

Fort Collins City Council Ad Hoc Committee for Boards and Commissions Agenda

Regular Meeting

4:30 p.m., Thursday, June 15, 2023

CIC Conference Room at City Hall, 300 Laporte Ave, Fort Collins, CO 80521

Zoom link: <https://fcgov.zoom.us/j/96632430604>

Committee Members:

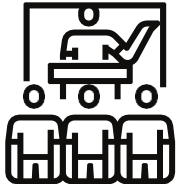
Emily Francis, District 6, Chair
Tricia Canonico, District 3
Julie Pignataro, District 2
Kelly Ohlson, District 5, alternate

NOTICE:

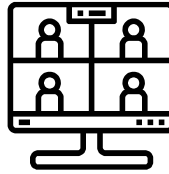
Regular meetings of the Ad Hoc Committee for Boards and Commissions are held on the 1st Wednesday of each month at 4:00 p.m. unless otherwise stated. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in-person meeting in the CIC Conference Room at City Hall.

Councilmembers may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

How to view this Meeting:



Meetings are open to the public and can be attended in person by anyone.



Meetings are available through the Zoom platform, electronically or by phone.

Call in: +1 720 928 9299

Meeting ID: 966 3243 0604

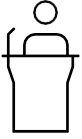
Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide 48 hours advance notice when possible.

A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.



There are four options for members of the public who would like to participate in or provide input regarding Council Committee meetings:

Comment in real time:



In person attendees can address the Committee in the Meeting room.



During the public participation portion of the meeting and discussion items:

The public can join the Zoom meeting and comment from the remote meeting, joining online or via phone.

Join the online meeting using the link in this agenda to log in on an internet-enabled smartphone, laptop or computer with a speaker and microphone. Using earphones with a microphone will greatly improve audio experience. To be recognized to speak during public participation portions of the meeting, click the 'Raise Hand' button.

Participate via phone using the call-in number and meeting ID below. Enter the meeting ID when prompted, and then hit the # key.

Call-in number: 720 928 9299

Meeting ID: 966 3243 0604

During public participation opportunities in the meeting, press *9 to indicate a desire to speak.

Submit written comments:



Email comments about any item on the agenda to cityleaders@fcgov.com



Written comments can be mailed or dropped off at the City Clerk's Office at City Hall, at 300 Laporte Ave, or by mail to PO Box 580, Fort Collins, CO 80522

The Ad Hoc Committee is supported by the Office of the City Clerk
cityclerk@fcgov.com 970.221.6515



Agenda

Ad Hoc Committee for Boards and Commissions

June 15, 2023 – 4:30 PM

CIC Conference Room, City Hall, 300 Laporte Ave and via Zoom at
<https://fcgov.zoom.us/j/96632430604>

Remote Participation Available

A) Call Meeting to Order

B) Roll Call

C) Approval of Minutes

1. The purpose of this item is to approve the draft minutes of the May 3, 2023, Ad Hoc Committee for Boards and Commissions meeting.

D) Discussion / Informational Items

2. **Review and discuss committee progress, board evaluation tools, Youth Advisory Board Code changes, consolidation of the Golf Board, recruitment efforts, council liaison responsibilities, and final drafts of the Anti-Discrimination and Anti-Harassment Policy, Code of Conduct and complaint process, and Council Liaison responsibilities.**

The purpose of this item is to review and discuss the progress of what the Ad Hoc Committee has accomplished up until this point, to review what needs to be considered by full Council for approval, to review key dates, to Review revisions to the Anti-Discrimination and Anti-Harassment Policy as well as the Code of Conduct and complaint process, to review the updated Council Liaison responsibilities, and to discuss improvements to recruitment and the evaluation of boards.

E) Review of Upcoming Calendar

F) Other Business

G) Adjournment

Next Scheduled Committee Meeting: H:MM PM, Month DD, 20YY

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sea posible. Las solicitudes de interpretación en una reunión deben realizarse antes del mediodía del día anterior.



Minutes

Ad Hoc Committee for Boards and Commissions

May 03, 2023 – 4:00 PM

CIC Conference Room, City Hall, 300 Laporte Ave & via Zoom at
<https://fcgov.zoom.us/j/97350466825>

Remote Participation Available

A) Call Meeting to Order

- 4:05 PM

B) Roll Call

- Committee Members Present: Emily Francis (Chair), Tricia Canonico, Julie Pignataro
- Staff Members Present: Davina Lau, Rupa Venkatesh, Kelly DiMartino, Jenny Lopez-Filkins
- Members of the Public: Kelly Ohlson, Robbie Moreland

C) Approval of Minutes

1. Consideration and approval of the minutes of April 5, 2023.

The purpose of this item is to approve the draft minutes of the April 5, 2023, Ad Hoc Committee for Boards and Commissions meeting.

- Committee Member Julie Pignataro moved to approve the April 5, 2023 minutes. Committee Member Tricia Canonico seconded. The motion was adopted unanimously.

D) Discussion / Informational Items

2. Review and discuss committee accomplishments, key dates, the Respectful Governance Policy, the Code of Conduct and complaint process, Council Liaison responsibilities, recruitment, and the evaluation of boards.

The purpose of this item is to review and discuss the progress of what the Ad Hoc Committee has accomplished up until this point, to review what needs to be considered by full Council for approval, to review key dates, to Review revisions to Respectful Governance Policy as well as the Code of Conduct and complaint process, to review the updated Council Liaison responsibilities, and to discuss improvements to recruitment and the evaluation of boards.

Assistant City Manager Rupa Venkatesh outlined the items addressed by the Committee specifically noting which items will need to be addressed by the full Council.

Committee members discussed making Chair training mandatory in Engage.

Assistant City Manager Venkatesh commented on application changes and other internal changes that have been made, including a subscription service to make people aware of Board vacancies and the institution of an annual pulse check survey for Board members. She outlined the items that will need full Council consideration noting staff would like a recommendation from the Committee on those items at its July meeting.

Assistant City Manager Venkatesh presented the resolution that outlines the responsibilities of Council liaisons and discussed the changes recommended by the Committee, including removing the periodic review requirement, clarifying that the responsibility to help resolve any issues on the Board can be done in conjunction with the City Manager's Office and City Clerk's Office, eliminating the reference to the Council liaison facilitating training, and allowing Council liaisons to provide permission for Boards to have a joint meeting.

Committee Member Pignataro suggested the creation of a form for Boards to request a joint meeting.

Jenny Lopez-Filkins, Senior Assistant City Attorney, outlined the proposed language that would be included in ethical rules of conduct. She also commented on the pros and cons of placing the Council liaison responsibilities in the Code. Committee member Pignataro expressed support for codifying those responsibilities.

