

ORDINANCE NO. 38, Series 2016  
INTRODUCED BY: COUNCILOR ALEXANDRA LYNCH

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, REPEALING AND REENACTING ARTICLE VII OF CHAPTER 5 OF THE LAFAYETTE CODE OF ORDINANCES, DISSOLVING THE LATINO ADVISORY BOARD AND ESTABLISHING AND PROVIDING FOR A HUMAN RIGHTS COMMISSION**

**WHEREAS**, Section 4.13 of the Charter of the City of Lafayette authorizes the City Council, by ordinance, to establish, and abolish any board or commission for any public purpose; and

**WHEREAS**, the City Council has determined that an advisory board whose function is to consider and promote issues related to diversity and inclusiveness is needed, and would serve a valuable public purpose; and

**WHEREAS**, the City Council has determined that a Human Rights Commission will be able to incorporate and address the same public purposes as the Latino Advisory Board, along with other public purposes and, therefore, the Latino Advisory Board is no longer needed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AS FOLLOWS:

Section 1. Article VII of Chapter 5 of the Lafayette Code of Ordinances is hereby repealed in its entirety and reenacted to provide:

**ARTICLE VII. – HUMAN RIGHTS COMMISSION**

**Sec. 5-70. – Human rights commission**

- (a) *Established.* There is hereby established the Human Rights Commission.
- (b) *Membership.* The advisory board shall consist of seven (7) city electors of at least eighteen (18) years of age who shall be appointed by city council. Council may appoint up to two (2) alternate members, who shall be called upon to serve and vote in the absence of a regular member(s). The board may recruit and recommend nominees to city council for appointment. A city employee appointed by the city administrator shall serve as the city's nonvoting staff liaison to the board.
- (c) *Term and Compensation.* Members shall be appointed to serve three-year terms. Members seeking reappointment may be recommended by the current board and must be approved by city council. Vacancies for any unexpired term shall be filled by city council appointment. Board members serve at the pleasure of council. Board members shall not receive a salary or other compensation for their service, but may receive reimbursement for necessary expenses in accordance with city policy.

- (d) *Purpose.* The purpose of the advisory board is to foster mutual respect and understanding and to create an atmosphere conducive to the promotion of amicable relations among all members of the community and to serve as a vehicle through which citizens can convey their suggestions on city policies with respect to diversity and inclusiveness.
- (e) *Duties and responsibilities.* In addition to other tasks that the city council may assign to it, the advisory board shall:
  - (1) Study, prepare and recommend to the city council a plan of long and short range priorities and specific legislation or programs to alleviate problems related to diversity and inclusiveness, including programs administered by the city to promote diversity and inclusiveness;
  - (2) Upon request of the council or the city administrator, or upon its own initiative, advise the city council or administrator on the diversity and inclusiveness impact of proposals to be acted upon by the council or upon areas to which the council's attention should be directed;
  - (3) Facilitate conversation related to incidents of division and conflict on issues of diversity and inclusiveness and attempt to correct them by issuing recommendations to appropriate city departments and to the city council for actions necessary or helpful to eliminate such division and conflict; and
  - (4) Consider, research, study and make recommendations to the city council regarding any contemplated or proposed action by any federal, state or municipal government, or any agency or instrumentality thereof, which may have an effect on diversity and inclusiveness in the community.
- (f) *Meetings and bylaws.* The board is authorized to adopt bylaws and other administrative guidelines to govern the conduct of its meetings and activities.

Section 2. In accordance with the City Council's authority under Section 4.13 of the Charter of the City of Lafayette, the Human Rights Commission is hereby established and the Latino Advisory Board is hereby abolished.

Section 3. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 5. The repeal or modification of any provision of the Code of Ordinances of Lafayette, Colorado by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any

judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 6. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 7. This ordinance shall become effective upon the latter of the 10<sup>th</sup> day following enactment, or the day following final publication of the ordinance.

INTRODUCED AND PASSED ON FIRST READING THE 1ST DAY OF NOVEMBER, 2016.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THE 16TH DAY OF NOVEMBER, 2016.

CITY OF LAFAYETTE, COLORADO

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Christine Berg, Mayor

ATTEST:

APPROVED AS TO FORM:

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Susan Barker, CMC  
City Clerk

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David S. Williamson, City  
Attorney