

ORDINANCE NO. 118, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 2, ARTICLE III, DIVISION 2 OF THE CODE OF THE CITY OF
FORT COLLINS TO MODIFY TYPE 1 ADVISORY BOARD COMPOSITION AND
FUNCTIONS AND ELIMINATE ONE-YEAR TERMS

WHEREAS, the City has 25 boards and commissions, created by the City Council by ordinances, that perform a wide range of functions, including advising City Council and City staff on areas of particular knowledge or expertise; and

WHEREAS, on November 15, 2022, the City Council adopted Resolution 2022-122 creating an ad hoc committee on boards and commissions (“Committee”) to consider and make recommendations to improve efficiency and consistency of board and commission processes and reduce barriers to participation; and

WHEREAS, on July 19, 2023, its final meeting, the Committee recommended to City Council several changes to the composition and functions of several Type 1 advisory boards, and eliminating most one-year board member terms; and

WHEREAS, City staff developed assessment tools and indicators for the Committee and City Council to consider in deciding whether to sunset or repurpose a board or commission; and

~~WHEREAS, the Housing Catalyst requested that the Committee consider adding an ex-officio, non-voting member to the Affordable Housing Board, a Housing Catalyst staff member who has expertise and local knowledge of affordable housing; and~~

~~WHEREAS, the Committee recommended adding a Housing Catalyst staff member to serve as a non-voting, ex-officio member of the Affordable Housing Board; and~~

WHEREAS, City staff members recommended dissolving the Bicycle Advisory Committee referenced in the Transportation Board functions and creating a new Type 1 advisory board named the Active Modes Advisory Board, with nine members and functions focused on all active modes of transportation; and

WHEREAS, the Committee evaluated the Golf Board based on the assessment tools and indicators developed by City staff and noted that the Golf Board frequently has a lack of quorum, a lack of membership applications and infrequently communicates with City Council; and

WHEREAS, the Committee recommended combining one of the Golf Board functions with the Parks and Recreation Board functions and dissolving the Golf Board effective January 1, 2024; and

WHEREAS, City staff asked current Golf Board members whether they are interested in serving the remainder of their term on the Parks and Recreation Board and only one Golf Board member expressed interest; and

WHEREAS, the Committee recommended adding one of the current Golf Board members as a tenth member to the Parks and Recreation Board only until that member's term expires or his term ends for other permissible reason; and

WHEREAS, the Transportation Board currently includes a committee referred to as the "Bicycle Advisory Committee," which consists of sixteen (16) members, including representatives from several other boards; and

WHEREAS, the Committee used the assessment tools and indicators developed by staff and determined that repurposing the Women's Advisory Board to include gender equity is warranted; and

WHEREAS, the Committee recommended changing the name of the Women's Advisory Board to the Women and Gender Equity Advisory Board, and reducing the number of board members from nine (9) to seven (7); and

WHEREAS, the Committee also recommended changes to the functions of the Women's Advisory Board to include enhancing the status and opportunities for women and gender non-binary and gender non-conforming persons in the City; and

WHEREAS, City staff recommended changes to the Youth Advisory Board, including the number of members, a quorum requirement, and revisions to functions; and

WHEREAS, the Committee considered staff's input and recommended these changes to the City Council; and

WHEREAS, on April 20, 2021, the City Council adopted Ordinance No. 049, 2021, which amended City Code provisions to require one (1) year terms for Type I and II advisory boards; and

WHEREAS, feedback from Type I and II advisory board members is that a one (1) year term is not long enough for board members to learn their role and contribute meaningfully to the functions of assigned boards; and

WHEREAS, the Committee recommended that one (1) year terms be eliminated except for one (1) year terms of the Youth Advisory Board; and

WHEREAS, the City Council finds that the proposed changes to the City Code are in the best interests of 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 Section 2-101 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-101 Membership; term.

Except as otherwise expressly provided, all type 1 advisory boards shall consist of either seven (7) or nine (9) members. ~~To achieve overlapping tenure and allow for a variety of time commitments by members four (4) members shall be appointed for a term of four (4) years.~~ On nine-member boards, ~~five (5) three (3) members shall be appointed for a term of four (4) two (2) years, and four (4) two (2) members shall be appointed for a term of two (2) one (1) years.~~ On seven-member boards, ~~four (4) two (2) members shall be appointed for a term of four (4) two (2) years and three (3) one (1) members shall be appointed for a term of two (2) one (1) years.~~ No board member shall serve more than eight (8) consecutive years regardless of term length.

Section 3. That Chapter 2, Division 2 of the Code of the City of Fort Collins is hereby amended by the addition of a new Section 2-101.5 which reads in its entirety as follows:

Sec. 2-101.5. Active Modes Advisory Board.