Assistant City Manager Venkatesh stated the main discussion regarding the Respectful Workplace Policy involved a name change and she outlined the suggestions including Discriminatory Harassment Policy. Additionally, she requested input from the Committee regarding combining the Respectful Workplace/Governance Policy with the Code of Conduct and renaming that document noting staff could return in June with a suggestion for combining the two. Members opted to keep the documents separate.

Members discussed name changes and opted for Anti-Discrimination and Anti-Harassment Policy.

Assistant City Manager Venkatesh outlined the changes made to the Code of Conduct and complaint process.

Members discussed wording changes related to Board members needing to identify themselves as members when speaking at public meetings and identifying whether they are speaking as individuals or on behalf of their Board.

Council Member Kelly Ohlson suggested the Code of Conduct should be viewed more as guidelines and stated some of the items need more definition. He stated it is unlikely he will support adoption of the Code as it is written as he does not wish to stifle legitimate debate.

Committee Member Pignataro stated she believes the language will have the opposite effect and will allow people to disagree without being disagreeable.

Council Member Ohlson stated he would like to avoid a formal complaint being able to be filed against someone for a single issue or comment and believes there should be an initial step.

Committee Member Canonico commented on the importance of respectful disagreement.

Council Member Ohlson suggested the language could be adjusted to both make him more comfortable while also accomplishing the goals of the Code.

Assistant City Manager Venkatesh commented on the importance of having a diversity of opinions and making sure the decorum of meetings is conducive to moving meetings forward and getting work accomplished.

City Manager Kelly DiMartino commented on de-escalation and intervention strategies that could be used prior to a more formal Code of Conduct issue.

Council Member Ohlson suggested the inclusion of non-religious beliefs in the list of discriminated-against categories. Chair Emily Francis suggested that should be a discussion for the full Council.

Assistant City Manager Venkatesh discussed the role of the Ethics Review Board and outlined the process for a Board Member who may be having issues with their Board.

Committee Member Pignataro asked how undisclosed conflicts of interest, as perceived by another member, may be addressed. Assistant City Manager Venkatesh replied that situation would involve collaboration between Public Engagement Specialist, Davina Lau, and the City Attorney's Office should legal guidance be required. Staff Member Lau noted there a conflict of interest disclosure form that should be submitted for any recusal.

Assistant City Manager Venkatesh commented on Board evaluation and the desire of the Committee to have a means of understanding whether a Board is properly functioning and whether it is time for a Board to be sunsetted or repurposed. She stated an annual high-level review of all Boards and Commissions, an annual pulse survey of members regarding how they feel the Board is functioning, anecdotal feedback from members and staff liaisons, and data regarding how many meetings are cancelled due to lack of quorum or business items will be the primary measures of performance.

Assistant City Manager Venkatesh noted the other goal identified is to establish two separate processes: one for evaluating whether a Board should be sunsetted or repurposed and one for adding a new Board. She discussed the sources that could request either process and outlined the subsequent staff process that will lead to a recommendation for Council consideration.

Staff Member Lau commented on the annual reports and work plans that are submitted by Boards and Commissions.

Committee Member Canonico asked if any Boards did not submit an annual report last year. Assistant City Manager Venkatesh replied, as of January 31st, the Air Quality Advisory Board and Youth Advisory Board had not submitted annual reports due to not being able to meet because of a lack of quorum.

Assistant City Manager Venkatesh outlined the possible triggers for the formation of a new Board, including new policy work being needed that cannot be undertaken by an existing Board or a desire from Council or the community to get extended input on a subject matter. Additionally, she noted there are other options, including a task force or ad hoc committee, if input is needed for a defined period of time. City Manager DiMartino commented on previous uses of task forces and ad hoc committees.

Members discussed whether members of the public could bring forth the need for a new Board and determined it would be more appropriate for a Council Member to provide direction to staff to initiate the review process for a new Board, potentially based on a suggestion from a member of the public.

E) Review of Upcoming Calendar

Assistant City Manager Venkatesh outlined the topics for the June meeting, including the Youth Advisory Board, recruitment efforts, possibly looking at repurposing the Women's Advisory Board and Golf Board, and providing final drafts of policy documents. Additionally, she noted July will be the final meeting of the Committee.

F) Other Business

- None

- 5:40 PM

Next Scheduled Committee Meeting: 4:15 PM, June 15, 2023

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June 15, 2023



AGENDA ITEM SUMMARY

City Council

STAFF

Rupa Venkatesh, Assistant City Manager

Davina Lau, Public Engagement Specialist

SUBJECT

Review and discuss committee progress, board evaluation tools, Youth Advisory Board Code changes, consolidation of the Golf Board, recruitment efforts, council liaison responsibilities, and final drafts of the Anti-Discrimination and Anti-Harassment Policy, Code of Conduct and complaint process, and Council Liaison responsibilities.

EXECUTIVE SUMMARY

The purpose of this item is to review and discuss the progress of what the Ad Hoc Committee has accomplished up until this point, to review what needs to be considered by full Council for approval, to review key dates, to Review revisions to the Anti-Discrimination and Anti-Harassment Policy as well as the Code of Conduct and complaint process, to review the updated Council Liaison responsibilities, and to discuss improvements to recruitment and the evaluation of boards.

STAFF RECOMMENDATION

None

BACKGROUND / DISCUSSION

None

CITY FINANCIAL IMPACTS

None

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None

PUBLIC OUTREACH

None

ATTACHMENTS

1. Ad Hoc Presentation 6-15.pptx

2. Anti-Discrimination and Anti-Harassment Policy Final Draft.docx
3. Code of Conduct Final Draft.docx
4. Complaint Process Final Draft.docx
5. Council Liaison Responsibilities Final Draft.docx



Code of Conduct

Purpose:

Fort Collins aspires to be a city that addresses the needs of all members of our community and strives to ensure that everyone has the opportunity to thrive. As a community, we commit to building a healthy, equitable, and resilient city – for our families, for our neighbors, and for future generations. The high quality of life we enjoy requires a city that is safe and where all individuals are treated with dignity and respect. The Mayor and City Council are committed to providing an environment that exemplifies the highest standards of behavior, treats others with dignity and respect and is known for its honesty, inclusivity and transparency. Our elected officials and those they appoint believe that how they treat others is a direct reflection of our collective character.

Application:

This policy applies to board and commission members appointed by the City Council. The Council also adopts this policy to establish standards for Councilmember interactions with board and commission members and staff. The term “appointees” refers to appointed board and commission members. The term “members” refers to both appointees and City Council.

The City Council appoints individuals who:

- Comply with both the letter and the spirit of the laws and policies affecting operations of boards and commissions.
- Be independent, impartial, and fair in their judgment and actions.
- Participate in assigned duties and functions for the public good.
- Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility toward each other, City staff, and members of the public.
- Learn and understand the legal and ethical requirements that apply to public officials and processes.

