

RESOLUTION 2024-09

A RESOLUTION AMENDING EXHIBIT A OF RESOLUTION 2018-37 - BYLAWS OF THE FRUITA LIVABILITY COMMISSION CONCERNING MEMBERSHIP

WHEREAS, Resolution 2018-37 was adopted by the Fruita City Council on October 2, 2018, and established the Fruita Livability Commission, and

WHEREAS, Exhibit A of Resolution 2018-37 consists of the Bylaws of the Fruita Livability Commission, and

WHEREAS, the City Council desires to make the City Council members appointed to the Livability Commission non-voting members in order to provide better separation of roles and responsibilities between the City Council and the Commissions and promote independence of the Commissions, and

WHEREAS, the Livability Commission has other changes to the Fruita Livability Commission Bylaws that they want to propose to the City Council

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO AS FOLLOWS:

Section 1:

Article IV of the Bylaws of the Fruita Livability Commission concerning Membership is hereby amended to read as follows:

ARTICLE IV. MEMBERSHIP:

The Commission shall consist of no less than seven (7) and no more than twenty-one (21) members. All members of the Commission (commissioners) shall be appointed to three-year terms by the Mayor with approval of the City Council. First appointments shall be for staggered terms of one, two and three years.

Appointments to the Commission shall mirror, as much as possible, the demographics of the population of Fruita's city and rural limits. These include ethnicity, gender, race, age, sexual orientation, political viewpoints and affiliations, and geographic location.

- A. Any person desiring to be appointed to the Commission is encouraged to attend at least one regularly scheduled meeting of the Commission and then submit a copy of his/her application to the City of Fruita.
- B. A commissioner may resign his/her membership at any time by providing written or email notice to the City of Fruita or the Chair of the Commission.

- C. Commissioners shall serve without compensation, except for those expenses incurred in connection with the work of the Commission as approved by the City Manager or their designee.
- D. A commissioner may be removed by the City Council pursuant to Article 6.07 of the Fruita City Charter.
- E. Livability Commission Ex-Officio members will include a City Council Liaison, and City of Fruita Staff Member(s) as appointed by the City Manager.
 - a. City Council Liaison appointments are not considered members of the Commission.
 - i. After each Regular Municipal Election, held biannually, a member of the Fruita City Council or the Mayor will be appointed by the Mayor to serve a two-year term as the City Council Liaison to the Livability Commission.
 - 1. The Council Liaison's role is to:
 - A. Serve as a communications link between the City Council and board members.
 - B. Work with the Mayor to fill vacancies, review applications and interview candidates if required.
 - C. Resolve questions the board may have about the role of the Council, city government and the board or commission.
 - b. City Staff Liaison appointments are not considered members of the Commission.
 - 1. City Staff's role is to:
 - A. Schedule meetings based on input from the board and publish on the monthly meeting calendar.
 - B. Prepare and post agendas and packets for the board based on input from the board or City Council.
 - C. Post minutes of meetings on the City's website.
 - D. Ensure that recommendations of the board get forwarded to the City Council for action.
 - E. Provide guidance and information to the board.
 - F. Communicate vacancies and resignations to the City Clerk's Office.
 - G. Communicate with the Mayor and Council Liaison regarding excessive absences of members.
 - H. Schedule annual appointments of officers to the board on the agenda as required by Bylaws or other documents.
 - I. Provide orientation and training as needed to board members.

F. Nepotism

- a. Relatives of City Council cannot serve on boards and commissions
- b. City employees and their Relatives cannot serve on boards and commissions
- c. Relatives of Boards and Commissions members cannot serve on the same board or commission

i. Relatives are defined as:

- 1. Any person related by blood or marriage who is a member of the official's household, under the same roof, or
- 2. Any parent, stepparent, grandparent, spouse, child, grandchild, brother, sister, or
- 3. Any child, parent, stepparent, or grandparent of the official's spouse.

ii. This provision shall apply to all appointments made after August 1, 2020.

G. Term Limits

- a. Term limits shall be two consecutive terms for all boards with the exception of the Board of Adjustments. The balance of an unexpired term served by a person to fill a vacancy shall not be counted as a term for the purpose of term limits. This provision shall apply to all appointments made after August 1, 2020. Appointments made prior to this date shall not be included in the two consecutive terms.

H. Membership on Multiple Boards

- a. Appointment of an individual to serve concurrently on more than board is discouraged. This limitation does not apply to committees deemed to be temporary in nature or that have a general purpose which encourages input from representatives of various boards. This provision shall apply to all appointments made after August 1, 2020.

Section 2:

Article VII of the Bylaws of the Fruita Livability Commission concerning Amendments to the Bylaws is hereby added to read as follows:

ARTICLE VII. AMENDMENTS TO THE BYLAWS:

The Bylaws listed herein, with the exception of those established by the City Charter, may be amended in the following manner:

- A. Any proposed amendment to the by-laws of the Livability Commission must be submitted in writing to the Board of Directors/Executive Committee/Other Appropriate Authority

(“Approving Authority”).

- B. The proposed amendment shall be reviewed by the Approving Authority, and if deemed appropriate, it shall be presented to the City Council for consideration.

These amended Bylaws were passed and adopted this 19th day of March, 2024 by the City of Fruita City Council.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 19th DAY OF MARCH, 2024**

ATTEST:

City of Fruita

City Clerk

Joel Kincaid, Mayor