



Ad Hoc Committee for Boards and Commissions

April 5, 2023

- Review progress of ad hoc committee
- What does the full Council need to consider for approval?
- Review revisions to the Respectful Workplace Policy
- Review draft code of conduct and complaint process
- Evaluation of boards
- Review updated Council liaison responsibilities
- Board member composition options

Legend

** indicates an item that needs consideration of Council during a regular meeting, likely in August.

3 or more individual councilmembers may direct City Manager to initiate and move forward with preparing resolutions and ordinances

Direction received from Committee and will be done administratively by staff

Discussed during January meeting

Discussed during February and/or March meeting

To be discussed during April meeting

- 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)
- **Review code related to joint meetings to provide more flexibility for boards to meet with each other (March)
- Review super issues meetings purpose – March meeting
- **Review draft Code of Conduct (April meeting)
- Incumbents process – establish criteria (April meeting)
- **Update the Council liaison role responsibilities, and need to determine if it is described in City Code or keep in resolution – April meeting
- **Review scope of work for youth advisory board (future meeting)
- Recruitment efforts to increase diversity on boards (future meeting with Equity Officer)
- Housing Catalyst recruitment (future meeting)
- Surveyed members indicate don't have enough guidance from Council liaison, lack of feedback from Council (future meeting)

- 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 Code of Conduct to Manual
- Add Code of Conduct complaint process to City Code
- Update Council liaison role responsibilities, *(need to determine if it should be described in City Code or keep as resolution)*
- Update Joint Meeting language in code
- Resolution to extend current terms due to recruitment timing change
- Consolidate Golf Board with Parks and Recreation Board *(TBD)*
- Consolidate Women's Advisory Board with Human Relations Commissions *(TBD)*

- July 25 – work session to review the work of the Ad Hoc Committee and present recommendations
- August 15 –
 - 1st reading of ordinance(s) to adopt code changes
 - Resolution to update Board and Commissions Manual
 - Resolution to extend current terms
 - Potential resolution adoption of Council liaison role if the direction is not to put in code
- September 5 – 2nd reading of ordinance(s)

Key Changes

- Still covers City Council and those that they appoint
- Policy name change to Respectful Workplace to Respectful Governance
- Training through City Clerk's Office
- Added protected characteristics per federal and state requirements
- Clarification around "Complaint Contact"
- Changes to screening process
- Annual reporting and review conducted by Assistant City Manager rather than Human Resources Executive

- **Respectful behavior** among appointees and City staff when communicating in private.
- Board and commission members are expected to attend their meetings. Members **must comply with attendance requirements** described in Fort Collins Municipal Code Section 2-79.
- Members commit to **attend any required trainings and even suggested trainings** that enhance a member's ability to serve.
- Not make **personal, impertinent, profane, vulgar, slanderous, humiliating, intimidating, or harassing remarks** that disturb, disrupt, or impede the conduct of the meeting or the board or commission's completion of its business. Similarly, abusive language, intimidation, threats of violence or harm, or racial or ethnic slurs directed at any person or group of persons, are prohibited. Appointed 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 a public body. Appointed members are prohibited from publicly ridiculing or insulting fellow members, members of the public and City staff.
- **Report behavior that is disruptive, humiliating, intimidating, or threatening or otherwise in violation of this Code of Conduct** in the performance of board or commission activities, at City-sponsored events, and in all interactions between appointees, City staff, or the public to the Staff Liaison and the Boards and Commissions Coordinator. Complaints of such behavior will be processed following procedures established by the City Clerk's Office and City Attorney's Office.
- **Members 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.**

- Applies to both board and commission members and Council liaisons
- Complaint to be filed with City Clerk's Office
- Complaint has to be filed within 12 months of the alleged violation
- CCO notifies the City Manager's Office, the Member named in the complaint, City Council and the City Attorney
- City Attorney reviews the complaint to determine if the scope of the allegation falls under Code of Conduct and warrants investigation
- If an investigation is warranted, City Attorney or outside counsel shall conduct the investigation
- After investigation is complete, City Attorney will issue written findings of fact and conclusion of law to City Council