Therefore, members commit to the following:

1. Uphold the standards of integrity and honesty, including using true and accurate evidence and/or statements in the decision-making process, and making decisions based on the best interest of the city and its residents.
2. Conduct business of their board or commission that is within the scope of the specific board or commission functions as described in the Fort Collins Municipal Code.
3. Perform Council liaison assignments and duties as described in the Fort Collins Municipal Code.
4. Familiarize themselves with, adhere to, and comply with established policies and laws, as applicable:
 - The City of Fort Collins Boards and Commissions Manual
 - Colorado's Sunshine Laws regarding open meetings and public records – as outlined in the Council Resource Guide
 - The City of Fort Collins Charter and Municipal Code; specifically, the ethical rules of conduct and the open meetings, remote meetings, notice and minutes of meetings, board or commission action and attendance requirements (see Fort Collins Municipal Code Sections 2-71 through 2-79)
 - The City Council-adopted Respectful Governance Policy, which prohibits harassment, discrimination and retaliation based on a person's protected characteristics.
5. Avoid all *ex parte* communications (communications with others about a pending issue including communication with City staff) about quasi-judicial matters.
6. Be aware of the open records requirement that applies to written notes, calendars, voicemail messages, and e-mail.
 - All written or recorded materials including notes, voicemail, text messages, and e-mail that discuss or touch on public business or the functions of the board or communication will likely be subject to disclosure to a requesting party.
7. (For appointees) Meet with their Staff or City Council liaison to discuss any concerns regarding work that may be outside the scope of designated functions, conflicts of interest, appearance of impropriety, *ex parte* communications, or gifts.
 - Appointees must make disclosures to the City Clerk's Office as appropriate under the circumstances.
8. Make decisions based on the merits of the issue, while treating all persons and decisions in a respectful and equitable manner and committing to conducting business in a way that exemplifies transparency and open communication.
9. Respect the legitimacy and authority of decisions that have been finalized – regardless of personal position on the matter.
10. (For appointees) Strive to represent the official policies and positions of their board or

commission when serving in the member role.

- When presenting their personal opinions or positions in a public meeting, such as a City Council meeting, Appointees shall explicitly state that are not representing their board or commission or the City.
11. Continue respectful behavior among members and City staff when communicating in private.
 - The same level of respect and consideration of differing points of view should be maintained in private conversations.
 12. Use public resources (e.g., staff time, equipment, supplies, or facilities) appropriately and in a manner that fosters stewardship of the taxpayer and ratepayer dollar.
 13. Attend meetings of your board or commission.
 - Because contemplation, deliberation, and decision-making require collaboration and participation, appointees are expected to attend their meetings.
 - Appointees must comply with attendance requirements described in Fort Collins Municipal Code Section 2-79. Appointees commit to attend any required trainings and even suggested trainings that enhance a member's ability to serve.
 14. Respect fellow members, staff, and the public by treating all with patience, courtesy, and civility at all times during the performance of official duties, regardless of differences of opinion.
 15. Avoid making personal, impertinent, profane, vulgar, slanderous, humiliating, intimidating, or harassing remarks that disturb, disrupt, or impede the conduct of the meeting or the completion of the meeting agenda.
 - Abusive language, intimidation, threats of violence or harm, or racial or ethnic slurs directed at any person or group of persons are prohibited. Members are expected to know that problematic behavior can cause the targets of the behavior to feel threatened, humiliated, or intimidated and such conduct is detrimental to the proper functioning of a public body. Members are expected to avoid publicly ridiculing or insulting fellow members, members of the public, and City staff.
 16. Act in furtherance of the principle that healthy discourse occurs when individuals of all backgrounds and personalities are allowed to respectfully speak candidly about matters of interest, ask difficult questions, challenge ideas and propositions, and work together toward optimal solutions in a respectful manner.
 17. Explain to a person who engages in disrespectful treatment that the behavior is disrespectful and, if they are comfortable doing so, ask that they discontinue the behavior. If this does not stop the behavior, the person who believes they are being treated disrespectfully is strongly encouraged to report the behavior using the process described in Fort Collins Municipal Code Section _____.

18. Report behavior that is disruptive, humiliating, intimidating, or threatening or otherwise in violation of this code of conduct in the performance of City business, at City-sponsored events, and in all interactions between members, City staff, or the public to the staff liaison and the boards and commissions coordinator. Complaints of such behavior will be processed following procedures in the Fort Collins Municipal Code.

Appointees may not be reappointed and are subject to censure or dismissal by the appointing authority for misconduct, nonperformance of duty, or failure to comply with this Code of Conduct, applicable policies, and the Fort Collins City Charter and Municipal Code.

I have read and understand the City of Fort Collins Code of Conduct and agree to abide by and uphold this code to the best of my ability at all times while serving as an appointed or elected official of the city.

I understand that I may not be reappointed, and may be suspended, censured or removed from my appointment if my conduct falls below these standards.

Signature: _____ Date: _____

Printed Name: _____

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Introduction

Fort Collins aspires to be a city that addresses the needs of all members of our community and strives to ensure that everyone has the opportunity to thrive. As a community, we commit to building a healthy, equitable, and resilient city – for our families, for our neighbors, and for future generations.

The Fort Collins City Council is committed to providing and maintaining an environment that encourages mutual respect and promotes equality, dignity, and respect. This Policy embodies the City Council's commitment to prevent and address discrimination; harassment, including sexual harassment; and retaliation. Discrimination, harassment, and retaliation in the workplace are against the law and will not be tolerated.

Through adoption, implementation, and enforcement of this **Anti-Discrimination and Anti-Harassment** Policy ("Policy") and through continuing education and training provided by or through the City Clerk's Office, , the Fort Collins City Council will seek to prevent, address, and correct behavior that violates this Policy.

Application

This policy applies to all members of the City of Fort Collins City Council and Appointed Officials in the performance of City governance operations, at City-sponsored activities, and in all interactions between members of City Council, Appointed Officials, and City employees and contractors (defined herein as “Related Interactions”). Appointed Officials include the City Manager, the City Attorney, the Chief Municipal Judge, any appointed employee including municipal judges, and any City board or commission member. Nothing in this Policy is intended or should be read to alter the terms and conditions of the at-will status of Appointed Officials.

It is important for all to keep in mind that the Mayor and City Council are committed to providing an environment that exemplifies high standards of behavior, treats others with dignity and respect, and is known for its honesty, inclusivity and transparency. Conduct that does not clearly fall into the realm of conduct prohibited by this Policy but is inconsistent with these values may be a violation of the Council-adopted code of conduct.

I. Discrimination Strictly Prohibited

Policy

The City Council strictly prohibits discrimination based on protected characteristics and will take prompt and appropriate action in response to good-faith complaints or knowledge of an alleged violation of this Policy.

