intends to apply for an open position with the City must resign his/her council seat at the next regular meeting after an application is submitted.

If an employee is elected to City Council, they must resign their position with the City at the first regular meeting after they take office.

# Chapter 6: Open Meetings Law

(Colorado Revised Statutes 24-6-401, et seq.)

**Meeting** means: any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication. However, Meeting does not include electronic communications that do not relate to the merits or substance of pending legislation or other public business. Examples include communications regarding scheduling and availability, forwarding information, responding to a public inquiry, or posing a question for later discussion by the public body.

**Local public body** means: any board, committee, commission, authority, or other advisory, policy-making, rule-making, or formally constituted body of the City and any public or private entity to which the City, or an official thereof, has delegated a governmental decision-making function but does not include persons on the administrative staff of the local public body.

- Note the exclusion in the foregoing definition for “administrative staff.”

## **What meetings are required to be “open to the public” at all times?**

- All meetings of a quorum or three or more members of any local public body, whichever is fewer, at which any public business is discussed or at which any formal action may be taken.

**Notice:** Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than 24 hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year. The posting shall include specific agenda information where possible.

- OML does not define “full and timely notice,” but provides an example of notice by posting. The General Assembly recently authorized this posting to be on the public entity’s website.

**Chance meetings and social gatherings:** The requirements of the OML do “not apply to any chance meeting or social gathering at which discussion of public business is not the central purpose.”

## **Open Meetings Law may apply to the following discussions:**

- a. Emails
- b. GoToWebinar chat box
- c. Text messages

- i. Messaging during a meeting: councilmember to councilmember could violation OML; or councilmember to an applicant or the public may violate other quasi-judicial provisions.

## Chapter 7: Legislative v. Quasi-Judicial Proceedings

Applying constitutional due process (fair hearing) requirements, state and federal courts have characterized certain governmental entity decisions as legislative, and others as quasi-judicial. It is important to understand the differences between the two because the courts require that special procedures be followed for quasi-judicial matters.

### **Legislative Matters**

Legislative matters are matters of general concern or with applicability throughout a municipality. In the legislative role, the City Council reviews, recommends, creates and amends regulations on a citywide basis. Legislative matters are frequently referred to as “policy making.”

*Examples:* Resolutions or Ordinances with broad application; amending Municipal Code.

The City Council may freely discuss legislative matters with the general public.

### **Quasi-Judicial Matters**

Quasi-Judicial matters have a narrower application. Unlike legislative matters, the Council does not *set* new policy in a quasi-judicial proceeding, but rather *applies* policy established in existing law to specific facts gathered at the hearing to arrive at its decision on the case presented.

*Examples:* special use permits, zoning variances, subdivision plat approvals, liquor license issuance, nuisance abatement.

In quasi-judicial hearings, the City Council is acting in a manner similar to a judge, and must make an objective decision that is based upon the evidence presented at the hearing and the current law and applicable legal standard.

Because these proceedings impact the property rights of one individual, entity or small group of individuals, fairness and due process must be ensured. Everyone with an interest in the case, as well as all members of the decision-making body, must hear the same evidence, at the same time, from the same sources. The applicant, appellant or property owner deserves the opportunity for a fair, impartial hearing before unbiased, impartial decision makers, each of whom have had the benefit of the same input and testimony. During quasi-judicial hearings, Council will not engage in reflective listening.

### **Council’s Impartiality in a Quasi-Judicial Proceeding may be affected by:**

- (1) **Pre-judgment or bias.** An individual Councilmember’s desires, personal preferences or prejudices must not be a factor for consideration, or enter into their decision-making. A councilmember must not have their mind made up before the hearing, and must remove themselves from the process if they have advocated one way or the other on a quasi-judicial matter. Each member participating in the hearing must have the ability to decide the case fairly, impartially and based solely on the

evidence and testimony presented at the hearing.

- (2) **Conflicts of Interest.** Described earlier in Chapter 5 of this Handbook.
- (3) **Ex-Parte Communications.** Ex-Parte communication refers to information received “outside of the record,” whether verbal, written, electronic, or graphic. Ex-parte communications are also defined as communication between a councilmember and one party, outside the presence of the other parties to the case, or other affected individuals.

