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Tuesday, July 29, 2025, 6:00 PM  
Council Chambers  
One DesCombes Drive  
Broomfield, CO 80020

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## 1. Concept Review

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## 2. Study Session

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2.A. Development Update - Flatiron Crossing and HiFi Village Redevelopment

2.B. Discussion of a Broomfield Human Rights Ordinance

2.C. City Council Direct Reports - Evaluation Process Discussion

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Individuals with disabilities requiring accommodation or persons needing a language interpreter must submit such a request to the City Clerk no later than noon on Thursday prior to the scheduled Council meeting to allow adequate time to make arrangements. Please call 303.438.6332 or TDD 303.465.5411 or write [cityclerk@broomfield.org](mailto:cityclerk@broomfield.org) to make your request.

During the meeting, individuals can click the "CC" button on Live Council meeting video feeds to view closed captioning. Auxiliary hearing aid equipment can be requested on the night of the meeting with our AV team located at the back of the Council Chambers.



*Date Posted: July 23, 2025*



# City and County of Broomfield

## City Council Study Session

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### B. Discussion of a Broomfield Human Rights Ordinance

| Meeting                                 | Agenda Group            |
|-----------------------------------------|-------------------------|
| Tuesday, July 29, 2025, 6:00 PM         | Study Session Item: 2B. |
| Presented By                            |                         |
| Nancy Rodgers, City and County Attorney |                         |
| Community Goals                         |                         |

## Overview

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Following the Mayor's Request for Future Action on December 10, 2024, Council gave direction to staff to schedule a study session to discuss a Broomfield Human Rights Ordinance that prohibits discrimination in the areas of housing, employment, and public accommodation.

### **Attachments**

[Study Session Memo Regarding Human Rights Ordinance 7-29-2025.pdf](#)

## Summary

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On December 10, 2024, the Mayor presented a request for future action regarding Broomfield's adoption of a local Human Rights Ordinance that would provide local protection against discrimination in Broomfield. A Human Rights Ordinance would be a local law that would make it illegal to discriminate in Broomfield in three areas: housing, employment, and public accommodation. Within these areas, the ordinance would prohibit discrimination within Broomfield based on: ancestry, color, creed, gender variance, genetic characteristics, immigration status, marital status, mental disability, national origin, physical disability, race, religion, sex, sexual orientation, source of income. In housing, the ordinance would also prohibit discrimination based on custody of a minor child, parenthood and pregnancy. In employment, the ordinance would also prohibit discrimination based on age (40+).

During the December 10, 2024, meeting, Council discussed the two primary reasons for creating discrimination protection at a local level: (1) Protecting classes which are not protected at the state or federal levels; and (2) State and Federal agencies are dealing with a much larger volume of complaints and therefore a complaint at the state or federal level can be time consuming.

## Other Local Human Right / Nondiscrimination Codes

### Colorado

- Aspen [Code](#)
- City of Boulder [Code](#)
- City and County of Denver [Code](#) and [Human Rights and Community Partnership](#) office
- Fort Collins [Code](#)
- Aurora [Code](#)
- Telluride [Code](#)

### Examples Outside of Colorado

- [Albuquerque, New Mexico](#)
- [Champaign, Illinois](#)
- [Kansas City, Missouri](#)
- [Tempe, Arizona](#)

## Models for Enforcement

There are different models for the administration and enforcement of a human rights ordinance:

- **City Manager either directly or through a city office** (example: Boulder, Denver, Fort Collins model)
  - Complaints sent to the city manager (or designee - Denver has their Office of Human Rights (OHR)). Manager or designee informs the person against whom the complaint is made; may attempt to mediate a settlement, conduct an investigation, and work on a conciliation agreement between the parties. Either party may appeal to the jurisdiction's human relations commission.
  - After this process is done, the city manager or designee can file a case in municipal court for prosecution of their human rights code. (Fort Collins model)