Definitions

- “Protected characteristics” means a person’s race, color, religion, creed, national origin or ancestry, sex, sexual orientation (including perceived sexual orientation), gender identity and expression, disability, age 40 years or older, pregnancy or related condition, genetic information, and, in certain specific circumstances, **marital status**, marriage to a coworker or any other status protected under federal, state, or local law.
- “Discrimination” occurs when a person covered by this policy experiences an

adverse official action based on one or more of that person's protected characteristic(s). Adverse official actions include, but are not limited to, termination, suspension, involuntary demotion, failure to promote, and opposition, rejection or failure to appoint to committee or leadership role. Adverse official actions that are taken for any reason other than the protected characteristic(s) of a person covered by this policy are not discrimination.

Examples of Discrimination

- A Councilmember harshly criticizes City staff and the municipal clerk notes he disproportionately criticizes her and other women.
- A female candidate for city attorney, city manager or chief judge is selected for a position over a more qualified male candidate because she is a woman.
- A community member is not considered for a board or commission appointment because he is homosexual.
- A candidate is not chosen for a promotion to an open City position by an appointee because the candidate does not share the appointee's religious beliefs or does not have religious beliefs.

II. Harassment, Including Sexual Harassment, Strictly Prohibited

Policy

The City Council strictly prohibits harassment, including sexual harassment, and will take prompt and appropriate action in response to good faith complaints or knowledge of an alleged violation of this Policy. Please note that this Policy does not address conduct that could constitute a violation of criminal law. Any person who believes a violation of criminal law has occurred should report the conduct to Fort Collins Police Services or other appropriate law enforcement agency.

Definitions

- "Harassment" means verbal or physical conduct that demeans, stereotypes, or shows hostility or aversion toward an individual or group because of the individual's or group's protected class. Harassment is conduct directed toward a

member of a protected class where it creates a hostile work environment. A hostile work environment exists when:

- . The conduct was based on a protected status;
- . The conduct was subjectively offensive to the individual alleging harassment; and
- . The conduct was objectively offensive to a reasonable individual who is a member of the same protected class.

- “Sexual harassment” is a form of harassment, and can involve males or females or persons of any gender orientation being harassed by members of either sex or gender orientation. Sexual harassment can fall into the following two categories:

1) “Quid Pro Quo” or “this for that” means direct or implied requests for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, salary increases, promotions, increased benefits, or support of legislation or other legislative processes. Quid pro quo harassment can also mean direct or implied requests for sexual favors with the threat of an adverse action for non-compliance.

Quid pro quo occurs when:

- . Submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment or appointment ;
- . It is used as a basis for employment or appointment decisions;
- . Submission to or rejection of such conduct by a person is used as the basis for decisions or actions related to the support or opposition of legislation or other legislative processes; or

2) “Hostile Work Environment” means sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature when such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment. A hostile work environment exists when:

- . The conduct was based on a protected status;
- . The conduct was unwelcomed by the employee, fellow Councilmember, or candidate for appointment ;

. The conduct **subjectively offensive to the individual alleging harassment;**
and

. The conduct was objectively offensive to a reasonable individual who is a member of the same protected class.

Examples of Harassment

No policy can provide an exhaustive list of behaviors that may rise to the level of harassment. Harassment encompasses a broad range of conduct that may be verbal, visual, or physical in nature. Specifically prohibited conduct includes, but is not limited to:

- Verbal conduct such as epithets, derogatory comments, and slurs directed at someone because of their protected class;
- **Insisting on giving hugs to all women encountered at a recurring meeting;**
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures directed at someone because of their protected class;
- Mocking someone's accent or disability;
- Acts or jokes that are hostile or demeaning toward a protected class;
- Racially offensive words or phrases;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility to an individual or group because of a protected class that is placed on walls, bulletin boards, email, or elsewhere on the premises of the workplace;
- Displays of symbols, slogans, or items that are associated with hate or intolerance towards any select group, such as swastikas or nooses;
- Pranks or hazing someone because of their protected class; and
- Physical aggression or gestures based on someone's protected class.

In addition to the examples listed above, an aggregation of a series of incidents can constitute harassment, even if one of the incidents considered separately would not rise to the level of harassment. Harassing conduct does not have to rise to the level of an unlawful hostile work environment to warrant corrective action under this policy.

Examples of Sexual Harassment

Examples of sexual harassment include, but are not limited to, the following conduct:

- Inappropriate commentary, such as sexual epithets, jokes, written or verbal references to sexual conduct, gossip regarding a person's sex life, comments regarding a person's body or sexual activity deficiencies or prowess;
- Sexually suggestive comments about a person's clothing, vocal activity like catcalls or whistles, leering or staring at a person or part of a person's body, obscene letters, emails, text messages, photographs, cartoons, or other written or pictorial materials of a sexual nature, or sexting or posting sexual messages or images on social media;
- Direct sexual propositions including persistent requests for dates, drinks, or other personal contact after being informed that the interest is unwelcome, inappropriate sexually themed communication in person, online or via mobile devices;
- Sexual coercion under threat of punishment including demotion, firing, negative reviews, opposition to legislative initiatives, blacklisting or otherwise interfering with someone's access to opportunities;
- Explicit or implicit requests for sexual activity in exchange for reward, position, or career advancement, support of legislative initiatives, introductions, special access invitations to exclusive events, support for candidacies, position stability, or any other such condition or potential benefit;
- Sexual contact including unwanted physical touching, blocking or impeding movements, groping, or kissing.

Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. This policy prohibits opposite-sex and same-sex harassment.

Sexual harassment may be obvious or subtle. Some behavior that is appropriate in a social setting may not be appropriate in the performance of City governance, City

operations, at City- sponsored activities, or in Related Interactions, particularly considering the Council's stated values noted above in the Introduction.

III. Retaliation Strictly Prohibited

Policy

The City Council strictly prohibits retaliation. The City Council will take prompt and appropriate action in response to good faith complaints of retaliation or knowledge of a violation of this Policy.

Definitions

"Retaliation" means an act of punishment, reprisal, or revenge that is taken against a person because he or she reported a form of harassment prohibited under this Policy, prevented unlawful practices, or participated in an investigation of an alleged act of harassment. For purposes of retaliation, an action is materially adverse if it is harmful to the point that it would dissuade a reasonable employee from making a complaint of discrimination.