Because of the legal constraints of this process, councilmembers may not discuss quasi-judicial issues outside of a hearing. Council must refrain from listening to opinions outside of the public hearing, and should not form opinions until the hearing. Council also should not research the issue outside of the hearing. Should a member of the public, or the applicant, attempt to share opinions or discuss the issue, Council must explain that because it is a quasi-judicial matter, they cannot not engage in ex-parte communication. Councilmembers may direct the individual to provide written comments to City Staff, which will be included in the public record, and considered by all Council at the proper time.

Courts generally hold that such communications are improper and may provide legal grounds for overturning a Council’s decision. These rules promote impartial decisions by ensuring disclosure of all evidence and arguments presented to the Council in its deliberation and decision. These rules also gives everyone involved a fair chance to respond to all information that may affect the decision. If any Councilmember believes that their ability to participate in the hearing fairly and impartially has been compromised, they must cure the issue by disclosing the issue on the record or recusing themselves from the hearing.

## Chapter 8: City of Salida Remote Participation Policy

*(Adopted via Resolution ~~2021-29~~ 2024-)*

The preference and expectation of all Councilmembers is to attend regular and special Council meetings in-person, in City Hall, whenever possible, in recognition of the efficiency and effectiveness of in-person participation when conducting the public business of the City of Salida. However, there may be occasional times when in-person attendance is not possible. The City finds that remote attendance by Councilmembers is preferable to not permitting participation or delaying the conduct of public business. Members of Council may therefore participate remotely in council meetings subject to the following rules and procedure.

This Policy shall also apply to all quasi-judicial proceedings in front of any City board or commission. When considering a quasi-judicial matter, City boards and commissions, and its members, shall follow this Policy in the same manner intended for Councilmembers.

This Policy applies when a local disaster emergency is not in effect.

When an emergency has been declared, the City's "Electronic Participation Policy for City Council Meetings and Meetings of City Boards and Commissions During a Local Disaster Emergency" adopted by City Council via Resolution 2020-42 shall apply.

**"Remote Attendance"** means participation by video or audio means, such as Zoom, GoToMeeting, Webex, Microsoft Teams or similar platform approved by the City, which is clear, uninterrupted and allows two-way communication for the participating Councilmember.

**Circumstances permitting remote participation**

Councilmembers may participate in a meeting by remote attendance when travelling out-of-town, when ill, when a family or personal emergency arises, or when unforeseen circumstances do not allow in-person attendance. Councilmembers who are ill are encouraged and expected to participate by remote attendance. Councilmembers may participate remotely no more than four (4) times in a twelve (12) month period for Regular City Council meetings. This provision does not apply to Work Sessions. If a Councilmember violates this provision, they shall be removed, and their seat will be deemed vacant.

**Meeting requirements concerning remote participation**

Council may permit remote participation in a meeting, provided that all of following standards are met:

1. 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.
2. Councilmembers and members of the public present at the meeting location can hear or read all discussion, testimony and votes.
3. At least one member of the City Council is present at the meeting location.
4. All votes are conducted by roll call.

**Arranging for remote participation**

To arrange to participate remotely, a Councilmember shall contact the City Clerk in writing, as far in advance of the meeting as possible, and include the circumstance in which the Councilmember is making the request. Upon receipt of such written request, the City shall use its best efforts to provide the technical means necessary to fulfill the request from City Hall; provided, however, that it shall be incumbent upon the Councilmember who desires to participate by remote attendance to provide the technical means necessary to facilitate remote attendance from their location. Such Councilmember are expected to be situated in a stationary location with adequate internet service with video camera on and presenting in a professional manner similar to in-person Council meeting attendance.

**Public Participation**

For meetings where it is practical for City Council to utilize an electronic communication platform, members of the public may participate in such meetings and make comments at such times as are designated by the Mayor. The City may impose requirements on public participation by electronic means such as requiring a member of the public to send an email to the Clerk prior to the meeting if they desire to present on an item not on the agenda or requiring a member of the public to give notice to City staff in advance or during the meeting of their desire to comment on a specific agenda item.

**A Councilmember participating through remote attendance:**

- shall be entitled to participate in all Council matters in the same capacity as a Councilmember in physical attendance, including participation quasi-judicial matters and executive sessions;
- shall be counted for purposes of establishing a quorum;
- shall have the opportunity to express comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and adopted procedures;
- shall be heard, considered, and counted as to any vote taken;
- shall be called during any vote taken and shall have such Councilmember's vote counted and recorded by the City Clerk and placed in that meeting's minutes; and,
- may leave a meeting and return as in the case of any member upon announcement of such leaving and returning.

