

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 30

DATE: February 21, 2006

STAFF: Wanda Krajcek

SUBJECT

First Reading of Ordinance No. 034, 2006, Amending the City Code with Regard to the Posting of Public Notice of the Meetings of the City Council, Committees of the Council and City Boards and Commissions.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY

This Ordinance amends various sections in Chapter 2 of the City Code relating to the posting of public notice of meetings of the City Council, committees of the Council and City boards and commissions, to reflect a change in the location of the place of posting, and to clarify existing language about the types of meetings that need to be posted.

BACKGROUND

Section 2-32 of the City Code requires that all "meetings" of the City Council and all meetings of Council committees shall be open to the public and requires "full and timely notice" of any meeting of the Council at which any formal action could occur or at which a majority or quorum is in attendance, or is expected to be in attendance, and for all Council committee meetings at which any formal action is taken.

Sections 2-34 and 2-74 of the Code currently specify the place for posting notices of meetings as the Information Desk bulletin board in the lobby of City Hall West. The Information Desk was recently removed from the lobby of City Hall West, and the bulletin board for posting notices has been moved to the vestibule at the south entrance of the building.

This Ordinance amends the relevant City Code provisions to reflect the new place of posting, and clarifies existing language to reflect that only changes to a regular meeting schedule already on file with the City Clerk need to be posted, rather than posting the entire annual meeting schedule.

ORDINANCE NO. 034, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE CODE OF THE CITY OF FORT COLLINS
WITH REGARD TO THE POSTING OF PUBLIC
NOTICE OF THE MEETINGS OF THE CITY COUNCIL, COMMITTEES
OF THE COUNCIL AND CITY BOARDS AND COMMISSIONS

WHEREAS, Section 2-32 of the City Code requires that all meetings of the City Council and all meetings of Council committees shall be open to the public; and

WHEREAS, said Code section also requires "full and timely notice" of any meeting of the Council at which any formal action could occur or at which a majority or quorum is in attendance, or is expected to be in attendance, and for all Council committee meetings at which any formal action is taken; and

WHEREAS, Section 2-32 of the Code further states that adopting a regular meeting date and filing a statement with the City Clerk shall be considered full and timely notice, or, in the case of meetings held on call or irregularly, the filing of a notice of the meeting with the City Clerk at least 24 hours before the time of such meeting shall be full and timely notice; and

WHEREAS, Section 2-34 of the City Code currently designates the Information Desk bulletin board in the lobby of City Hall West, 300 LaPorte Avenue, as the proper place for the posting of public notice of any meeting of the City Council or Council committees for which public notice is required to be given; and

WHEREAS, similar provisions relating to public notice of meetings of boards and commissions and the designated place of posting exist in Sections 2-72 and 2-74 of the City Code, respectively; and

WHEREAS, the Council wishes to clarify the provisions relating to full and timely notice and to designate a new place for the posting of public notices, since the Information Desk was recently removed from the lobby of City Hall West.

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

Section 1. That Section 2-32(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-32. Open meetings/notice.

(a) Except as otherwise provided in § 2-31, all meetings of the City Council and all meetings of City Council committees shall be open to the public. Any meeting of the City Council at which any formal action could occur or at which a majority or

quorum is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. No formal action shall be taken by any City Council committee except at a meeting held after full and timely notice to the public. For the purpose of these provisions, adopting a regular meeting date and filing a statement with the City Clerk shall be considered full and timely notice. In the case of meetings held on call or irregularly or in the event of any change to a regular meeting date on file with the City Clerk, the filing posting of a notice of the meeting with the City Clerk pursuant to § 2-34 at least twenty-four (24) hours before the time of such meeting shall be full and timely notice. The City Clerk shall make all such notices available to all interested members of the public.

Section 2. That Section 2-34 of the Code of the City of Fort Collins is hereby added and shall read as follows:

Sec. 2-34. Place of posting.

The ~~Information Desk bulletin board in the lobby vestibule at the south entrance~~ of City Hall West, 300 LaPorte Avenue, shall be and the same hereby is designated as the proper place for the posting of public notice of any meetings of the City Council or City Council committees for which public notice is required to be given by the provisions of the Code pursuant to § 2-32. The posting shall include, where possible, information about the availability of agenda materials.

Section 3. That Section 2-72 of the Code of the City of Fort Collins is hereby added and shall read as follows:

Sec. 2-72. Notice of meetings.

Any meeting at which any formal action could occur or at which a majority or quorum is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. For the purpose of this provision, adopting a regular meeting date and the filing of a statement with the City Clerk shall be considered full and timely notice. In the case of boards or commissions meeting on call or irregularly or in the event of any change to a regular meeting date on file with the City Clerk, the filing posting of a notice of the meeting with the City Clerk pursuant to § 2-74 at least twenty-four (24) hours before the time of such meeting shall be full and timely notice. The City Clerk shall make all of such notices available to all interested members of the public.

Section 2. That Section 2-74 of the Code of the City of Fort Collins is hereby added and shall read as follows:

Sec. 2-74. Place of posting.

The Information Desk bulletin board in the lobby vestibule at the south entrance of City Hall West, 300 LaPorte Avenue, shall be and the same hereby is designated as the proper place for the posting of public notice of any meetings of any City boards and commission, or their committees, for which public notice is required to be given by the provisions of the Code. The posting shall include, where possible, information about the availability of agenda materials. The chairperson of each board or commission, or his or her designee, shall be responsible for the posting of such notice.

Introduced, considered favorably on first reading, and ordered published this 21st day of February, A.D. 2006, and to be presented for final passage on the 7th day of March, A.D. 2006.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 7th day of March, A.D. 2006.

Mayor

ATTEST:

City Clerk