

CITY OF LAFAYETTE

ORDINANCE NO. 09, Series 2024

INTRODUCED BY: Councilor Saul Tapia Vega

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE,
COLORADO, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES TO
ESTABLISH THE MENTAL HEALTH AND HUMAN SERVICES GRANT
PROGRAM ADVISORY COMMITTEE**

WHEREAS, at the November 2021 election, Lafayette voters approved ballot question 2C, establishing a 0.1% sales and use tax to fund grants to non-profit organizations serving Lafayette residents with a variety of mental health and human services; and

WHEREAS, by the adoption of Ordinance No. 26, Series 2021, the City Council established the Mental Health and Human Services Fund in section 44-13 of the Lafayette Code of Ordinances (“Code”) and the sales and use tax levies for the 0.1% tax in Division 7 of Article III of Chapter 110, “Sales and Use Tax,” of the Code; and

WHEREAS, on June 6, 2023, the City Council of the City of Lafayette approved Resolution No. 2023-40, forming the “Mental Health and Human Services Grant Program Advisory Committee” (the “Committee”) to advise Council and to make funding and programmatic recommendations related to grants from the Mental Health and Human Services Fund to support non-profit agencies that provide critical safety net services and other mental health and human supports or programs to individuals, families, and children in Lafayette; and

WHEREAS, the City Administrator appointed members to the Committee, and the Committee has effectively carried out its purposes and duties since its formation in 2023; and

WHEREAS, the City Council now desires to formally establish the Committee in the Lafayette Code of Ordinances as an advisory committee pursuant to Sections 4.13 and 4.13-1 of the Lafayette Home Rule Charter; and

WHEREAS, the City Council finds that the adoption of this ordinance is necessary to promote and preserve the public health, safety, and welfare of the community

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

Section 1. That Sections 5-71 through 5-79 are hereby reserved in Chapter 5, “Administration,” of the Code of Ordinances, City of Lafayette, Colorado.

Section 2. That the Code of Ordinances, City of Lafayette, Colorado, is hereby amended by adding a new Article VII to Chapter 5, Administration, which article reads as follows:

Chapter 5. – Administration

Article VIII. - Mental Health and Human Services Grant Program

Sec. 5-80. - Mental Health and Human Services Grant Program Advisory Committee .

- (a) *Established.* Pursuant to sections 4.13, 4.13-1, and 5.1 of the Lafayette Charter, there is hereby established the Mental Health and Human Services Grant Program Advisory Committee (“committee”), which shall be advisory in structure and character.
- (b) *Purpose.* The purpose of the committee is to serve in an advisory capacity to city council and to make recommendations to city council related to grants awards and disbursements from the mental health and human services fund established in section 44-13 of the code and for the purposes described in subsection 110-182(a) of the code.
- (c) *Membership.*
 - (1) The committee shall consist of seven (7) members, who shall be appointed by city council. All members must be eligible for appointment under section 5.1 of the city charter, and shall serve at the pleasure of city council. The committee may recruit and recommend nominees to city council for appointment. The city administrator or a city employee appointed by the city administrator shall serve as a nonvoting staff liaison to the board.
 - (2) It is the intent of the city council to strive to make appointments to the committee from among qualified residents who can think broadly about the subject matter, can understand the full range of community perspectives, and are willing to represent the community as a whole, rather than singularly representing a particular issue of concern, so as to enable the committee to provide meaningful recommendations to the city council regarding mental health and human services fund grants and programming.
- (d) *Term and compensation.* Members shall be appointed to serve staggered three-year terms so that the terms of no more than three (3) members of the commission shall expire at any one time. Each member’s three-year term shall commence on December 1 and expire on November 30. Vacancies shall be filled for the unexpired term by city council appointment. Committee members shall not receive a salary or other compensation for their service, but may receive reimbursement for necessary expenses actually incurred in accordance with city policy.
- (e) *Duties and responsibilities.* In addition to other tasks the city council may assign to it, the committee shall have the following duties and responsibilities:

- (1) In accordance with subsection 44-13(h), to recommend selection criteria to the finance director for reviewing grant applications and for selection of organizations to receive disbursements or grant awards from the mental health and human services fund, and which are consistent with the purposes and authorized uses of the fund;
- (2) To recommend funding and grant limitations for disbursements and grant awards from the mental health and human services fund;
- (3) To review and score grant applications submitted for mental health and human services funds; and
- (4) To make funding and disbursement recommendations for the mental health and human services fund as requested by the city council.

(f) *Administration.*

- (1) *Officers.* From among its members, the committee shall select a chair, vice-chair, and such other officers as the committee deems necessary.
- (2) *Meetings.* The committee shall conduct meetings as needed to carry out its duties and responsibilities. All meetings shall be open to the public.
- (3) *Bylaws.* The committee is authorized to adopt bylaws and other administrative guidelines to govern the conduct of its meetings and activities.

- (g) *Conflicts of interest.* Members of the committee are required to comply with the city's code of ethics (chapter 42 of the code). Members shall not be employed by or be an officer or director of an organization or entity applying for, considered for, or awarded funds from the mental health and human services fund. Prior to appointment and throughout their term, committee members must confirm they do not work for an organization that may apply or has applied for mental health and human services grant funds during each grant application and award cycle.

Section 3. Upon the effective date of this ordinance, all members of the committee formed pursuant to Resolution No. 2023-40 are hereby appointed to the committee established by this ordinance with terms ending on November 30. To provide for staggered terms as required in Section 2 of this ordinance, the City Administrator will determine which of the initial members' terms will end on November 30 of 2024, 2025, and 2026.

Section 4. Upon the effective date of this ordinance, Resolution No. 2023-40 shall be repealed, and the Committee formed pursuant to that resolution shall be dissolved.

Section 5. 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 6. 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 7. The repeal or modification of any provision of the Code of Ordinances, City 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 8. This ordinance is deemed necessary for the protection of the health, welfare, and safety of the community.

Section 9. This ordinance shall become effective upon the latter of the 10th day following enactment, or the day following final publication of the ordinance.

INTRODUCED AND PASSED ON FIRST READING THE 6th DAY OF AUGUST, 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THE 20th DAY OF AUGUST, 2024.

CITY OF LAFAYETTE, COLORADO

Jaideep Mangat, Mayor

ATTEST:

Lynnette Beck, City Clerk

APPROVED AS TO FORM:

Mary Lynn Macsalka, City Attorney