Examples

Retaliation can take place on City locations or elsewhere. Harassing conduct does not have to rise to the level of an unlawful hostile work environment to warrant corrective action under this policy. Examples of retaliation after a person makes a complaint or raised a concern may include, but are not limited to:

- Granting access to that person differently in a manner that negatively affects the person's business or ability to perform work (i.e., a Councilmember refusing to meet with a complaining party after the party filed a complaint);
- Removing that person from an assignment;
- Change in support for Council action proposed by, or supported by, that

person in their professional capacity;

- Disparaging that person to colleagues or peers;
- Changing that person's role, responsibilities, supervisory or legislative authority;
- Newfound scrutiny of that person's work performance by a supervisor or Councilmember;
- Denial of a promotion for that person, or demoting, suspending, or terminating them, when such acts are not otherwise justified;
- Issuing that person warnings, reprimands, or poor performance evaluations that are not otherwise justified;
- Excluding that person from beneficial networking or other opportunities, or from team or coworker events;
- Encouraging shunning by other Councilmembers;
- Workplace or legislative sabotage;
- Assigning that person a disproportionate workload;
- Disparaging that person to others or in the media;
- Disparaging that person to potential new employers;
- Threatening that person with legal action;
- Threatening that person with immigration action; or
- Abusive verbal or physical behavior towards that person.

Formal Complaint and Resolution Process

The City Council encourages the reporting of all perceived incidents of discrimination, harassment or retaliation, as described above, regardless of the position of the alleged offender. The following processes will be used when a reporting party reports a violation of this Policy. The formal resolution process will be used when someone makes a good faith report of discrimination, harassment, or retaliation in a manner that makes clear that the Reporting Party intends to make a complaint of a policy violation.

Definitions

- “Reporting Party” means a person who has been subjected to or who has witnessed another person be subjected to behavior that violates this Policy. A Reporting Party may be a member of the City Council, a City staff member, a member of the public, a City contractor or vendor, an Appointed Official, a contractor, or a person whose employment gives them access to or contact with the Fort Collins City Council.

- “Complaint Contact” means:

- ,
- The Mayor;
- Any City Councilmember;
- A representative of Human Resources including the Human Resources Executive, the Human Resources Director, or a Human Resources Business Partner;
- The City Manager, Deputy City Manager, Assistant City Manager, Service Area Director, Service Unit Director
- The City Attorney, Deputy City Attorney
- Lead Specialist, Office of Equity & Inclusion.
- The staff liaison or attorney liaison to a board or commission

While the reporting party should contact anyone on this list, the following guidance is provided for “Complaint Contact:”

- For a complaint about the City Manager, City Attorney and Chief Judge, contact the Mayor or the Human Resources Executive.
- For a complaint about a City Councilmember, contact the Human Resources Executive.
- For a complaint about a Board and Commission member, contact the City Manager, Deputy City Manager, Assistant City Manager, Service Area Director, Service Unit Director, City Attorney, or Deputy City Attorney.

- “Respondent” means a person who is alleged to have violated this Policy and includes members of the City Council, Appointed Officials, and persons who are under contract with the City of Fort Collins.

Confidentiality and Privacy Interests

An essential duty of the City Council and Appointed Officials is to be accountable to the public they serve. Members of the public deserve to have access to some information about complaints and complaint trends, but this must be balanced with the needs of the parties to have a safe, fair, and impartial process with appropriate confidentiality. The complaint resolution process is a confidential process. Complaint contacts must ensure that reporting parties can communicate privately and confidentially with them in discussing their complaints. Complaints and information about the investigation must be kept confidential by all parties, witnesses, those who handle the complaints, and those who recommend discipline or remediation, to the fullest extent possible. The confidential investigation report or any records of complaints of sexual harassment, and any sexual harassment investigations shall not be disclosed pursuant to an open records request except in accordance with Colo.Rev.Stat. § 24-72-204.

Complaints Against a Member of the City Council

Complaint Process

The Fort Collins City Council encourages any person who is the subject of or witness to a violation of this Policy by a City Councilmember to immediately bring the violation to the attention of the Fort Collins City Council, via the complaint contacts listed above, so it may take proper steps to investigate and address the issue. The report should contain all facts available to the Reporting Party regarding the alleged Policy violation.

Action by Complaint Contact

A Complaint Contact who receives a report from a Reporting Party must document the date, time, whether the complaint was in person or by phone, and nature of the conversation, as well as any steps taken. The Complaint Contact

must transmit complaints that fall under the Policy to the Lead Specialist, Equity and Inclusion Office of the City and the City Attorney. A screening process will be used to ensure that the alleged misconduct falls within the scope and purpose of this Policy, assuming the allegations are true. A Complaint Contact must take actions described in this Policy promptly upon becoming aware of a complaint.

Screening Process

The Lead Specialist, Equity and Inclusion Office or their designee and the City Attorney or their designee will contact the Reporting Party and obtain a complete description of the conduct that allegedly violates this Policy. The Lead Specialist, Equity and Inclusion Office or their designee, the City Manager or their designee and the City Attorney or their designee will determine whether the alleged misconduct, if true, violates this Policy. Unless the alleged violation clearly does not fall within this Policy, the allegations will be referred for investigation. If the alleged violation clearly does not fall within this Policy, a confidential written summary of the basis for not referring the matter for investigation is placed in the file. If the allegations are not referred for full investigation, the complaining party will be notified both in person and in writing that the allegations were reviewed as a screening matter and determined not to fall within the scope of this Policy. If any of those involved in the screening the complaint believes the alleged misconduct, if true, violates this Policy, the allegations will be referred for investigation and the complaining party will be notified.

Investigation

Complaints against a Councilmember that, if true, violate this Policy must promptly be referred to a third-party investigator retained by the City Attorney's Office. The City Attorney must inform the City Council that an investigation is underway and retain an independent outside investigator (preferably a lawyer that specializes in workplace investigations) to conduct interviews with the Reporting Party and other individuals with knowledge of relevant facts, and to perform such other actions as are necessary to ensure a complete investigation of

all allegations and a fair process for all involved. Once the investigation is deemed complete by the investigator and the City Attorney, the investigator shall prepare a written report indicating whether the allegations in the complaint are sustained or not sustained and shall provide such confidential investigation report to the City Attorney.

Timeline for Investigation

Every effort will be made to complete an investigation in 60 days.

Disciplinary and Remedial Action

Upon completion of the investigation by a third party investigator, the City Attorney will inform the Human Resources Executive, the City Manager, the Reporting Party and the Respondent of the pertinent findings. The City Attorney, the Human Resources Executive and the City Manager will send the confidential investigative report to each member of the City Council with a cover letter that contains recommendations to remedy the harassment, discrimination, or retaliation. Alternatively, the City Attorney shall present the investigator's written report to the City Council in executive session. Upon receipt, the Respondent must immediately endeavor to comply with recommendations.

The City Council may consider and direct any or all of the following actions in response to a finding that a complaint of harassment, discrimination or retaliation is sustained:

1. Adopt a resolution finding that an individual covered by this policy violated this policy;
2. Direct or encourage additional corrective training;
3. Such other action as is consistent with its authority under applicable state statutes, the City Charter, ordinances, resolutions, or rules and policies of the City Council.

Any Councilmember at any time may initiate a motion for censure of a Respondent Councilmember.

