

ORDINANCE NO. 062, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF FORT COLLINS
TO ESTABLISH COUNCIL EXPECTATIONS REGARDING ACTION
BY BOARDS AND COMMISSIONS AND MEMBER PARTICIPATION

WHEREAS, Article III of Chapter 2 of the City Code establishes the various boards and commissions of the City, and sets out procedures and requirements for their operation; and

WHEREAS, in addition, the City Council has adopted a Boards and Commissions Manual, most recently updated by the adoption of Resolution 2016-026, setting out for use by the members of the various boards and commissions information about policies, procedures and expectations related to the operation of the boards and commissions, in addition to the related information from the applicable City Code provisions; and

WHEREAS, in recent months it has come to the attention of the City Council that under the existing authorities members of boards and commissions are not precluded from freely abstaining from votes and participation in matters coming before them; and

WHEREAS, pursuant to Article II, Section 6 of the City Charter, members of the City Council who are present at a Council meeting but do not vote on an item are treated as having voted in the affirmative on that item; and

WHEREAS, Council desires to clearly establish the expectation that members of boards and commissions will participate in the votes of those bodies, except as precluded by conflicts of interest or concerns related to bias and undue influence through the adoption of a related new Code provision, as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

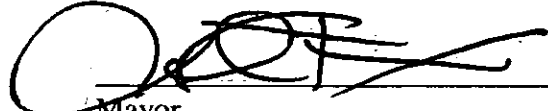
Section 2. That Article III of Chapter 2 of the Code of the City of Fort Collins is hereby amended to add a new section 2-76, to read as follows:

Sec. 2-76. – Board or commission action; member participation.

Each board or commission shall conduct its business in accordance with the Charter, the Code, other policies that may be established by the City Council, and the bylaws duly approved by such board or commission. A record shall be made of each vote by which a board or commission takes formal action. Each member of such board or commission present shall vote. If a member fails to vote when present, he or she shall be recorded as voting in the affirmative. A member who has declared a conflict of interest in a decision or is otherwise trying to avoid an appearance of undue influence in the decision, or who in a quasi-judicial proceeding has recused himself or herself due


to bias or partiality in the particular proceeding, shall not be present for or participate in the portion of any meeting during which such decision or proceeding is under consideration.

Introduced, considered favorably on first reading, and ordered published this 16th day of April, A.D. 2019, and to be presented for final passage on the 7th day of May, A.D. 2019.



Mayor

ATTEST:



City Clerk




Passed and adopted on final reading on the 7th day of May, A.D. 2019.



Mayor

ATTEST:



City Clerk