- If violation is sustained against a board or commission member, City Council can take formal action to do any one or more of the following:
 - Issue verbal or written direction to cease the problematic conduct
 - Direct or encourage corrective training
 - Require the violator to issue a written or verbal apology
 - Remove from or not reappoint the member to the board or commission

- If violation is sustained against a Council liaison, City Council can take formal action to do any one or more of the following:
 - Motion of censure or motion to remove the particular council members from the role of Liaison
 - Issue verbal or written direction to cease the problematic conduct
 - Direct or encourage corrective training
 - Require the violator to issue a written or verbal apology

- Council can determine if a new board or commission should be created or an existing one should be discontinued through input from:
 - Public Engagement Specialist
 - Board member(s)
 - Staff liaison
 - Community member
 - City Manager
 - Councilmember(s)
- Annual work session update from Public Engagement Specialist
 - Highlights from annual work plan
 - Pulse survey data
 - Feedback from boards and commission members
 - Feedback from staff liaisons

- What is the identified need and scope of work for a new board?
 - What is the scope of work that the existing board is tasked to accomplish?
- Does it align with a Council priority?
- Is there a desire in the community or by Council for a ongoing board and commission vs a task force with a set end date?
- Could the scope be incorporated into an existing board and commission?
- Does the functions of the board require specialized knowledge and experience of the members to fulfill the functions of the board?
- Does the City have staff members who regularly rely on input from that board in order to carry their duties?
- Do other municipalities with advisory boards and commissions have a similar board or commission fulfilling the same functions? Is it common?

Does the Committee want to test these criteria with the Women's advisory board?

- Removed references to periodic review (third whereas and #11)
- Addition to #9 as it relates to identifying and resolving any problems on the board
- Addition of responsibility to review Joint meeting requests
- Additional questions to consider
- # 2 – responsibility to take the “lead in filling vacancies”
 - Should Councilmembers consider a set of questions and criteria used for selection? (recommended by the City Attorney's Office)
 - Should there be a diversity consideration? What does that mean?
- #3 – does “primary informal Council contact” need to be defined?
- Should the Council liaison responsibilities be documented into the code vs a resolution?
- Other considerations?

- Committee gave direction to remove the 1 year terms from all boards and commissions except for the Youth Advisory Board
 - Need to transition those seats to either 2 year or 4 year terms
- Why are some Type 1 boards 7 members and others are 9 members? Why are some Type 2 boards 7 members and others are 9 members?

*"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, **three (3) members shall be appointed for a term of two (2) years,** and **two (2) members shall be appointed for a term of one (1) year.** On seven-member boards, **two (2) members shall be appointed for a term of two (2) years and one (1) member shall be appointed for a term of one (1) year.** No board member shall serve more than eight (8) consecutive years regardless of term length."*

*"all type 2 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, **three (3) members shall be appointed for a term of two (2) years,** and **two (2) members shall be appointed for a term of one (1) year.** On seven-member boards, **two (2) members shall be appointed for a term of two (2) years,** and **one (1) member shall be appointed for a term of one (1) year.** No member shall serve more than eight (8) consecutive years regardless of term length."*

All quasi-judicial commission members have 4 year terms.

Type 1 & 2 boards – 7 members

- 4 members have 4 year terms
- 2 members have 2 year terms
- 1 member has 1 year term

Type 1& 2 boards – 9 members

- 4 members have 4 year terms
- 3 members have 2 year terms
- 2 members have 1 year terms

Options – 7 members

- 4 members with 4 year terms
- 3 members with 2 year terms **OR**
- 5 members with 4 year terms
- 2 members with 2 year terms

Options – 9 members

- 5 members with 4 year terms
- 4 members with 2 year terms **OR**
- 6 members with 4 year terms
- 3 members with 2 year terms **OR**
- 4 members with 4 year terms
- 5 members with 2 year terms

Option 1 – Keep as is

	Type 1	Type 2	Quasi-judicial
7 members	Affordable Housing Board <i>Golf Board</i> Youth Advisory (between 5-9)	Art in Public Places Citizen Review Board Cultural Resources	Building Review Land Use Review Planning and Zoning
9 members	Air Quality Advisory Board Disability Advisory Board Economic Advisory Board Energy Board LCSB NRAB Parks and Recreation Senior Advisory Board Transportation Board <i>Women's Advisory Board</i>	Human Services and Housing Funding	Historic Preservation Human Relations Water Commission

Option 2 – All Type 1 boards are comprised of 9 members; All Type 2 boards are comprised of 7 members; Keep quasi-judicial composition the same with a mix of 7 and 9 members.