Complaints Against an Appointed Official

Reporting

The City Council encourages any person who is the subject of or witness to a violation of this Policy by an Appointed Official to bring the violation to the attention of the City Council immediately, so it may take proper steps to investigate and address the issue. The report should contain all facts available to the Reporting Party regarding the alleged Policy violation.

The Reporting Party is encouraged to take the following actions:

- If the Reporting Party is comfortable addressing the issue directly with the Respondent, the party may explain to the Respondent that the behavior is offensive to the Reporting Party, and request that such behavior be discontinued.
- If the behavior recurs, the Reporting Party is strongly encouraged to immediately report the behavior to a complaint contact listed above.
- If the Reporting Party is not comfortable addressing the issue directly with the Respondent, the Reporting Party should immediately report the offensive behavior to a Complaint Contact listed above.

Action by Complaint Contact

A Complaint Contact who receives a report from a Reporting Party must document the date, time, whether the conversation was by phone or in person, and nature of the conversation, as well as any steps taken. The Complaint Contact must transmit complaints that fall under the Policy to the Human Resources Executive, the City Attorney, unless the City Attorney is the Respondent and the City Manager, unless the City Manager is the Respondent. If the Respondent is the City Attorney, the Complaint Contact must transmit complaints that fall under the Policy to the Human Resources Executive and the City Manager. A screening process will be used to ensure that the alleged misconduct falls within the scope

and purpose of this Policy, assuming the allegations are true. A Complaint Contact must take actions described in this Policy promptly upon becoming aware of a complaint.

Screening Process

The Human Resources Executive or their designee and the City Attorney or their designee, if the City Attorney is not the Respondent, will contact the Reporting Party and obtain a complete description of the conduct that allegedly violates this Policy. The Human Resources Executive or their designee, the City Manager or their designee, if the City Manager is not the Respondent, and the City Attorney or their designee, if the City Attorney is not the Respondent, will determine whether the alleged misconduct, if true, violates this Policy. Unless the alleged violation clearly does not fall within this Policy, the allegations will be referred for investigation. If the alleged violation clearly does not fall within this Policy, a confidential written summary of the basis for not referring the matter for investigation is placed in the file. If the allegations are not referred for full investigation, the Reporting Party will be notified both in person and in writing that the allegations were reviewed as a screening matter and determined not to fall within the scope of this Policy. If any of those involved in the screening the complaint believe the alleged misconduct, if true, violates this Policy, the allegations will be referred for investigation. If the Respondent is the City Attorney, the City Council will use outside legal counsel to engage in the screening process as described herein. If the Respondent is the City Manager, the Human Resources Executive and City Attorney will engage in the screening process.

Investigation

Complaints against an Appointed Official that warrant investigation must promptly be referred to a third party investigator retained by the City Attorney's Office, unless the Respondent is the City Attorney. Unless the Respondent is the City Attorney, the City Attorney must inform the City Council that an investigation is underway and retain an independent outside investigator (preferably a lawyer that specializes in workplace investigations). If the Respondent is the City

Attorney, the Human Resources Executive will retain the services of outside counsel to retain an independent outside investigator (preferably a lawyer that specializes in workplace investigations) and the City Manager must inform the City Council that an investigation is underway. An outside investigator will conduct interviews with the Reporting Party and other individuals with knowledge of relevant facts, and to perform such other actions as are necessary to ensure a complete investigation of all allegations and a fair process for all involved. Once the investigation is deemed complete by the investigator and the City Attorney or outside counsel, the investigator shall prepare a written report indicating whether the allegations in the complaint are sustained or not sustained, and shall provide such confidential investigation report to the City Attorney, unless the Respondent is the City Attorney. If the Respondent is the City Attorney, the confidential investigation report will be provided to the outside counsel who will forward the report to the Human Resources Executive and the City Manager.

The confidential investigation report and findings, along with a recommendation, will be provided to the City Manager and the City Council.

Timeline for Investigation

Every effort will be made to complete an investigation in 60 days.

Disciplinary and Remedial Action

Any Respondent found to have engaged in harassment, discrimination, or retaliation prohibited by this Policy is subject to appropriate disciplinary action. The City Council shall consult with the Human Resources Executive and the City Attorney, if the City Attorney is not the Respondent, regarding disciplinary actions that are commensurate with the severity of the offense. If the City Attorney is the Respondent, the City Council shall consult with the Human Resources Executive and outside employment counsel about disciplinary actions that are commensurate with the severity of the offense. Disciplinary action can include,

but is not limited to, demotion or termination. Other remedial measures may include:

- Verbal or written direction to cease the offensive behavior;
- A written or verbal apology to the Reporting Party if the Reporting Party consents to the apology;
- Resources and support to Reporting Party; or
- Education and training for the Appointed Officials.

In any case, a written record of any action taken on the complaint, or any determination to take no further action on the complaint, shall be prepared in consultation with the City Attorney or such other legal counsel appointed by City Council in connection with a given complaint and kept with the report of investigation.

Training

All members of City Council shall participate in training regarding harassment, discrimination and retaliation every two years and in conjunction with the orientation provided to new City Council members. All Appointed Officials shall participate in such training every two years.

Annual Reporting and Review

The ~~Officer~~ Assistant City Manager will publicly report, on an annual basis, the total number of complaints under the Policy, and the resolution of each complaint, appropriately redacted to protect the confidential personnel decisions and party identities. The Assistant City Manager ~~Chief~~ will maintain a publicly available list of Councilmembers and Appointed Officials who have attended mandatory and voluntary trainings.

Sec. 2-82 – City Council Liaison Responsibilities.

The role of Council Liaison to boards and commissions shall include the following responsibilities:

1. To communicate with the board or commission when Council communication is needed and to serve as the primary two-way communications channel between Council and the board or commission.
2. To take the lead in filling vacancies by reviewing applications, and conducting interviews with candidates for the board or commission.
3. To make decisions about which candidate to recommend for appointment keeping in mind the need for fresh perspectives and not primarily on the liaison's personal preferences.
4. To serve as the primary Council contact for the board or commission.
5. To help resolve questions the board or commission may have about the role of Council, municipal government, and the board or commission.
6. To establish contact with the chairperson of the board or commission and effectively communicate the role of the liaison.
7. To review the annual work plan of the board or commission and make recommendations to the City Council regarding the work plan.
8. To identify and help resolve any problems with the support of the City Clerk's Office, City Manager's Office and the staff liaison that may exist with respect to the functioning of the board or commission.
9. To decide whether to grant a request from their assigned board or commission to hold a joint meeting with other boards or commissions.

