

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF BASALT, COLORADO, IN SUPPORT OF THE
GOVERNOR DECLARING A STATEWIDE EMERGENCY
AND DECLARING A LOCAL DISASTER EMERGENCY.**

**Town of Basalt, Colorado
Resolution No. 06
Series of 2020**

WHEREAS, the Governor of the State of Colorado has declared a statewide emergency regarding the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from the 2019 Novel Coronavirus (“COVID-19”) on March 10, 2020; and

WHEREAS, the cost and magnitude of responding to and recovery from the impact of COVID-19 may be in excess of the Town’s available resources; and

WHEREAS, it is in the public interest for the Town to have emergency resources available to work to safeguard the health and safety of the community; and

WHEREAS, it would be appropriate and in the interests of the public health and safety, and would further protect property, for the Town to support the State and Eagle and Pitkin Counties in their efforts to respond to the emergency; and

WHEREAS, pursuant C.R.S. § 24-33.5-709 the Town Council or Town Manager is authorized to declare a local disaster emergency, and wishes to do so by this Resolution; and

WHEREAS, the effect of the declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans; and

WHEREAS, the Town Council finds this action is immediately necessary to preserve the life, health, and safety of the Town and its residents.

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, THAT:

Section 1. The foregoing recitals are hereby incorporated as findings of the Town Council.

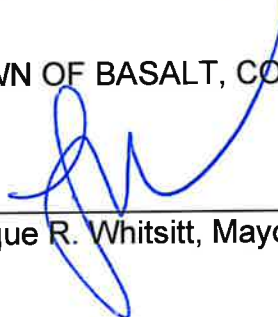
Section 2. Town Council hereby declares pursuant to C.R.S. § 24-33.5-709 that there is a local disaster emergency in Basalt, due to the imminent threat of widespread or

severe damage, injury or loss of life or property resulting from COVID-19 requiring emergency action to respond to and protect the life, health and safety of the citizens of Basalt. The Town Manager is authorized to suspend or modify the adopted policies of the Town including, but not limited to, procurement and employment in order to respond to COVID-19.

Section 3. This Declaration shall be effective from the date of this Resolution until terminated. The Town Council authorizes the Town Manager to terminate this Declaration if, upon consultation with emergency response officials, determines an emergency does not exist. Two copies of this Declaration will be filed promptly with the Colorado Office of Emergency Management.

READ AND ADOPTED by a vote of 6 to 0 this 13th day of March
2020.

TOWN OF BASALT, COLORADO



Jacquie R. Whitsitt, Mayor

ATTEST:



Pamela K. Schilling, Town Clerk



EMERGENCY ELECTRONIC PARTICIPATION POLICY

I. Purpose.

The purpose of this Policy is to specify the circumstances and means under which the Town Council, Planning and Zoning Commission, and other Town Boards and Commissions shall conduct regular and special meetings by telephone or other electronic means of participation, such as video-conferencing that is clear, uninterrupted and allows two way communication for the participating members ("Electronic Participation"). Electronic Participation has inherent limitations because Electronic Participation effectively precludes collective observation of documentary information presented during meetings; fully evaluating a speaker's non-verbal language in assessing veracity or credibility; and from observing non-verbal explanations during a speaker's presentation or testimony. The Town Council finds that these limitations, inherent in Electronic Participation, may produce inefficiencies in meetings, increase the expense of meetings, and alter the decision-making process. As such, the Town Council shall only utilize the policies contained herein upon the adoption by the Town Council of a resolution declaring, or the Town Manager declaring, a local disaster emergency pursuant to Section 24-33.5-709, Colorado Revised Statutes.

II. Statement of General Policy.

The Town Council, Planning and Zoning Commission, and other Town Boards and Commissions (each a "Town Body") may conduct their regular or special meetings by electronic means only in accordance with this Policy.

A. Emergency Situations.

In the event a quorum is unable to meet at the day, hour, and place fixed by the rules and procedures of the Town Body because meeting in-person is not practical or prudent due to an emergency affecting the Town, meetings may be conducted by telephone, electronically, or by other means of communication so as to provide maximum practical notice. Meetings may be held by telephone, electronically, or by other means of communication if all of the following conditions are met:

1. A local disaster emergency has been declared pursuant to Section 24-33.5-709, Colorado Revised Statutes; and

2. The Town Manager or the Town Body determines that meeting in person is not practical or prudent, because of matters related to the declaration of local disaster emergency affecting the Town; and

3. All members of the Town Body, and at least one Town staff member 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; and

4. Members of the public can hear the Town Body's proceedings and are afforded opportunities to participate in public comment, as permitted by law; and

5. All votes are conducted by roll call; and

6. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and

7. To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, the fact that some members of the Town Body may participate by telephone, and the right of the public to monitor the meeting from another location.

III. Arranging for Electronic Participation.

A. The Town Manager or his/her delegate shall contact Town Body members at least twenty-four hours in advance of a regular or schedule meeting to provide notice of a meeting conducted under this policy.

B. The Town shall initiate the Electronic Participation not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the Town Clerk shall make at least three attempts to re-initiate the connection.

IV. Effect of Electronic Participation.

A. Quasi-Judicial Matters.

In the event that a pending application is scheduled for a public hearing that is quasi-judicial in nature at a meeting at which this policy is in effect, the Town shall advise the applicant of such circumstances and present the applicant with options for proceeding with the application. The applicant shall authorize the Town, in writing, to proceed with one of the following options.

1. Conduct the public hearing under this policy with accommodations made for electronic public participation; or

2. Suspend any and all review and decisions deadlines until such time that the local disaster emergency is lifted and the Town Body schedules a regular meeting at which a quorum will be physically present.

B. Executive Sessions.

In the event that the Town Body holds an executive session pursuant to Section 24-6-402, Colorado Revised Statutes and Section 3.7(D) of the Basalt Home Rule Charter, participants shall be authorized to attend via Electronic Participation. Any executive session conducted under this policy shall be recorded electronically as provided for by statute.

V. Reasonable Accommodations.

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