Option 3 – All Type 1 and Type 2 boards are comprised of 9 members.

Option 4 – All Type and Type 2 boards are comprised of 7 members.

- Follow up on outstanding items from April
- Recruitment efforts to expand diversity
- Reschedule June and July dates?
 - Monday, June 5 rather than Wednesday, June 7
 - Should the July meeting (Wednesday, July 5) be rescheduled?

THANK YOU!



Advisory Boards - Type 1

Type 1 advisory boards make recommendations to the City Council and City staff on particular areas of knowledge or expertise. Recommendations made by advisory boards are formal opinions to the City Council on items and subjects that are on the boards' approved workplans. These recommendations are limited to advisement and are not decisive actions.

- Affordable Housing Board (7 members)
- Air Quality Advisory Board (9 members)
- Disability Advisory Board (9 members)
- Economic Advisory Board (9 members)
 - Energy Board (9 members)
 - Golf Board (7 members)
- Land Conservation and Stewardship Board (9)
 - Natural Resources Advisory Board (9)
- Parks and Recreation Board (9 members)
 - Senior Advisory Board (9 members)
 - Transportation Board (9 members)
- Youth Advisory Board (btwn 5-9 members)

Advisory Boards - Type 2

In addition to serving an advisory function to the City Council and City staff, the assigned functions of **Type 2** advisory boards give them the authority to make decisions on certain matters specified in the City Code. These decisions then serve as formal recommendations to City Council or City staff for their consideration and adoption.

- Art in Public Places Board (7 members)
 - Citizen Review Board (7 members)
 - Cultural Resources Board (7 members)
- Human Services and Housing Funding Board (9)

Quasi-Judicial Commissions

Quasi-judicial commissions are non-judicial bodies that use formal procedures to objectively determine facts, interpret the law, and draw conclusions to provide the basis of an official action. Decisions of quasi-judicial commissions are subject to appeal to the City Council or the courts.

- Building Review Commission (7 members)
- Historic Preservation Commission (9)
- Human Relations Commission (9)
- Land Use Review Commission (7)
- Planning and Zoning Commission (7)
 - Water Commission (9 members)

1. Why do you want to join the board/commission?
2. What do you know about the board/commission?
3. What do you think are the characteristics of a great board member?
4. Board members bring experience, wisdom, strategic thinking, and their rolodexes. Can you tell us about yours? (Or: What value can you bring to our board/commission?)
5. What are your greatest weaknesses as a board member?
6. What do you need to be successful on a board/commission?
7. What are your personal goals for serving on the board/commission?
8. Do you have the teamwork skills to get along with everyone?
9. How do you handle conflict?
10. What kind of autonomy do you have over your calendar? (Can you attend meetings and put in time to do homework/research as necessary?)
11. How will you maintain your ability to remain impartial when making decisions and comments on the board/commission?

Options: strongly agree, agree, neutral, disagree, strongly disagree

1. The onboarding that I received was helpful in explaining my role as a board member.
2. The communications that I receive from staff are informative and clear.
3. I have sufficient check-ins with my staff liaison.
4. I feel connected to my fellow board or commission members.
5. I contribute equally to the board or commission.
6. I plan to stay on the board or commission until the end of my term.
7. City Council values the diverse opinions and ideas of the board/commission.
8. If I have any problems, I feel comfortable letting my Staff Liaison or the City Clerk's Office know.
9. I feel comfortable sharing my thoughts with the board or commission.
10. I feel confident the decisions being made by the board or commission will benefit the community as a whole.
11. I believe the board or commission is an important part of making the city of Fort Collins a better place for the community to live in.
12. The board or commission makes recommendations and receives sufficient feedback from Council.