Sec. 2-XX – Code of Conduct Complaint and Resolution Process.**(a) Definitions**

- (1) *Appointee* shall mean any person who is serving on a Council-appointed board or commission.
- (2) *Code of conduct* shall mean rules of conduct adopted by the City Council that apply to members of the City Council and board and commission members.
- (3) *Colorado Open Records Act* shall mean C.R.S. §24-72-200, et. seq, as the same may be amended from time to time.
- (4) *Covered person* shall mean any appointee or a member of the City Council
- (5) *Reporting party* shall mean a person who has been subjected to or who has witnessed another person be subjected to behavior by a covered person that violates the code of conduct. A reporting party may be a covered person, a City staff member, a member of the public, a City contractor or vendor, an appointed official, a contractor, or a person whose employment gives them access to or contact with City Council or a Council-appointed board or commission.
- (6) *Subject* shall mean a covered person who is alleged to have violated the code of conduct.

(b) The City Council encourages any person who is a witness to a violation of the code of conduct to immediately bring the violation to the attention of the City, in accordance with the following procedures.**(c) Confidentiality and Privacy Interests.**

Covered persons must be accountable to the City Council, the City organization and the public they serve. The public deserves to have access to some information about complaints and complaint trends, but this must be balanced with the needs of the parties to have a safe, fair, and impartial process with appropriate confidentiality. The complaint resolution process is a confidential process. Those involved in the complaint process must ensure that reporting parties can communicate privately and confidentially with them in discussing their complaints. Complaints and information about the investigation must be kept confidential by all parties, witnesses, those who handle the complaints, and those who recommend discipline or remediation, to the fullest extent possible. Information received through the complaint process shall not be disclosed pursuant to an open records request except in accordance with the Colorado Open Records Act.

(d) Informal Resolution Process

- (1) The informal resolution process is encouraged to address behavior and resolve the matter in an informal and timely fashion. A reporting party may inform the subject directly that their behavior or activity in their City role appears to be in violation of

the code of conduct and encourage the subject to acknowledge and agree to stop the behavior or end the activity. In addition, the reporting party may request that the Mayor or City Manager, or their designees, facilitate an informal discussion of the alleged complaint to resolve the issue. This informal discussion can take place via phone, online meeting, or in person.

- (2) It is recommended that those involved make note of and preserve relevant information and interactions involved in the informal process. If, in the reporting party's opinion, the informal approach has not worked, or if the reporting party becomes uncomfortable with the process at any time, the reporting party may utilize the formal complaint process outlined below.
- (3) The informal resolution process will not be used unless both the reporting party and the subject independently agree to utilize the informal resolution process. If either party does not wish to utilize this process, then the reporting party may use the formal complaint process below. It is not a prerequisite or precondition that the reporting party pursue the informal resolution process prior to pursuing the formal complaint process.

(e) Formal Complaint Process.

- (1) Any person who believes that a covered person has violated any provision of the code of conduct in their City role may file a complaint with the City Clerk. Complaints may be filed by any City board or commission member, a member of the public, a member of City Council, a City staff member, a City contractor or vendor, or a person whose employment gives them access to or contact with a covered person in their City role.
- (2) The reporting party must include in the complaint all related facts available to the reporting party regarding the alleged violation.
- (3) No action may be taken under this section on any complaint that is filed later than twelve months after discovery of the facts supporting an allegation that a violation of the code of conduct has occurred.
- (4) Upon receipt of the complaint, the City Clerk shall confidentially and immediately notify the City Manager's Office, the respondent, the City Council, and the City Attorney. Each complaint shall name only one individual as its subject.
- (5) The City Attorney and City Manager or their designees shall together review the complaint and confer to determine whether the alleged misconduct falls within the scope and purpose of the code of conduct and whether the complaint warrants investigation in light of commonly known and documented facts and circumstances. If investigation is warranted, the City Attorney shall develop facts relevant to the complaint and interpret and apply the provisions of the code of conduct. The City Attorney may select and retain one or more qualified

attorneys to review or investigate complaints as their designee.

- (6) After investigation, the City Attorney or their designee shall issue written findings of fact and conclusions of law to the City Council, which shall be filed with the City Clerk and available for public inspection.

(f) Sanctions and Remedies for Violation.

- (1) If the party conducting an investigation pursuant to this section finds that the respondent has violated any provision of the code of conduct, the City Council may take any of the following actions by a majority vote:
 - (2) In the case of a Council member, a motion of censure, a motion to remove the particular council member from the role of liaison;
 - (3) In the case of a board or commission member, removal from the applicable board or commission;
 - (4) In the case of any covered person:
 - i. Issue verbal or written direction to cease the violative conduct;
 - ii. Direct or encourage corrective training; or
 - iii. Require the violator to issue a written or verbal apology to the reporting party if the latter consents to such an apology.
- (5) While a violation of the code of conduct shall not constitute a violation of the City Code, as such, this provision is not intended to impair or supersede such other action as may be appropriate under applicable state statutes, the City Charter, ordinances, resolutions, or rules and policies of the City or City Council.



Ad Hoc Committee for Boards and Commissions

- Review progress of ad hoc committee
- What does full Council need to consider for approval?
- Assessment and Tools to be used to evaluate boards
- Youth Advisory Board code changes
- Golf Board consolidation
- Recruitment efforts
 - Housing Catalyst
- Add Council liaison responsibilities to Code
- Final draft of Anti-Discrimination Anti-Harassment policy
- Final draft of code of conduct and complaint process
- Key Dates

Legend

Direction received from Committee and will be done administratively by staff

Recommendation from Committee for full Council consideration

- Improvements to board and commission orientation
- Provide training for board chair (how to conduct a meeting, de-escalation training, etc)
- Application improvements
 - Verify workload for each board to include as part of application and interview process
 - Add question – “have you applied for this board before”
 - Add question – “how many hours are you willing to contribute to the board”
 - Ensure that current board members resign if they want to apply for a different board (already part of code)
 - Policy for no show to interview applicants
 - Continuous improvement to Council summary sheets
- Subscription so that interested residents are notified when vacancy becomes available
- Conduct exit interviews for board members if there are issues
- Remove one-year terms except for youth advisory board (January)
- Need to improve communication between Council and staff liaisons (February/March)

Shorten interview process (February/March meeting)

- Recruitment timing changes as a result of election timing change (February/March)
 - **Resolution needed to extend current terms
- Consideration of 7 members for all boards unless there are enough quality applications for 9 (February/March)
- Review process to add and delete boards (March-May)
- Update code related to joint meetings to provide more flexibility for boards to meet with each other (March)
- Review super issues meeting purpose – March meeting
- Review draft Code of Conduct (April/May meeting)
- Incumbents process – establish criteria (April meeting)
- Update the Council liaison role responsibilities and will be described in City Code– April/May meeting
- Surveyed members indicate don't have enough guidance from Council liaison, lack of feedback from Council – (will be incorporated into Council onboarding and B&C orientation)
- Review format and scope of work for youth advisory board (June)
- Recruitment efforts to increase diversity on boards (June)
- Housing Catalyst recruitment (June)

- Remove 1 year term from all boards and commissions from Code except for Youth Advisory Board
- Need to update the composition of Type 1 and Type 2 boards due to the removal of 1 year terms
- Potential of other composition updates to Type 1 and Type 2 boards
- Add Anti-Discrimination Anti-Harassment Policy, Code of Conduct to Manual as appendix
- Anti-Discrimination Anti-Harassment Policy + Code of conduct adopted separately via resolution
- Add Code of Conduct complaint process to City Code
- Update Council liaison role responsibilities and add to City Code
- Update Joint Meeting language in code
- Resolution to extend current terms due to recruitment timing change
- Update Youth Advisory Board section of the code (*TBD*)
- Consolidate Golf Board with Parks and Recreation Board (*TBD*)
- Women's Advisory Board (*TBD*)

What are we trying to achieve with a board evaluation process?

