

CITY OF RIFLE, COLORADO
ORDINANCE NO. 13
SERIES OF 2014

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTERS 2 ~~AND 16~~ OF THE RIFLE MUNICIPAL CODE REGARDING THE APPOINTMENT OF CITY EMPLOYEES TO CITY OF RIFLE BOARDS AND COMMISSIONS.

WHEREAS, Article VII of the Home Rule Charter (“Charter”) of the City of Rifle (“City”) provides that the City Council may establish City boards and commissions and provide for the powers and duties of such boards and commissions; and

WHEREAS, the City Council has created certain City boards and commissions described in Chapters 2 ~~and 16~~ of the Rifle Municipal Code (the “Code”) and established the criteria to qualify for appointment as a member of such City boards and commissions; and

WHEREAS, the City Council finds that the City’s boards and commissions fulfill the purposes for which they were created in a manner more representative of the City residents’ interests when the City boards and commissions are able to operate free from influence by the City; and

WHEREAS, the City Council finds that limiting the number of member positions of a City board or commission which may be filled by a City employee and prohibiting City employees from serving on City boards and commissions whose purposes relate to the City employee’s job function will help eliminate any influence by the City on the City’s boards and commissions and desires to amend Chapters 2 ~~and 16~~ of the Code accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 2-2-50 of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 2-2-50. Boards and commissions.

(a) In accordance with the provisions of Article VII of the Charter, the City Council shall create such boards and commissions and appoint members to such boards and commissions as may now or hereafter exist, including but not limited to the following:

- (1) Board of Adjustment;
- (2) Planning Commission;
- (3) Senior Center Advisory Board; ~~and~~

(4) Tree Board;

(5) Public Safety Citizen Advisory Board;

(6) Parks and Recreation Advisory Board;

(7) Urban Renewal Authority;

(8) Housing Authority; and

(9) Visitor Improvements Fund Advisory Board.

(b) As set forth elsewhere in this Code with respect to appointment of the members of specific boards and commissions, at no time shall the City Council appoint:

(1) More than one (1) City employee as a member or alternate member of any City board or commission unless otherwise expressly provided for in this Code; and

(2) Any City employee as a member or alternate member of a City board or commission whose purposes or responsibilities directly relate to the City employee's job function.

(c) In the event a member of a City board or commission becomes a City employee during the term of office for which the member has been appointed, the member or alternate member may serve out the remainder of the term.

(d) Any City employee who applies for appointment to a City board or commission shall affirmatively state on his or her application for appointment that he or she is an employee of the City.

Section 3. Section 2-5-40(b) of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 2-5-40. Public Safety Citizen Advisory Board.

(b) Membership. The Public Safety Citizen Advisory Board shall consist of nine (9) voting members plus one (1) alternate member with voting rights only in the absence of a regular member. In the event a regular member of the Public Safety Citizen Advisory Board resigns or is removed from his or her position, the alternate, if interested in filling that position, will be required to submit an application and participate in the appointment process. The City shall be responsible for advertising for positions that need to be filled. The Chair or acting Chair of the Public Safety Citizen Advisory Board shall be responsible for notifying the City Manager if and when there is a vacancy due to a resignation or other reason within two (2) weeks of the vacancy. **Membership on**

the Public Safety Citizen Advisory Board shall be in compliance with Section 2-2-50(b) of this Code.

Section 4. Section 2-6-30 of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 2-6-30. Membership.

The Planning Commission shall consist of seven (7) members who shall be bona fide residents of the City and who shall hold no other municipal office. The Planning Commission shall also consist of two (2) alternate members with the same qualifications as regular members. The regular and alternate members of the Planning Commission shall be appointed by the City Council. **Membership on the Planning Commission shall be in compliance with Section 2-2-50(b) of this Code.**

Section 5. Section 2-7-20(a) of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 2-7-20. Membership and qualifications.

(a) The Senior Center Advisory Board shall consist of seven (7) members and two (2) alternates, to be appointed by the City Council. The Senior Center Advisory Board will be divided into three (3) classes for the purposes of providing overlapping terms of office. The first class shall consist of two (2) members and one (1) alternate, the second class shall consist of two (2) members and one (1) alternate and the third class shall consist of three (3) members. Each class will serve a term of three (3) years, expiring on April 15 of the final year of the term. The members and alternates of a class whose term is expiring will serve until their successors are appointed by the City Council. **Membership on the Senior Center Advisory Board shall be in compliance with Section 2-2-50(b) of this Code.**

Section 6. Section 2-8-20(a) of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 2-8-20. Membership.

(a) The Tree Board shall consist of seven (7) members, of which one (1) shall be a City Council member, the City Manager or his or her duly authorized representative and five (5) citizens of the City who are interested and enthusiastic about improving and protecting trees, who shall be recommended by the Mayor and approved by a majority vote of the City Council. The Tree Board shall be governed by bylaws recommended by the Tree Board and approved by the City Council. **Membership on the Tree Board shall be in compliance with Section 2-2-50 (b) of this Code.**

Section 7. Section 2-9-20(a) of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 2-9-20. Membership.

(a) The Parks and Recreation Advisory Board shall consist of seven (7) voting members, plus one (1) alternate member with voting rights only in the absence of a regular member. Six (6) members shall be bona fide residents of the City, and one (1) member may be a nonresident living in the Rifle area. One (1) of the members shall be a representative of the senior population at least fifty-five (55) years of age or older. The Recreation Director and the Parks Director of the City shall be ex officio, nonvoting members of the Parks and Recreation Advisory Board. **Membership on the Parks and Recreation Advisory Board shall be in compliance with Section 2-2-50 (b) of this Code; provided, however, that neither the City's Recreation Director nor the Parks Director shall be counted as a City employee for purposes of the limitation set forth in Section 2-2-50 (b).**

Section 8. Section 2-11-20 of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 2-11-20. Membership.

The Housing Authority Board shall consist of five (5) members, ~~no more than one (1) of whom may be a City official,~~ who shall serve for five-year terms. **Membership on the Housing Authority Board shall be in compliance with Section 2-2-50 (b) of this Code.** A Board members shall hold office until his or her successor has been appointed and has qualified. Vacancies, other than by reason of expiration of terms, shall be filled for the unexpired term. The City Council, pursuant to the authority granted by Section 29-4-205(3)(a), C.R.S., shall appoint the members of the Housing Authority Board as positions become vacant.

Section 9. Section 2-12-20(a) of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike through language is deleted~~:

Sec. 2-12-20. Membership.

(a) The Visitor Improvements Fund Advisory Board shall consist of seven (7) voting members, plus one (1) alternate member with voting rights only in the absence of a regular member, all of which but one (1) shall be bona fide residents of the City or appointed representative of a business in the City. ~~City staff members shall not be precluded from being on the Visitor Improvements Fund Advisory Board and need not be a resident of the City.~~ **Membership on the Visitor Improvements Fund Advisory Board shall be in compliance with Section 2-2-50 (b) of this Code.** Any nonresident City staff member **employee** or nonresident owner or owner-appointed representative of a business in the City appointed to the Visitor Improvements Fund Advisory

Board shall not count against the appointment of the one (1) nonresident board member provided for above.

INTRODUCED on September 17, 2014, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on October 1, 2014, passed with ~~out~~ amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2014.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk