

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 12

DATE: November 29, 2005

STAFF: Darin Atteberry

### **SUBJECT**

First Reading of Ordinance No. 165, 2005, Repealing Division 2 of Article II of Chapter 21 of the City Code Concerning the Personnel Board

### **RECOMMENDATION**

Staff recommends approval of the Ordinance on First Reading.

### **FINANCIAL IMPACT**

Dissolution of the Personnel Board will result in a savings to the City by eliminating the incidental costs and staff support time that have been necessary to support the Board. A precise dollar amount of savings is difficult to quantify.

### **EXECUTIVE SUMMARY**

Because the functions of the Personnel Board can be more efficiently and economically met by the use of ad hoc committees and the streamlining of the administrative disciplinary process to allow for the conduct of personnel hearings by the City Manager or his/her designee, the Personnel Board can be dissolved without adversely affecting the City.

### **BACKGROUND**

The Personnel Board was created by the City to advise the City Manager on matters of personnel policies and problems, and to conduct appeal hearings regarding employment actions primarily concerning serious disciplinary matters.

In recent years, the City has more effectively used ad hoc committees to deal with personnel issues, such as compensation and benefits. Additionally, the conduct of employee disciplinary hearings by the Personnel Board has been administratively cumbersome, time consuming, and confusing for the five volunteer citizen appointees who are asked to spend hours, and sometimes days, conducting hearings that involve complex fact situations and legal issues. Staff believes that it is asking too much for volunteer citizens to give up the time necessary to conduct these hearings.

The dissolution of the Personnel Board would allow the City to streamline the classified employee appeal process by allowing the City Manager or his/her designee to conduct the appeal hearing. A hearing officer experienced in the culture, policies and needs of the City organization will more economically and efficiently resolve employee disciplinary issues.

It should be pointed out that the recently adopted Collective Bargaining Agreement with Police Services employees has already removed the Personnel Board from the disciplinary process for members of the bargaining unit, and adoption of this ordinance will extend this removal to disciplinary processes for classified employees throughout the City. Classified employees will be afforded their constitutionally protected due process rights via a post-deprivation hearing conducted by a neutral hearing officer designated by the City Manager.

ORDINANCE NO. 165, 2005  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
REPEALING DIVISION 2 OF ARTICLE II OF CHAPTER 21  
OF THE CITY CODE CONCERNING THE PERSONNEL BOARD

WHEREAS, the City has created a Personnel Board to advise the City Manager on matters of personnel policies and problems, and to conduct appeal hearings regarding the imposition of serious discipline of classified employees; and

WHEREAS, the purposes for which the Personnel Board was established can be more efficiently and economically met by the use of ad hoc committees and by the streamlining of the administrative disciplinary process to allow for the conduct of hearings by the City Manager or his/her designee; and

WHEREAS, the City Council believes that it is in the best interests of the City from an economic and an administrative perspective to dissolve the Personnel Board.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS, COLORADO, that Sections 21-26 through 21-30 of the City Code are hereby repealed and deleted in their entirety, effective January 1, 2006, except that the current members of the Personnel Board shall continue to hear appeals, in accordance with applicable administrative policy of the City, from any decision of a Service Area Director filed by an employee before January 1, 2006.

Introduced, considered favorably on first reading, and ordered published this 29th day of November, 2005, and to be presented for final passage on the 20th day of December, A.D. 2005.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 20th day of December, A.D. 2005.

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Mayor

ATTEST:

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City Clerk