

AGENDA ITEM SUMMARY

December 17, 2019

City Council

STAFF

Honore Depew, Interim Project and Policy Manager
Kelly DiMartino, Deputy City Manager
Ingrid Decker, Legal

SUBJECT

First Reading of Ordinance No. 153, 2019, Authorizing the City Council to Make Short-Term Appointments to City Boards and Commissions in 2020.

EXECUTIVE SUMMARY

The purpose of this item is first reading of an ordinance to allow Council to make one-year interim appointments to advisory boards and commissions notwithstanding the term requirements in City Code. Due to a 2019 Council Priority item (Reimagine Boards and Commissions) the City Clerk's Office was instructed to pause reappointments/interviews for all boards and commissions, except for quasi-judicial boards and boards/commissions at risk of falling below quorum. To ensure boards and commissions can maintain quorum in the face of unplanned absences and effectively perform their duties, this Ordinance will allow Council to temporarily fill boards/commissions while the Reimagine Project continues in 2020.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The City has boards and commissions that are charged with advising Council; some also perform outreach and engagement functions; some also make official decisions. Over 200 residents volunteer valuable time and expertise through board membership. Six of these boards are considered "quasi-judicial," meaning they provide official findings.

On July 2, 2019 City Council adopted a priority to Reimagine Boards and Commissions to explore ways they can be better structured and managed to align with Council goals. A public process is being developed to help explore ways that boards and commissions can provide meaningful experiences for their volunteer members while effectively delivering useful and timely advice to Council from a variety of perspectives.

Since the adoption of this priority, there has been a pause on reappointments for all boards and commissions, except for quasi-judicial boards and those at risk of falling below quorum. Some boards have expressed concern that allowing total board membership to hover closely above quorum can lead to disruptions of work when even a single unplanned board member absence can drop them below quorum.

The timeline for outreach and engagement will lead into Q2 of 2020 with options to be discussed at a Council work session in May 2020. Decision making and an implementation strategy will follow. Council acknowledges that the process will take time to deliver productive outcomes and it is important that boards and commissions continue to function normally throughout.

To ensure boards and commissions can maintain quorum in the face of unplanned absences and effectively perform their duties, this ordinance will allow Council to temporarily fill boards/commissions while the Reimagine Project continues in 2020, notwithstanding the current requirements of the City Code.

Because an appointment to a board or commission for a partial term may count toward the maximum limit of consecutive terms a member may serve, this ordinance would allow the Council to exclude an interim appointment from counting toward the term limit total.

BOARD / COMMISSION RECOMMENDATION

Council has received numerous requests from board and commission members to consider short-term appointments in 2020 for the reasons listed above. Those who have expressed an opinion consider short-term appointments to be an effective way of enabling boards and commissions to function successfully until regular replacement appointments and/or structural changes are determined.

ORDINANCE NO. 153, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CITY COUNCIL TO MAKE SHORT-TERM
APPOINTMENTS TO CITY BOARDS AND COMMISSIONS IN 2020

WHEREAS, the City has boards and commissions charged with advising the City Council, whose members are appointed by the City Council through an application and interview process; and;

WHEREAS, six of these boards are considered “quasi-judicial,” meaning they make official findings and determination on matters before them; and

WHEREAS, Article III of Chapter 2 of the City Code establishes each board or commission of the City and, for each individual board or commission, states the length of the board members’ terms, which in most cases is four years, and how many terms they may serve (typically two consecutive terms); and

WHEREAS, on July 2, 2019, the City Council adopted a Council Priority to Reimagine Boards and Commissions, to explore improvements to the structure and management of the City boards and commissions (the “Reimagine Project”); and

WHEREAS, while the Reimagine Project is ongoing the City Clerk’s Office was instructed to pause reappointments and interviews for positions on all boards and commissions, except for quasi-judicial boards and boards and commissions at risk of falling below their quorum number; and

WHEREAS, to ensure boards and commissions can maintain quorums and effectively perform their duties in the face of unplanned absences, the Council would like the ability to temporarily fill vacant positions on boards and commission for short periods of time while the Reimagine Project continues in 2020; and

WHEREAS, the City Council would also like to be able to specify whether such an interim appointment will count towards term limits specified by the City Code; and

WHEREAS, the City Council has determined that temporarily making short-term appointments to City boards and commissions will benefit the City and its residents.

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, notwithstanding any provision of the City Code to the contrary, the City Council, from January 17 to December 31, 2020, may:

(a) make appointments to City boards and commissions for terms shorter than required by the applicable provisions of Article III, Chapter 2 of the City Code; and

(b) specify for each such appointment whether such term will count towards any applicable term limit specified in Article III, Chapter 2 of the City Code.

Introduced, considered favorably on first reading, and ordered published this 17th day of December, A.D. 2019, and to be presented for final passage on the 7th day of January, A.D. 2020.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 7th day of January, A.D. 2020.

Mayor

ATTEST:

City Clerk