Town Board of Trustees

SPECIAL MEETING

MEETING WILL BE CONDUCTED ON ZOOM AND NOT AT TOWN HALL

Join Zoom Meeting

https://zoom.us/j/614925110

Meeting ID: 614 925 110

Due to precautions and recommendations regarding COVID-19, the Town Board will not be entertaining in-person public comment at this meeting. If you have questions or comments, please send them to Jenny Rakow, Town Clerk at clerk@townofeagle.org or call 970-328-9623. Meeting video will be published at the conclusion of the meeting and as soon as practicable.

Thursday, March 19, 2020

Public Meeting Room / Eagle Town Hall

200 Broadway Eagle, CO

This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.

CALL TO ORDER - 6:00 PM

ROLL CALL - 6:05 PM

ADOPTION OF AGENDA - 6:05 PM *Opportunity for amendment or deletions to the agenda.*

BUSINESS ITEMS - 6:05 PM *Items and / or Public Hearings are listed under Business may be old or new and may require review or action by the Board.*

1. Resolution 12, Series 2020 A Resolution of the Board of Trustees of the Town of Eagle, Colorado Declaring a Local Disaster Emergency
2. Town of Eagle Remote Meeting Policy
3. Ordinance 12, Series 2020 An Emergency Ordinance of the Board of Trustees of the Town of Eagle, Colorado Amending Section 11.04.060 of the Eagle Municipal Code, Concerning the Procedure for the Scheduling of Appearances on Non-Criminal Traffic Offenses

BOARD DISCUSSION AND FUTURE AGENDA ITEMS - 6:35 PM

ADJOURN - 6:35 PM

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.

Jenny Rakow, CMC

PUBLIC WIFI - TOEG – townofeagle2019

TOWN OF EAGLE, COLORADO
RESOLUTION NO. 12
(Series of 2020)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO DECLARING A LOCAL DISASTER EMERGENCY

WHEREAS, on March 10, 2020, the Governor of the State of Colorado recognized the COVID-19 pandemic and declared a state of emergency;

WHEREAS, on March 15, 2020, Mayor McKibbin declared a disaster emergency in and for the Town of Eagle, Colorado, pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq*. (the "Act");

WHEREAS, pursuant to the Act, the Mayor's unilateral declaration is only effective for a period of 7 days and formal action of the Board of Trustees is required to extend the declaration beyond 7 days; and

WHEREAS, the emergency conditions caused by the COVID-19 pandemic, as defined by C.R.S. § 24-33.5-702, persist and require additional and sustained action by the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF TOWN OF EAGLE, COLORADO, THAT:

Section 1. Mayor McKibbin's March 15, 2020, declaration of a disaster emergency in and for the Town of Eagle, a copy of which is attached hereto, is hereby ratified. The declaration shall be effective for 30 days and may be extended or terminated by additional action of the Board of Trustees.

Section 2. Pursuant to C.R.S. § 24-33.5-709(1), this Resolution shall be given prompt and general publicity and shall be filed promptly with the Town Clerk, the Eagle County Clerk and Recorder and the Colorado Office of Emergency Management.

INTRODUCED, READ, PASSED AND ADOPTED ON MARCH 19, 2020.

TOWN OF EAGLE, COLORADO

_____
Anne McKibbin, Mayor

ATTEST:

_____
Jenny Rakow, Town Clerk

TOWN OF EAGLE
REMOTE MEETING POLICY

I. Purpose.

The purpose of this Policy is to specify the circumstances under which meetings of the Board of Trustees and other Town boards, committees and commissions may be held without the physical presence of the members, Town staff or the public at a designated meeting location (a "Remote Meeting").

II. Procedure.

A. General. Remote Meetings are appropriate only in emergency situations when meeting in-person is not practical or prudent due to a health pandemic or other emergency.

B. Conditions. Remote Meetings may be held if all of the following conditions are met:

1. The State of Colorado or the Town or both have declared a state of emergency.

2. The members can hear one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation.

3. The public has the opportunity to participate to the greatest extent possible.

4. Hearings on quasi-judicial matters shall only be held with the prior written consent of the applicant, in which the applicant waives any legal challenge to the hearing being conducted at a Remote Meeting.