Goal 1: Regular/predictable review to ensure high performance of boards and commissions

Goal 2: An established process for evaluating the sunset of a board and/or repurposing the board on an as needed basis

Goal 3: An established process for adding a new board on an as needed basis

Goal 1: Regular/predictable review to ensure high performance of boards and commissions

In order to determine if this is being met, staff will conduct an annual, high-level review to include the following:

- Highlights from annual work plan
- Pulse survey/status check data
- Feedback from boards and commission members
- Feedback from staff liaisons
- Data on cancelled meetings due to lack of quorum or business items

Assessment Tools and Indicators

- The original goals have been achieved or run its course
 - One way to determine this if there is a consistent lack of business items
- Not submitting an annual work plan
- Not submitting an annual report
- The Board does not provide recommendations to Council
 - Direct advice is not needed so maybe not necessary to provide regular recommendations
- Pulse survey data indicates caution
- Data shows a lack of quorum
 - Is this due to structural issues with the board?
- Data shows there is a lack of applications to fill vacancies

Assessment Tools and Indicators

Charter requires that Council establish a board or commission whose purpose is to advise Council

- Is the proposed purpose legally permissible?
- The purpose of the board aligns with a community priority
- New policy work is needed and there is a gap in existing boards
- Does it fit under the purview of an existing board or commission?
- There is a community desire to give extended input
- Does Council want ongoing input from the public on this topic?
- Does staff want input from the public on this topic?
- Input desired or needed is for defined period of time. Other options could include:
 - Task Force to advise City Manager
 - Example West Nile Virus, Connexion, holiday lighting
 - Ad hoc committee
 - Housing (Council ad hoc)
 - Board subcommittee

1) The request for board sunset/repurpose or new board can come from a variety of sources:

- Board chair or Board member(s)
- Staff liaison
- Department Director
- Community member
- Public Engagement Specialist
- City Manager
- Councilmember(s)

2) CCO coordinates with the requester to answer: What is the need, intent? What would the new board's scope of work and goals be? Is this a 7- or 9-member board?

3) Staff provides the information to Council via a memo

4) Council may give direction to staff to proceed with evaluation process under Other Business

5) Staff will run the request through a series of questions, collect data, and provide options and/or recommendations to Council during a work session for Council's consideration

- Youth Advisory Board
 - Request from Department Director
 - Lack of quorum
 - Lack of applications to fill vacancies
- Golf Board
 - Resulted from Ad Hoc Committee considerations of simplification
 - Difficulties meeting quorum
 - Has original goals been met?

(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 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: 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**

Assessment Tools and Indicators

- The original goals have been achieved or run its course
 - Original intent of the board
- Not submitting an annual work plan
- Not submitting an annual report
- The Board does not provide recommendations to Council
 - Direct advice is not needed so maybe not necessary to provide regular recommendations
- Pulse survey data indicates caution
- Data shows a lack of quorum
- Data shows there is a lack of applications to fill vacancies

- (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.

Sec. 2-111 – Parks and Recreation Board

- (b) (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;

- 4 current, active Golf Board members
- Recommendation is to expand Parks and Rec Advisory Board from 9 to 13 seats until the Golf Board terms expire.
- Terms for members 10-13 would match the remainder of their terms on Golf Board
 - 2 terms expire Dec 31, 2024
 - 1 term expires Dec 31, 2025
 - 1 term expires Dec 31, 2026
 - When there are vacancies on the original 9-member board and they are interested in continuing to serve, they can apply to fill that seat
- At the July 12, 2023 Golf Board meeting, staff will gauge interest from the current Golf Board members as to their desire to serve the remainder of their term on the P&R board.

Sec. 2-568 - Ethical rules of conduct.

(8) With respect to any Councilmember serving as a liaison to a board or commission, such Councilmember must not direct the board in its activities or work. A liaison's role is to serve as a contact rather than an advocate for or ex-officio member of the board or commission.

Sec. 2-82 – City Council Liaison Responsibilities (*summarized*)

1. Communicate with the board when Council communication is needed and to serve as the primary two-way communication
 2. To take the lead in filling vacancies by reviewing applications and conducting interviews with candidates
 3. Make decisions about recommendations for appointment keeping in mind the need for fresh perspectives and not primarily on liaison's personal preferences
 4. To service as the primary Council contact for the board
 5. To help resolve questions the board may have about the role of Council, municipal government, and the board
 6. To establish contact with chair and effectively communication the role of the liaison
 7. To review the annual work plan of the board and make recommendations to Council regarding the work plan
 8. To identify and help resolve any problems with the support of CCO, CMO and staff liaison that may exist with respect to the functioning of the board
- To decide whether to grant a request from their assigned board to hold a joint meeting with other boards

- Recommendation to rename Respectful Workplace Policy to Anti-Discrimination Anti-Harassment Policy
- An example included under Protected characteristics as it relates to religion
- Code of conduct
 - Reviewed for language that may limit speech content
- Code of conduct complaint process
 - Includes an informal resolution under complaint process
 - Will be in the code

- Advertising on City website (Press Release and Spotlight), Social Media (Facebook and Instagram), and Newspaper
- Outreach efforts to the Poudre School District and Colorado State University.
- Outreach efforts to cultural organizations such as the Cultural Enrichment Center of Fort Collins and Heart and Sol
- Collaboration with CPIO to create new posters
- Collaboration with IT to improve website and boards and commission pages
- Informational Sessions to inform the public on what being a board or commission member entails

- July 19 - Final Ad Hoc Committee meeting
 - Women's advisory board
 - Bicycle Advisory Committee
 - Affordable Housing Board – request from Housing Catalyst
 - Formally vote on Committee recommendations
- August 8 – Council work session to review Committee recommendations
- September 5 – Regular Council meeting
 - 1st reading of ordinance(s) to adopt code changes
 - Includes Council liaison responsibilities
 - Resolution to update Board and Commissions Manual
 - Resolution to extend current terms and one-year term changes
- September 19 – 2nd Reading of ordinance

THANK YOU!

