August 18, 2026

AGENDA ITEM SUMMARY
City Council

STAFF

Jenny Lopez Filkins, Chief Deputy City Attorney

SUBJECT

Resolution 2026-104 Approving Amendments to the Code of Conduct Policy Recommended by the Ethics Review Board.

EXECUTIVE SUMMARY

The purpose of this item is to consider the Ethics Review Board's (the "Board") recommended revisions to the City's Code of Conduct policy. The recommended changes clarify board and commission members' duty to the community, prohibit using board and commission membership to benefit other organizations, protect confidential City information and promote active meeting participation.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

On June 9, 2026, the Board considered comments made by community member Nick Armstrong about the definition of "personal interest" in the City's ethics rules and its application in a City appointive board decision. He encouraged the Board to address whether a board or commission member has a personal interest in a board or commission action when the matter before the board or commission concerns a cause advocated by a nonprofit corporation, association, board, or civic organization with which the member is affiliated.

Council establishes the City's boards and commissions and has authority to establish rules governing the conduct of their members.

The Board conferred about various options related to clarifying or amending the Code of Conduct to address the question raised by the community member. They expressed their support for amendments to the Code of Conduct that ensure that Appointees who are members of other organizations, associations, initiatives, or non-profit entities have a duty to disclose their membership or participation to their fellow board and commission members and prioritize their duty to act for the benefit of the people of Fort Collins while serving in their Appointee role. The Board also expressed support for amendments that require Appointees to avoid using their position as an Appointee to secure favorable action, preferential treatment or a particularized benefit or advantage for a community organization on which they serve.

The Board supported amendments to the Code of Conduct that prohibit an Appointee from receiving confidential City information related to any matter in which they have outside involvement as a member,

office, employee or representative of a community organization.

The Board also supported amendments to the Code of Conduct that require Appointees to actively participate in their meetings and, if attending remotely, to turn on their camera during a remote meeting. Accommodation due to a disability may be requested. The City's ADA coordinator reviewed the draft language and confirmed it meets applicable standards.

On July 24, 2026, the Board met and considered draft revisions to the Code of Conduct and approved a motion to recommend amendments. The revisions to the Code of Conduct recommended by the Board reorganize other sections of the current version of the Code of Conduct so that the existing and the new provisions are in one section that addresses the conduct of only Appointees.

The draft revisions also:

1) Set the expectation that board and commission members first owe a duty to the community they serve in their roles as board and commission members;
2) Require board and commission members to disclose their membership or leadership roles in a nonprofit entity, board, committee, or initiative ("Organization") to their fellow board and commission members and, if a matter or issue arises during their participation on a City board or commission related to their membership with an Organization or vice versa, they must disclose that to their fellow board or commission members and refrain from using their position as an appointed board or commission member from securing favorable action, preferential treatment, advantage, or a particularized benefit for another Organization;
3) Require board and commission members to avoid using their position on a City board or commission to secure preferential treatment or a particularized benefit for an organization;
4) Prohibit board and commission members from receiving or accessing confidential City information in which they have outside involvement as a member, officer, employee, or representative of an organization;
5) Encourage board and committee members to actively engage or participate in their meetings, including by having their cameras on during remote meetings unless an accommodation for a disability has been requested and approved.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Ethics Review Board recommends adoption of the Board's draft revisions to the Code of Conduct policy.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ethics Review Board Meeting Minutes, June 9, 2026
2. Ethics Review Board Meeting Minutes, July 24, 2026 (draft)
3. Code of Conduct with changes to 2023 version
4. Resolution 2026-104