

**CITY OF CORTEZ, COLORADO  
ORDINANCE NO. 1346, SERIES 2025**

**AN ORDINANCE AMENDING THE CODE, ORDINANCES, RESOLUTIONS,  
GUIDELINES, AND PROTOCOLS OF THE CITY OF CORTEZ, COLORADO TO  
ALLOW CITY COUNCILMEMBERS TO PARTICIPATE IN COUNCIL MEETINGS  
REMOTELY VIA VIDEOCONFERENCING OR OTHER ELECTRONIC MEANS**

**WHEREAS**, the City of Cortez, Colorado (“City”) is a Colorado home rule municipality, duly organized and existing pursuant to Article 20 of the Colorado Constitution, the laws of the State of Colorado, and the Charter of the City of Cortez; and

**WHEREAS**, Article III, Section 4 of the Cortez City Charter states that the City Council shall meet “at the City Hall;” and

**WHEREAS**, numerous sections of the Cortez Municipal Code, certain ordinances, certain resolutions, certain adopted protocols, and the adopted Cortez Council Information Packet, include references to the City Council meeting “at the City Hall,” and Councilmembers being “present” at a Council meeting, “attending” or “attend” a Council meeting, and being “physically present” at a Council meeting; and

**WHEREAS**, technological advances have made remote working and remote electronic participation in meetings a viable and practical alternative to on-site and in-person participation in meetings; and

**WHEREAS**, the City Council desires to clarify and define the terms “at City Hall,” “attend,” “attending,” “present,” “physically present,” and other references to Councilmember attendance at Council meetings, as used in the City’s Charter, codes, resolutions, the Information Packet, and Council protocols; and

**WHEREAS**, the City Council desires to amend and clarify the rules regarding Councilmember attendance on-site and in-person at Council meetings, and desires to adopt a policy governing the circumstances under which a Councilmember may participate in regular and special meetings, workshops, quasi-judicial proceedings, and executive sessions via online video conferencing or other electronic means (“Electronic Participation”).

**NOW, THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL AS FOLLOWS:**

**REMOTE MEETING POLICY:** The City Council may fully participate electronically, unless otherwise restricted by law, in regular and special Council meetings, and in Council workshops (collectively “Meeting or Meetings”) in accordance with the following rules:

1. Electronic participation shall consist of clear, uninterrupted two-way communication via video conferencing or other electronic means that allows the electronically participating Councilmember to hear, speak, and see presentations during the Meeting, and allows persons attending the Meeting in-person to hear, speak to, and see the electronically participating Councilmember.

2. Electronic participation may be limited or prohibited in certain instances based upon unforeseen problems with videoconference equipment, Internet limitations, or other technological difficulties that preclude a Councilmember from viewing documentary information presented during the Meeting or otherwise preclude a Councilmember from fully participating in the Meeting. A Councilmember participating electronically is responsible for ensuring that their videoconference equipment and Internet capabilities are current and compatible with the City's videoconference equipment and that their software updates are current.
3. The Mayor or other presiding officer shall have the authority to terminate a Councilmember's electronic participation because the electronic connection is repeatedly lost, the quality of the connection is extremely poor, there is excessive background noise from the remote location, or for other reasons that cause disruption to the Meeting.
4. Electronic participation shall constitute attendance at a Meeting, and Councilmembers participating electronically shall be considered physically present for all purposes, including without limitation, for the determination of the presence of a quorum and for casting votes.
5. A maximum of two (2) Councilmembers may participate electronically at any Meeting.
6. A Councilmember may participate electronically a maximum of six (6) Meetings per calendar year.
7. The two Councilmember and six Meeting limitation shall not apply to Meetings for which the Council decides that in-person participation is not practical or prudent due to an emergency but that a fully electronic Meeting is possible (such as a public health crisis, weather, natural disaster, or similar circumstances).
8. The presiding officer of any Meeting shall not participate electronically, except at a Meeting called to consider whether to approve a fully-electronic Meeting and at an approved fully-electronic Meeting.
9. A Councilmember desiring to participate electronically shall use their best efforts to provide written notice of their intent via City email to the City Manager ("Notice of Intent") a minimum of two (2) business days in advance of the Meeting day.
10. If more than two (2) Councilmembers desire to participate electronically, the first two (2) Councilmembers to provide a Notice of Intent will be allowed to participate electronically unless any of the first two (2) Councilmembers waive their first-in-time status in writing to the City Manager via City email.
11. Councilmembers may electronically participate in executive sessions provided steps are taken to ensure that the remote location does not compromise the confidentiality of the executive session, and the Councilmember participating electronically confirms verbally that no third party is in the Councilmember's presence.
12. The City shall provide Councilmembers with reasonable accommodations, and may waive or alter the provisions of this policy, to provide disabled persons or individuals who qualify for accommodations under federal or state laws full and equal access to participate in Meetings.

RECITALS INCORPORATED: The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by the Cortez City Council.

REPEALER: All orders, bylaws, ordinances, resolutions, policies, and guidelines, of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY: If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION: Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE: This ordinance shall be effective upon publication after final passage on second reading.

FIRST READING. This ordinance shall be considered on first reading on the 9<sup>th</sup> day of September, 2025, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time this ordinance shall be read and introduced on first reading and the public hearing for the second or final reading of this ordinance shall be set.

PUBLIC HEARING: This ordinance shall be considered for second or final reading on the 23<sup>rd</sup> day of September, 2025, at the hour of 7:30 p.m. in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 9<sup>th</sup> DAY SEPTEMBER, 2025.

ATTEST:

  
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DANIELLE WELLS, CITY CLERK

CITY OF CORTEZ

  
\_\_\_\_\_  
RACHEL B MEDINA, MAYOR

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 23<sup>rd</sup>  
DAY OF SEPTEMBER, 2025.

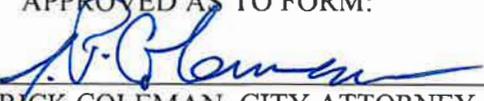
ATTEST:

  
\_\_\_\_\_  
DANIELLE WELLS, CITY CLERK

CITY OF CORTEZ

  
\_\_\_\_\_  
RACHEL B MEDINA, MAYOR

APPROVED AS TO FORM:

  
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J. PATRICK COLEMAN, CITY ATTORNEY