- **Third Party hearing officer** (example: Fort Collins permits the appointment of a third party to carry out any or all of the manager's duties under their ordinance)
  - Complaints are received by an office in the city, who sends the complaint to a third party hearing officer. The hearing officer sends the complaint to the person against whom the complaint is made. The hearing officer presides over administrative hearings related to the complaint. This includes conducting hearings, reviewing evidence, making legal determinations, and issuing decisions. The complainant presents their case and the respondent presents their case. CCOB staff involvement is limited to administrative support and providing space for the hearing.
    - Appeals of the hearing officer's decision can be appealed to a jurisdiction's human rights commission or to the district court.
- **Human Rights Commission** as the hearing body. (example: Aurora model)
  - A board/commission (aka "Human Rights Commission") would serve as the body that presides over administrative hearings related to the complaint. The process would be similar to the hearing officer, except that the Commission's decision would be final and appeals would be made to the district court. Staff support for this model would be greater, as staff would need to help schedule and coordinate the Commission's hearing. Additionally, there may be a need to hire a subject matter expert, such as a lawyer, to advise the commission in their consideration of the human rights violation (similar to the lawyer hired to advise the Personnel Merit System).
- **Charge into Municipal Court** similar to other Code violations. (example: Boulder, Telluride, Aspen)
- **Impact on Business Licensing** similar to other licensing violations. (example: Fort Collins, Aspen)

## Human Rights Commissions with/without a local discrimination ordinance

Other jurisdictions have human rights commissions, some with and some without enforcement responsibilities.

### Aurora [Human Relations Commission](#)

The purpose of the Human Relations Commission is to promote a mutual understanding and respect among all people. Disseminate information and educational materials to eliminate prejudice, promote human relations and investigate complaints of this nature.

### Breckenridge [Social Equity Advisory Committee](#) (no enforcement component)

The commission's core responsibilities include advising the council on equity priorities, championing and advancing equitable policies, programs, and events, enhancing accessibility, and creating a safe and welcoming environment for a more inclusive Breckenridge.

### Boulder [Human Relations Commission](#)

The function of the Human Relations Commission is to foster mutual respect and understanding and to create an atmosphere conducive to the promotion of amicable relations among all members of the Boulder community. The Human Relations Commission strives to: celebrate and encourage understanding of the diversity of the city's population; encourage education programs with the potential to change ideas and attitudes; conduct research to define key issues in the community in order to suggest appropriate changes to ordinances and policies; and enforce the City of Boulder's Human Rights Ordinance that prohibits discrimination by serving as a quasi-judicial hearing board for human rights ordinance cases.

### **Fort Collins [Human Relations Commission](#)**

Promotes the acceptance and respect for diversity through educational programs and activities, and to discourage all forms of discrimination based on race, religion, age, gender, disability, etc.

### **Greeley [Human Relations Commission](#) (no enforcement component)**

The purpose of the Human Relations Commission is to foster mutual respect and understanding among all members of the Greeley community. This commission creates an atmosphere conducive to community dialogue and appreciation. It provides a venue where residents can suggest policy changes to Greeley City Council regarding social issues for the benefit of the whole community.

### **Lafayette [Human Rights Board](#) (no enforcement component)**

Lafayette City Council created the Human Rights Board (HRB) in 2016. The HRB is committed to evaluating City of Lafayette government, programs and processes with an inclusive lens, with a goal of fostering equity, social justice, and freedom from fear of persecution based on race, religious belief, country of origin, sexual or gender identity, physical ability or age.

### **Pueblo [Human Relations Commission](#) (no enforcement component)**

The Pueblo Human Relations Commission (PHRC) was created by an Intergovernmental agreement between the City of Pueblo and Pueblo County. The purpose of which is to serve as an instrumentality through which the City and county of Pueblo may officially encourage and bring about mutual understanding and respect for all persons of any marginalized groups including but not limited to; age, race, creed, color, disability, gender, sexual orientation of national origin; throughout Pueblo County, and help give effect to equal rights for all persons as assured by the federal and state constitutions and laws.

## **Financial Considerations**

Depending on the enforcement mechanism adopted in the ordinance, there is anticipated to be a potential impact in the City and County of Broomfield finances due to additional staffing internally and/or through an external hearing officer to ensure compliance with the Code, and to provide accountability for any violations. Further, the budget impact will be dependent on the amount of cases filed.

Boulder Office of Human Rights budget for 2025 - \$114,134; 2024 - \$97,423

## **Prior Council or Other Entity Actions**

[December 10, 2024](#) - Request for Future Action regarding a Human Rights Ordinance

## **Boards and Commissions Prior Actions and Recommendations**

N/A

## **Proposed Actions / Recommendations**

Staff is requesting Council direction on a potential ordinance regarding Human Rights and/or a Human Rights Commission.

- Discrimination ordinance with an enforcement mechanism.
  - What type of enforcement mechanism?