(a) The City shall have an Active Modes Advisory Board, hereafter referred to in this Section as the “Board”. The Board shall consist of nine (9) members. In connection with the solicitation, consideration, and appointment of members to the Board, the City Council may give preference to and consider an applicant's experience or training in, or familiarity with, active modes of transportation. It is also desirable that at least one Board member understand the transportation challenges facing individuals with disabilities. The purpose of the Board is to address issues related to active modes of transportation and to seek guidance from active modes-focused stakeholders to achieve the City’s climate, mode shift, safety, and equity goals. Active modes of transportation include walking, biking, micro-mobility (such as scooters and skateboards), and wheelchair use. Active modes may also include human-powered and small electric devices.

(b) The duties and functions of the Board shall be:

- (1) To advise the City Council and City staff on all matters pertaining to active modes of transportation;
- (2) To advise and make recommendations to City staff and the City Council concerning the expenditure of City funds for active modes of transportation;
- (3) To aid and guide the development of City-wide active modes plans, programs, policies, and infrastructure;
- (4) To periodically coordinate its work with the Transportation Board, to support the City’s efforts to create a balanced transportation network. This coordination is intended to provide an integrated review of transportation issues.

(5) To promote public use of active modes and public education on City-wide active modes issues; and

(6) To be aware of, and coordinate with, the various other City boards, commissions and authorities, City departments, and other organizations and entities whose actions may affect active modes of transportation in the community.

~~(c) In addition to the nine (9) voting members, the Transportation Board, Colorado State University, Bike Fort Collins, and the Downtown Development Authority may each appoint a representative to serve as ex officio non-voting member to the Board. Each ex officio member may serve a term of no more than two (2) years.~~

Section 4. That Section 2-102 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-102 Affordable Housing Board.

(a) The City shall have an Affordable Housing Board, hereafter referred to in this Section as the "Board." The Board shall consist of seven (7) members. In connection with the solicitation, consideration, and appointment of members to the Board, the City Council may give preference to and consider an applicant's experience or training in, or familiarity with, affordable housing issues, including, without limitation, issues pertaining to development, finance, lending, charitable and low-income services, and general community services. It is also desirable that at least one Board member be a current or former resident of affordable housing. ~~In addition to the seven (7) Board members appointed by the City Council, the Housing Catalyst may appoint a representative to serve as an ex officio nonvoting member to the Board. Such Housing Catalyst appointee shall not be subject to any residency requirement.~~

...

Section 5. That Section 2-107 of the Code of the City of Fort Collins is hereby deleted in its entirety and the section held in reserve.

Sec. 2-107. Golf Board.

~~(a) The City shall have a Golf Board, hereafter referred to in this Section as the "Board." The Board shall consist of seven (7) members.~~

~~(b) The Board shall have the following functions:~~

~~(1) To advise and make recommendations to the Director of Community Services (the "Director") and the City Council as to rules, regulations, policies, administrative and budgetary matters pertaining to the operation and maintenance of all City-owned golf courses;~~

~~(2) — To advise and make recommendations to the Director concerning the terms and conditions of any agreements to be entered into with golf professionals and other concessionaires in connection with City owned golf courses as well as any other agreements which may affect the management, operation, maintenance, construction or acquisition of City owned golf courses;~~

~~(3) — To assist in the procurement of goods and services for City owned golf courses, including the selection of golf professionals, concessionaires and other contractors, by appointing two (2) Board members to serve on any review committee that may be established by the City under the provisions of §8-158 of this Code for the purpose of making such procurements; and~~

~~(4) — To advise and make recommendations to the City Manager concerning approval of annual fees and charges at City owned golf courses.~~

Section 6. That Section 2-111 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-111. Parks and Recreation Board.

(a) The City shall have a Parks and Recreation Board, hereafter referred to in this Section as the "Board." The Board shall consist of nine (9) members, with the addition of one (1) member, until the term of said additional member, previously a Golf Board member to be appointed for a term beginning in 2024, expires or ends for other permissible reason.

(b) The Board shall have the following functions:

(1) To advise and make recommendations to the Director of Community Services and the City Council for their approval as to rules, regulations, policies, administrative and budgetary matters pertaining to the Department, ~~excluding~~ including matters relating to the operation and maintenance of City-owned golf courses and ~~excluding~~ cemeteries;

...

Section 7. That Section 2-113 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-113. Transportation Board.

(a) The City shall have a Transportation Board, hereafter referred to in this Section as the "Board." The Board shall consist of nine (9) members. ~~In addition to the nine (9) Board members appointed by the City Council, the Transportation Board may appoint an ex officio nonvoting member to the Active Modes Advisory Board.~~

(b) The Board shall have the following functions:

(1) To advise the City Council on matters pertaining to the City's transportation policies and system, including, but not limited to, transportation planning, alternative modes planning (including bikeways, pedestrian facilities, transit, air transportation and van- and car-pooling), capital improvement projects, downtown parking management and other transportation issues as identified in the Board work plan; and

(2) To review the City's interaction with federal, state and county government, as well as North Front Range Transportation and Air Quality Planning Council, Colorado State University and Poudre School District on transportation-related issues.

