

**RESOLUTION OF THE TOWN OF MOUNTAIN, COLORADO
ON EMERGENCY AND/OR VIRTUAL MEETINGS DUE TO CORONAVIRUS
(COVID-19) DISASTER DECLARATION**

RESOLUTION No. 2020-0319-07

RECITALS:

WHEREAS, The Town of Mountain Village (the “Town”) declared a disaster related to coronavirus (Covid-19) pursuant to C.R.S. 24-33.3-709; and

WHEREAS, on March 10, 2020 Jared Polis, the Governor of the State of Colorado, declared a statewide state of emergency in response to coronavirus (COVID-19); and 13

WHEREAS, the World Health Organization has declared the coronavirus (COVID-19) to be a worldwide pandemic; and

WHEREAS, in order to comply with the declaration and recommendations of local, state and federal health organizations the Town Council finds it appropriate to amend the Mountain Village Town Council Rules for Conduct of Meetings and General Business last adopted at the July 18, 2019 Town Council meeting in order to address the conduct of meetings during a period in which a local disaster emergency exists; and

WHEREAS, the Town of Mountain Village Town Charter (the “Charter”) section 4.5 provides as follows:

Emergency meetings may be held without the twenty-four (24) hour advance notice when necessary for the immediate preservation of public property, health, peace, or safety, as determined by the Mayor, the Mayor Pro-Tem, or any two (2) Town Councilors. An emergency meeting shall be held only after a diligent and good-faith effort has been made to provide actual notice to all Town Councilors.

WHEREAS, the Town Council desires to further clarify procedures regarding emergency meetings and provide for the allowance of virtual or electronic meetings for Town Council members and the members of the public during which the period of a local disaster emergency has been declared.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Mountain Village, Colorado, that:

Section 1. The Town Council hereby amends the Rules for the Conduct of Meetings and General Business by adding the following Sections:

Emergency Meetings: An emergency meeting may be called by the Mayor and Mayor Pro-Tem or any two (2) Town Councilors without the twenty-four (24) hour advance notice pursuant to Section 4.5 of the Charter. At such emergency meeting, any action within the police power of the Town Council that is necessary for the immediate protection of the public health, safety and welfare may be taken, provided however, any action taken at an emergency meeting shall be effective only until the first to occur of (a) the next regular meeting, or (b) the next special meeting of the Town Council at which the emergency issue is on the public notice of such meeting. At such subsequent meeting the Board may ratify any emergency action taken. If any emergency action taken is not ratified, then it shall be deemed rescinded.

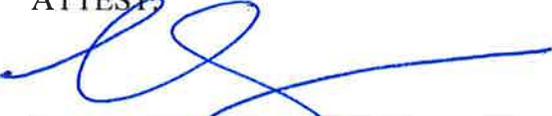
Virtual or Electronic Meetings. During the period of a disaster declaration, the Mayor, with consultation of the Town Manager and Town Attorney, may provide for the conducting of Town Council meetings through virtual or electronic means provided, under the circumstances, the electronic access to the meeting is sufficient to practically and legally emulate the degree of public access and participation that would be true under normal circumstances in a live meeting conducted in person.

ADOPTED AND APPROVED by the Town Council at a regular public meeting held on the 19th day of March 2020.

TOWN OF MOUNTAIN VILLAGE,
TOWN COUNCIL

By: 
Laila Benitez, Mayor

ATTEST:



Kim Montgomery, Acting Town Clerk

APPROVED AS TO FORM:



Jim Mahoney, Assistant Town Attorney