5. All votes shall be conducted by roll call. Each member may vote on all matters at a Remote Meeting in the same manner as other meetings.

6. Minutes of the meeting shall be taken in the same manner as other meetings.

C. Determination. The decision to hold a Remote Meeting shall be made by the Mayor or the chair of the board, commission or committee, and arrangements shall be made, to the extent possible, to ensure full and timely notice is given to the public. Notice shall set forth the time of the meeting as well as the fact it will be a Remote Meeting.

IV. Applicability.

Upon implementation, this Policy will apply to regular and special meetings, including study sessions, of the Board of Trustees, as well as meetings of other Town boards, committees and commissions.

V. Reasonable Accommodation.

The Town shall provide reasonable accommodations and shall waive or modify provisions of this Policy as necessary to provide disabled individuals full and equal access to Remote Meetings.

To: Mayor and Town Board of Trustees

From: Jenny Rakow, Town Clerk

Date: March 19, 2020

Agenda Item: Ordinance 12, Series 2020 An Emergency Ordinance of the Board of Trustees of the Town of Eagle, Colorado Amending Section 11.04.060 of the Eagle Municipal Code, Concerning the Procedure for the Scheduling of Appearances on Non-Criminal Traffic Offenses

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REQUEST: Request for consideration of an Emergency Ordinance to allow more flexible notice requirements for non-criminal traffic offenses.

BACKGROUND: Our Town Code currently provides a timeline when issuing a non-criminal traffic offense (i.e. speeding) and requires that a court date be held within 21-45 days. With the current circumstances regarding public health and requirements to limit or cancel meetings of the public, Eagle Municipal Court will be postponing its court dates. In order to facilitate better resource management of our staff and maintain flexibility, the Court staff is requesting to remove this timeline requirement.

ANALYSIS: This matter has been discussed with our municipal judge, town prosecutor, police chief and town manager. All support this request. The timeline of 21-45 days for notice can be upheld in the future and would be a policy set forth as determined by the police chief. Removing this language does not jeopardize the process for either the town or defendants, it merely allows our police department to issue tickets for court dates past 45 days.

COMMUNITY INPUT: None required.

BUDGET / STAFF IMPACT: None. The Town Attorney did review this Ordinance.

STRATEGIC PLAN ALIGNMENT / STANDARDS ACHIEVED: This Ordinance does not align with any strategic objectives directly. Staff believes that it does support Protecting Public Health, Safety, and the Environment, by allowing town departments to manage the court process effectively and efficiently.

RECOMMENDED ACTION OR PROPOSED MOTION: MOTION TO APPROVE OR DENY: Ordinance 12, Series 2020 An Emergency Ordinance Of The Board Of Trustees Of The Town Of Eagle, Colorado Amending Section 11.04.060 Of The Eagle Municipal Code, Concerning The Procedure For The Scheduling Of Appearances On Non-Criminal Traffic Offenses (Roll Call Vote Required)

ATTACHMENTS:

1. Muni Court Emerg-O031720

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 12
(Series of 2020)

AN EMERGENCY ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO AMENDING SECTION 11.04.060 OF THE EAGLE MUNICIPAL CODE, CONCERNING THE PROCEDURE FOR THE SCHEDULING OF APPEARANCES ON NON-CRIMINAL TRAFFIC OFFENSES

NOW BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

Section 1. Section 11.04.060 of the Eagle Municipal Code is hereby amended as follows:

Section 11.04.060. - Procedure, non-criminal traffic offenses.

* * *

~~H. The time specified in the notice to appear shall be at least 21 days, but not more than 45 days after such citation, unless the person cited shall demand an earlier hearing.~~

Section 2**.** Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

Section 4. Emergency Declared. Pursuant to C.R.S. § 31-16-105, this Ordinance is necessary for the immediate preservation of the public health and safety, because, for the safety of the public and Town staff, the Town's Municipal Court must be able to schedule cases to be heard after the local disaster emergency declared by the Mayor on March 15, 2020 and ratified by the Board of Trustees on March 19, 2020 is lifted.

Section 5. Effective Date. This Ordinance shall take effect immediately upon adoption.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON MARCH 19, 2020.

TOWN OF EAGLE, COLORADO

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Anne McKibbin, Mayor

ATTEST:

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Jenny Rakow, Town Clerk