~~(c) — The Board shall also establish and keep in place a committee to be known as the "Bicycle Advisory Committee," the purpose of which shall be to advise the Board with regard to bicycling-related issues.~~

~~(1) — Said committee shall consist of sixteen (16) members, one of whom shall be a member of the Board. The remaining fifteen (15) members shall consist of three (3) community "at large" members and six (6) members of community stakeholder organizations, all appointed by the City Manager, and representatives from the following City Boards and Commissions, which may each nominate a representative for a position on the committee:~~

- ~~a. — Air Quality Advisory Board;~~
- ~~b. — Parks and Recreation Board;~~
- ~~c. — Natural Resources Advisory Board;~~
- ~~d. — Land Conservation and Stewardship Board;~~
- ~~e. — Senior Advisory Board; and~~
- ~~f. — Economic Advisory Board.~~

~~Representatives from Boards and Commissions are subject to confirmation by the City Manager or their designee.~~

~~In addition to the foregoing sixteen (16) voting members, the Committee shall include non-voting staff representatives from the City's Planning, Development and Transportation Service Area.~~

~~(2) — Each member of the Bicycle Advisory Committee shall serve for a term of two (2) years.~~

(dc) The Board will coordinate its policy review with other appropriate City boards and commissions as needed. This coordination is intended to provide an integrated review of transportation issues as they relate to other policy areas such as air quality, natural resources and land use. The Board will ensure that an element of its policy review will include appropriate community input.

Section 8. That Section 2-114 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-114. – Women’s and Gender Equity Advisory Board.

(a) The City shall have a Women’s and Gender Equity Advisory Board, hereafter referred to in this Section as the "Board." The Board shall consist of ~~nine (9)~~ seven (7) members. ~~In addition to the nine (9) Board members appointed by the City Council, the County and Colorado State University may each appoint a representative to serve as an ex officio nonvoting liaison to the Board.~~

(b) The Board is created for the purpose of enhancing the status of and opportunities for all women, transgender, and gender non-binary and gender non-conforming persons (“all genders”) in the City, and shall have the following functions:

- (1) To document, understand, and prioritize issues of importance for all genders to ~~the status of women~~ in the City;
- (2) To coordinate and facilitate ~~conduct~~ educational programs in the Fort Collins community to increase public awareness and sensitivity to the needs and capabilities of all ~~women~~ genders;
- (3) To coordinate and collaborate ~~cooperate~~ with other organizations and individuals interested in issues affecting ~~women and~~ all genders in the Fort Collins area;
- (4) To review proposed legislation, policy changes or other governmental action at the federal, state or local level that would enhance or otherwise affect ~~the status of women~~ all genders in the City and make recommendations to the City Council regarding the same; and
- (5) To recommend to the City Council the adoption of local legislation or policies that would ~~enhance the status of~~ achieve equity for ~~women~~ all genders in the City.

Section 9. That Section 2-115 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-115. Youth Advisory Board.

(a) The City shall have a Youth Advisory Board, hereafter referred to in this Section as the "Board." The Board shall consist of ~~no less than five (5) and no more than nine (9) members~~ no more than twelve (12) members appointed by the City Council. All members shall be qualified by experience, training, age, ethnicity or socioeconomic background to represent a diverse cross section of youth in the Fort Collins community. Each member of the Board shall be under the age of nineteen (19) years at the time of appointment and currently enrolled in high school or an equivalent program such as home school or distance learning. A quorum of the Board shall consist of a majority number of members appointed to the Board at any point in time. ~~three (3) members for a five-member Board or four (4) members for a Board consisting of six (6) to nine (9) members.~~

(b) Each member shall serve for a term of one (1) year unless otherwise specified by the City Council, and no member may serve for more than four (4) consecutive years regardless of term length. Appointments shall specify the term of office of each individual.

(c) The Board shall have the following functions:

(1) To gather information from, **hold joint meetings**, and otherwise communicate with, other groups, organizations and agencies regarding youth-oriented issues and problems;

(2) To document and discuss issues of importance to youth in the Fort Collins community, specifically as they affect City-operated services;

(3) To review and discuss legislation that may affect youth; ~~and~~

(4) To recommend to City Council local legislation and policy actions or changes which would enhance the status of youth in the Fort Collins community; **and**

(5) To complete an annual project consistent with the other listed functions

Section 10. That the revisions to the City Code set forth in this Ordinance will go into effect on January 1, 2024.

Introduced, considered favorably on first reading and ordered published this 5th day of September, 2023, and to be presented for final passage on the 19th day of September, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 19th day of September, 2023.

Mayor

ATTEST:

City Clerk