In the event that City Council holds an executive session, participants shall be authorized to attend remotely. A Councilmember participating in an executive session remotely shall: (a) have a secure telephone or electronic connection, and (b) certify that they are the only person in the room and that no other person has access to the executive session. Any executive session conducted under this Policy shall be recorded electronically as provided for by statute.

#### **Presiding Officer**

The Mayor, Mayor Pro Tem or other designated person who is presiding over the meeting shall have the discretion to mute any Councilmember who is participating through remote attendance when distracting and extraneous noise is occurring through the remote attendance. The officer who is presiding over the meeting may delegate the ability to mute Councilmembers to the meeting host who controls the meeting platform. The presiding officer shall use best efforts to recognize and provide opportunity for Councilmembers who are participating via remote attendance the ability to contribute to the discussion and express comments. The presiding officer during the meeting shall designate the individual who councilmembers should contact during the meeting in the event of technical difficulties or in connection with other matters related to items not appearing on the agenda for the meeting in which the Councilmember is participating remotely.

#### **Reasonable Accommodations**

The City may provide reasonable accommodation and waive or modify provisions of this Policy for the benefit of members of the City Council, commission, board or the public with a disability.

## **Chapter 9: Travel and Mail**

### **Travel**

The City will pay for ordinary and necessary expenses incurred by City Council members with are directly related to City business. Actual or per diem travel expenses should be itemized on a Travel Expense Form (available in the Finance Office) and submitted along with necessary documentation. This includes mileage when you need to travel using your personal vehicle. Efforts should be made to travel with staff who are able to drive City-owned vehicles.

The City Administrator's office can assist you in registering for classes, conferences and booking travel arrangements. Council members should always use discretion in their use of City-related business travel. Travel expenses incurred by public officials are typically subject to a high level of public scrutiny.

### **Council Mail**

Correspondence/mail addressed to the City Council is placed in the Council mailboxes, located in the mail room, accessible through the Finance Office. Please check your mailbox when you visit City Hall. E-mail correspondence addressed to City Council is forwarded to all Council members and the Clerk's Office retains a copy for the public record.

## **Chapter 10: Additional Resources**

Colorado Municipal League – [www.cml.org](http://www.cml.org)

The Colorado Municipal League (CML) is a non-profit organization that has served and represented Colorado cities and towns since 1923. In 2021, 270 of Colorado's 271 municipalities are members of CML. CML provides advocacy, information and training to its members. CML's mission is twofold: to represent cities and towns collectively in matters before the state and federal government, and to provide a wide range of information services to assist municipal officials in managing their government. The Town of Crested Butte is a member of CML and the organization sends an informational welcome packet to newly elected council members. Council members also receive newsletters from CML.

Colorado Association of Ski Towns – [www.coskitowns.com](http://www.coskitowns.com)

The Colorado Association of Ski Towns is an organization of 26 municipalities whose economies are largely dependent upon the ski industry and tourism. Members include the mayors, managers and council members of these resort towns. CAST has more than a dozen Associate Members that include Colorado counties as well as out-of-state towns and counties.

The Association was formed in part to recognize that resort communities face unique challenges in providing municipal services to residents and visitors.

Member municipalities share the benefits of diverse knowledge, experience and leadership through meetings, conferences, surveys and other informational venues, as decided by the members.

CAST members use the power of the coalition to seek support for legislation that will benefit and sustain the mountain communities. CAST supports actions that keep our communities livable, protect our pristine environment, and promote affordable housing, multi modal transportation, climate action and sustainable tourism. CAST's goal is to ensure an exceptional quality of life for citizens and a positive experience for visitors.

Colorado Communities for Climate Action – [www.cc4ca.org](http://www.cc4ca.org)

Colorado Communities for Climate Action is a coalition of 42 local governments across the state advocating for stronger state and federal climate policy. CC4CA is governed by a Board of Directors representing all of the member communities.

Colorado Intergovernmental Risk Sharing Association – [www.cirsa.org](http://www.cirsa.org)

The Colorado Intergovernmental Risk Sharing Agency (CIRSA) was formed by Colorado municipalities, for Colorado municipalities. More than 285 communities and public entities are members, because the advantages of working collectively as a community far outweigh what commercial providers offer.