- Staff recommendation is a third-party model (hired hearing officer). Budget would come out of the City and County Attorney's professional services budget. First year would be limited to a \$50,000 budget.
- Internally staffing an office would be between \$75,000 and \$125,000
  - Many unknowns, especially the number of complaints and time needed to address complaints/hold hearings. Staffing would be set to handle 50 complaints.
  - 120 hours (1 month) operationally at the start (to stand up claim system, process, train staff on the appropriate manner to investigate and enforce discrimination claims)
- Board and Commission focused on human rights

## Alternatives

As directed by Council.

## State and Federal Discrimination Laws

### State Law and Enforcement Mechanism

#### State

The Colorado Anti-Discrimination Act (CADA) protects against discrimination on the basis of Disability, Race, Color, National Origin, Ancestry, Sex, Sexual Orientation, Gender Identity, Gender Expression, Pregnancy (employment only), Creed, Religion (employment and housing only), Age (at least 40 years of age; employment only), Marriage to a Co-Worker (employment only), Marital Status, Familial Status (housing only), Source of Income (housing only) and Veterans/Military Status (housing only).

Enforcement is handled by the [Colorado Civil Rights Division](#) and the judicial system. According to the [2023 Annual Report](#), 1492 complaints were filed with the CCRD in 2023, the majority (1137) being in the employment area.

### Federal Law and Enforcement Mechanism

Federal laws against discrimination primarily include Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and the Age Discrimination in Employment Act (ADEA). These laws prohibit discrimination based on specific characteristics in employment and other areas.

- Title VII of the Civil Rights Act of 1964: This law prohibits employment discrimination based on race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), and national origin.
- Americans with Disabilities Act (ADA): Prohibits discrimination against individuals with disabilities in employment, public accommodations, transportation, and other areas.
- Age Discrimination in Employment Act (ADEA): The ADEA protects individuals 40 years of age and older from age discrimination in employment.
- The Immigration Reform and Control Act of 1986 (IRCA) makes it illegal for an employer to discriminate with respect to hiring, firing, or recruitment or referral for a fee, based upon an individual's citizenship or immigration status.

Enforcement is handled by the Equal Employment Opportunity Commission, the Department of Justice, and the judicial system. In 2024, the [EEOC received 1304 complaints](#) in the State of Colorado.



# City and County of Broomfield

## City Council Study Session

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### C. City Council Direct Reports - Evaluation Process Discussion

| Meeting                         | Agenda Group            |
|---------------------------------|-------------------------|
| Tuesday, July 29, 2025, 6:00 PM | Study Session Item: 2C. |
| Community Goals                 |                         |

## Overview

[View Correspondence](#)

[View Presentation](#)

Discussion regarding the evaluation process for City Council direct reports

### **Attachments**

[Memo for City Council Direct Employees - Evaluation Process Discussion.pdf](#)

## Summary

[View Correspondence](#)  
[View Presentation](#)

As part of ongoing efforts to strengthen the performance evaluation process for the City Council's direct reports, a feedback survey was conducted to gather input from Council members on the effectiveness of the current process. This feedback is intended to support continuous improvement in the evaluation of the City and County Manager, City and County Attorney, and Municipal Judge.

The survey feedback helps identify what parts of the current process are working well, where improvements might be helpful, and whether there is value in hiring a third-party facilitator or subject matter expert to support future evaluations or improve the evaluation process tools.

The goal of this work is to ensure the evaluation process promotes open, honest communication, continuous improvement, and a meaningful feedback loop between City Council and its direct employees. This process is intended to help foster alignment on expectations, performance, and opportunities for growth.

During this Study Session, City Council will review the survey results and discuss potential next steps, including process improvements and possible timelines for implementing any changes.

## Financial Considerations

Financial considerations may include costs associated with engaging a third-party facilitator or consultant to support process improvements. Additional expenses could arise if specialized evaluation tools or training resources are identified as necessary.

## Prior Council or Other Entity Actions

[April 22, 2025](#) - Councilmembers Henkel, Leslie, and Cohen's Request for Future Action regarding Staff Exploring an Evaluation Tool for Direct Hires by Council

## Boards and Commissions Prior Actions and Recommendations

N/A

## Proposed Actions / Recommendations

Mayor Castriotta is requesting direction to identify and agree on specific areas of the evaluation process that need refinement based on the feedback received, and documenting and formalizing the evaluation process through an updated Council policy or procedural guideline to ensure clarity, consistency, and continuity for future Councils and direct employees.

## Alternatives

As directed by Council.