

AGENDA ITEM SUMMARY

City Council



STAFF

Rupa Venkatesh, Assistant City Manager
Davina Lau, Public Engagement Specialist
Jenny Lopez Filkins, Deputy City Attorney

SUBJECT

First Reading of Ordinance No. 169, 2023, Amending Chapter 2, Article III of the Code of the City of Fort Collins to Update Ex-Officio Member Provisions for Various Boards and Commissions.

EXECUTIVE SUMMARY

The purpose of this item is to consider an amendment to add an ex-officio seat for the Housing Catalyst to the Affordable Housing Board and to eliminate ex-officio members from the Art in Public Places Board and Water Commission.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

During the August 8, 2023, Council work session reviewing the recommendations from the Ad Hoc Council Committee on Boards and Commissions, there was discussion concerning the Housing Catalyst's request for ex-officio representation on the Affordable Housing Board (AHB). City Council expressed interest in changing the City Code to allow an ex-officio representative from the Housing Catalyst to serve on the Affordable Housing Board. After the work session, direction was given for staff to craft criteria for Council to consider when a request is made to add an ex-officio, nonvoting member to a board or commission.

During the October 24, 2023, Council work session, general consensus was given for the following:

An ex-officio member is an individual who serves on a board by virtue of holding a position with a non-City organization and who represents that organization when serving as an ex-officio member to a City board or commission.

- Council will formally select the entity that serves as ex-officio to the board by a Code update and the entity will then appoint. No formal appointment by the City Council of the individual ex-officio member is desired.
- Ex-officio members should be non-voting members of the board.
- The entity could lend a regional expertise that the City does not have through other partnerships.

For an organization to be considered for an ex-officio seat on a board or a commission the following must apply:

- The organization must be nonpartisan and a governmental or quasi-governmental entity.
- The organization includes members or employees who are experts in the field of work that falls within the functions of the board.
- The entity's expertise is needed on an ongoing basis.
- The work of the other entity aligns with the board's functions.

The following may apply:

- The City is a party to an intergovernmental agreement with the other organization.
- The City has a financial tie to the organization.
- A City Councilmember serves as a liaison or board member to that organization.

The request for a representative from Housing Catalyst to serve on AHB meets all the above criteria.

After the October 24, 2023, Council work session, staff determined that the new Active Modes Advisory Board should form and meet to discuss their ex-officio needs and provide a recommendation to Council. The new Board will start in April 2024.

During the October 24, 2023, Council work session, Councilmembers expressed interest in eliminating all current ex-officio members from City boards and commissions, except adding an ex-officio member to the Affordable Housing Board. On September 19, 2023, City Council adopted Ordinance No. 118, 2023, which eliminated ex-officio members from the Women's Advisory Board effective January 1, 2024. Currently, City Code allows ex-officio membership on the Women's Advisory Board, the Art in Public Places Board and the Water Commission. With this Ordinance, the ex-officio memberships on the Art in Public Places Board and Water Commission will be eliminated.

Similarly, each board and commission is encouraged to include an ex-officio assessment, using the criteria above, in their work plans which are due in November of every year and bring forth a recommendation for Council consideration at a future date, if one is needed.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Affordable Housing Board unanimously supported the recommendation during their July 6, 2023, meeting for the following reasons:

- In recognition of the contributions of expertise and local knowledge of a Housing Catalyst staff or board member.
- A non-voting seat avoids conflicts of interest so that quorum can be more easily attained.
- Residency limits would not apply to this seat.

Their recommendation was also supported by the Ad Hoc Council Committee on Boards and Commissions.

PUBLIC OUTREACH

All board and commissions were given the opportunity to provide feedback on the purpose and utilization of ex-officio members and are encouraged to discuss further during the 2024 year.

ATTACHMENTS

1. Ordinance for Consideration
2. Presentation