

RESOLUTION NO. 9172

A RESOLUTION introduced by City Manager Brent Trout temporarily suspending certain Governing Body Rules and Procedures in response to the COVID-19 pandemic

WHEREAS, on March 11, 2020, the World Health Organization declared the coronavirus outbreak a global pandemic (COVID-19); and

WHEREAS, on March 12, 2020, the Governor declared a State of Disaster Emergency; and

WHEREAS, on March 18, 2020, the Shawnee County Health Officer issued an order prohibiting public gatherings with more than ten people in attendance; and

WHEREAS, on March 24, 2020, the Governor issued Executive Order No. 20-14 prohibiting gatherings of ten or more people; and

WHEREAS, on March 24, 2020, the Shawnee County Health Officer issued a “safer-at-home” order reinforcing six-foot social distancing from other individuals and directing individuals to stay at home unless performing a specified essential activity; and

WHEREAS, on March 26, 2020, the Governing Body declared a State of Local Emergency; and

WHEREAS, on March 28, 2020, the Governor issued Executive Order No. 20-16 establishing a statewide “stay home” directive unless performing a specified essential activity; and

WHEREAS, on April 7, 2020, the Governor issued Executive Order No. 20-18, rescinding Executive Order No. 20-14 and temporarily prohibiting all public or private mass gatherings unless a specified exemption applies; and

27 WHEREAS, on April 17, 2020, the Governor issued Executive Order No. 20-25,
28 rescinding Executive Order 20-18 and temporarily prohibiting all public or private mass
29 gathering unless a specified exemption applies; and

30 WHEREAS, the Governing Body, by adoption of the Governing Body Rules and
31 Procedures (“GB Rules”), has established a set of rules and procedures to facilitate the
32 business of the Governing Body; and

33 WHEREAS, the GB Rules require in-person, televised meetings in the Council
34 Chambers during which public comment is to be received; and

35 WHEREAS, the health, safety and welfare of Topeka residents, elected City officials
36 and employees of the City of Topeka are of critical importance and are endangered by the
37 threat and spread of COVID-19; and

38 WHEREAS, the Governing Body, in response to COVID-19, desires to protect the
39 public health, safety and welfare by making temporary changes to the GB Rules that
40 facilitate City business while protecting the public and those individuals who administer the
41 business of the City.

42 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
43 CITY OF TOPEKA, KANSAS, that the following GB Rules are suspended to June 3, 2020,
44 unless earlier reinstated by the Governing Body:

- 45 1. GB Rule 2.10 Television Coverage
- 46 2. GB Rule 5.5(b) Public Comment (Sign-Up)
- 47 3. GB Rule 5.5(c) Public Comment (Specific Agenda Items)
- 48 4. GB Rule 5.5(d) Public Comment (General)
- 49 5. GB Rule 7.3(b) Manner of Voting

50 6. GB Rule 8.6 Quorum (Committee Meetings)

51 7. GB Rule 8.14 Television Coverage (Committee Meetings)

52 BE IT FURTHER RESOLVED THAT:

53 1. Members of the Governing Body are authorized to remotely attend,
54 participate, and vote in meetings that may be conducted telephonically or by
55 videoconference.

56 2. Members of the Governing Body who intend to participate remotely (“Remote
57 Participant”) shall provide reasonable notice to the City Manager to allow time for
58 necessary preparation. A Remote Participant must be capable of fully participating in the
59 meeting and must be able to communicate with all other members of the body, staff, and
60 others at the meeting.

61 3. Remote participants will be considered present and in attendance, and may
62 cast votes. When roll is called, the Remote Participant will be noted as ‘participating
63 remotely’ and the minutes will reflect if and when Remote Participants leave the meeting.

64 4. Written public comment may be submitted personally or by email to the City
65 Clerk for attachment to the minutes of a remote meeting.

66 5. All meetings held remotely are subject to the Kansas Open Meetings Act.

67 This Resolution shall take effect and be in force immediately upon its adoption and
68 shall remain in effect through June 3, 2020, unless earlier rescinded by the Governing
69 Body.

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73 ADOPTED and APPROVED by the Governing Body May 5, 2020.

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CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk