2019 City Council Orientation
Agenda – Roles & Budget

• Overview of Roles in Local Government
  1. Mayor & Council—Olson
  2. City Manager/City Attorney/City Clerk—Lewis, McKinney-Brown, Carlisle
     - Procedural & Legal Policies
  3. Department Directors—Hargrove
  4. Residents—Lewis

• City of Englewood Basics
  1. Organizational Structure Overall—Lewis
  2. City Facilities & City Assets—D’Andrea
  3. Budget & Finance Department Overview—Sobata
Part 2: How To Guides & Department Overviews

• How to Guides
  1. Purchasing cards & travel—Sobata
  2. Community meetings—Power
  3. Council request process—Lewis
  4. Media relations & social media—Harguth
  5. IT devices, key cards, web pages—Brocklander
Department Overviews

1. Communications—Harguth
2. Police—Collins
3. Community Development—Power
4. City Clerk—Carlisle
Roles In Local Government
Roles of Mayor and Council

Mayor Linda Olson
Charter Defined Roles

Legislative.
“The legislative affairs of the City shall be vested in a Council consisting of seven councilmembers, one to be elected from each of four districts and the remaining three to be elected at large.”

Powers, Generally.
“Council shall have all municipal legislative powers as conferred by general law, except as provided by this Charter and except those which may be exercised by the people through direct legislation.”
“The Council shall have the power and authority, within constitutional limitations, to delegate by ordinance to Boards and Commissions such functions, powers or authority herein conferred upon the City as the Council shall deem proper and advisable within its discretion.”

Powers expressly withheld from Council.
“Council shall deal with the administrative service solely and directly through the City Manager”
“Neither the Council, its members nor committee shall either dictate the appointment or direct or interfere with the work of any officer or employee under the City Manager, either publicly or privately.”
“Attempted dictation, direction or interference on the part of any member of the Council shall be deemed misconduct.”

Annual independent audit.
“An independent audit shall be made annually of all City accounts, and more frequent audits may be made if deemed necessary by Council. Such audits shall be made by Certified Public Accountants, experienced in municipal accounting, selected by Council.”
### Categories of Council Actions

#### Vision/Goal-Setting
- Council Retreat
- Goal-setting Council meetings/study sessions

#### Exploration and Analysis of Issues
- Study Session
- Tours
- Executive Session (personnel matters, legal issues, negotiations, economic development, property acquisition)

#### Legislation & Budget
- **Budget**: Set budget priorities, provide staff direction, adopt
- Regular City Council meetings
- Public hearings

#### Community Relations
- Town hall meetings/neighborhood meetings
- Regional agency meetings (DRCOG, SPWRP, CML, RTD, Arapahoe County, Tri-Cities)
- E-mails, newsletters, website

#### Performance Management
- Evaluation of City Manager & City Attorney (executive session or open session)
- Asking the City Manager to report on the success/failure of legislation or issues dispositions of Council
1. Think and Act Strategically

- Determine and achieve citizens’ desires for the community’s future
- Starts with vision
- Evolves to defining the strategic issues that must be addressed to achieve the vision
  - Develop long-range goals
  - Align budget to vision/goals

2. Respect “shared constituency”: what do the people need?

- Consider local government part of a system of government (federal, state, county, local)
  - Govern horizontally (other local governments and community entities)
  - Govern vertically (federal and state government)

*Excerpted from Carl Neu & Company; Center for the Future of Local Governance*
Habits of Successful Councils*

3. Understand and Demonstrate the Elements of Teams and Teamwork

- Act as a body, speaking, acting, and fulfilling commitments with one voice, in a mature, effective and reliable manner.
- Recognize that Councils are collections of diverse individuals who come together to constitute and act as an entity
- Display fundamentals of teamwork:
  - Clear sense of purpose and goals;
  - Clearly define roles and relationships that unite individual talents and capacities into team performance;
  - Integration of members who have basic technical, interpersonal, and rational decision making competence;
  - Commitment to team success and quality performance;
  - Climate of trust, openness, and mutual respect;
  - Clear standards of success and performance excellence;
  - Support, resources and recognition to achieve success; and
  - Principled and disciplined leadership.
4. Have Clearly Defined Roles and Relationships
   • Function—specific roles and responsibilities
   • Performance—how a Councilmember acts to fulfill their responsibilities
   • Relationships—how Councilmembers treat each other and communicate effectively

5. Honor the Board–Staff Partnership
   • Council makes policy and staff implements, but...
   • Policy making and implementation are not entirely separate functions.
     – Council and staff are partners ensuring community success
     – Staff should help guide policy, and Council should help evaluate administrative practices and performance
   • Council–staff partnership is best when it is vision–driven and goals based
     – Council focuses energy establishing vision and goals, good policy and empowering staff performance
     – Failure to focus on vision and goals leads to micromanaging
6. Allocating Governing Body Time and Energy Appropriately

- Elected officials’ time is a limited commodity; focus on what achieves best outcomes.
- Typical councils operate as a governing body fewer than 200 hours a year:
  - Goal-setting (retreats or “advances”)
  - Exploration and analysis (study sessions)
  - Disposition/legislation (regular public meetings)
  - Community relations (interactions with constituencies and other jurisdictions and agencies)


- Council rules create effective and productive meetings
- Council’s often stray from rules and procedures in pursuit of informality and collegiality instead of staying on topic, repeated comments and long discussions.
- Rules and procedures should not preclude citizen input, courtesy or sensitivity to public concerns and viewpoints.

- Council mistake policy adoption to program implementation.
- Council should expect updates from staff, not just when problems arise (progress reports, status memos, policy reviews).
- Seek feedback through focus groups, surveys and questionnaires.
- One time phone calls or e-mails receive by a Councilmember does not always accurately reflect community sentiments

9. Practice Continuous Personal Learning and Development as a Leader

- Councilmembers read, attend workshops, and seek information, understanding and insight.
- Effective governing bodies have members who know they don’t know it all.
- Take advantage of workshops, and forums that can expand skills to lead and govern well.
- Keep a sense of humor
Role of the City Manager

City Manager Shawn Lewis
Role of the City Manager

Council-Manager Form of Government

Origins: Government Reform Movements—1890s to 1920s

1. Progressive Movement—reduce corruption and cronyism
2. Scientific Movement—increase efficiency through objective, data-based decision making
3. Corporate Movement—replicate corporate models with a CEO (City Manager) and Board of Directors (Council)

Englewood adopted Council-Manager in 1952
The City Manager shall be the chief executive officer and head of the administrative branch of the City Government.

Duties:
1. Oversee enforcement of laws and ordinances of the City
2. Appoint, suspend, transfer and remove City employees
3. Prepare and administer City budget
4. Prepare a year end report and other reports as requested by Council
5. Keep Council advised of the financial condition and needs of the City
6. Supervise all executive and administrative departments (establishing, consolidating or abolishing departments requires Council approval)
7. Enforce terms and conditions for public utility franchises and report violations to Council
8. Advise City Council
9. Inform the public about plans and activities of Council and Departments
10. Establish an accounting system, ensure legal financial provisions are in compliance
11. Be responsible for engineering, architectural, maintenance, construction, and work equipment services required by the City
12. Provide for the development and maintenance of airports and facilities for air transportation
13. Perform such other duties as may be prescribed by this Charter or required by Council and not inconsistent with this Charter
Roles of Department Directors

Deputy City Manager Dorothy Hargrove
Roles in City Government

**WHY** do we need Departmental Directors?

- To develop departmental objectives in support of citywide strategic goals
- To create action plans to implement those objectives
- To provide clear direction for staff
- To establish measurable standards to evaluate progress
- To ensure excellence in service to the community
Roles in City Government

WHAT does a Director do?

- Serves as a member of the executive team. Contributes to development of citywide goals, policies, procedures, and service standards
  - Participates in regular meetings with the city manager and directors team
  - Provides departmental perspective for more effective decision making
  - Collaborates on cross-departmental programs and projects
Roles in City Government

**WHAT** does a Director do?

- Develops detailed program implementation plans and monitors progress
  - Sets timelines and allocates appropriate staff, equipment and financial resources
  - Sets measurable intermediate and long term objectives
  - Evaluates, adjusts and shares information on program activities with staff, city manager, Council, and the community
Roles in City Government

**WHAT** does a Director do?

- Develops the departmental budget and monitors appropriate expenditures
  - Makes budget recommendations in support of objectives in line with the city’s fiscal parameters
  - Approves purchases up to $10,000 in accordance with the procurement policy
  - Carefully monitors revenues and expenses throughout the fiscal year and adjusts when required by changing circumstances
  - Contributes to and helps implement the city’s capital plan staff, city manager, Council, and the community
Roles in City Government

**WHAT** does a Director do?

- Oversees hiring, training, evaluation and support of all departmental personnel
  - Establishes staffing plans to support effective program implementation
  - Hires, supports, motivates, evaluates and collaborates with managers, ensuring their continued professional development
  - Establishes performance standards for all personnel; provides both corrective guidance and celebrates success
- staff, city manager, Council, and the community
Roles in City Government

**WHAT** does a Director do?

- Ensures consistent, equitable, and positive application of all personnel policies and procedures, including, when applicable, adherence to employee association agreements.
Roles in City Government

**WHAT** does a Director do?

- Actively supports community engagement and positive communications
  - Works with assigned boards and commissions
  - Presents information to Council at study sessions; answers questions and responds to Council directives and guidance
  - Meets with citizens and citizen groups in both formal and informal settings
  - Responds to citizen and Council requests for information
Roles in City Government

WHAT does a Director do?

- Coordinates with the Communications Department to proactively share information, gather community feedback, and increase awareness of city services and programs.
Roles in City Government

HOW does the Director do all of this?

- Consistently demonstrates the city values of Integrity, Trust, Respect, Excellence, Accountability, and Teamwork
- Creates a positive, collaborative work environment for departmental staff
- Stays abreast of new trends and best practices in professional field of expertise; participates in professional organizations and learning opportunities
- Practices open, honest, positive and two-way communication with staff, colleagues, Council and community members
Role of the City Attorney

Alison McKenney-Brown
• The City Attorney shall be the legal representative of the City and advise the Council and City Officials in matters relating to the official powers and duties.

• Duties
  • Attend all meetings of the City Council
  • Advise the City Council and City Officials in matters relating to lawfully fulfilling their official powers and duties.
  • Represent the City in all legal proceedings, including instituting or defending any suit, action or proceeding on behalf of the City or any of its agencies.
  • Supervise the drafting of all legal documents associated with the City, including
    • ordinances
    • IGA’s
    • RFP’s
    • property leases
    • contracts
    • and municipal code
Role of the City Clerk

Stephanie Carlile
City Clerk Charter Requirements

- Receive petitions and other documents in the name of the Council
- Keep a journal of Council proceedings
- Authenticate and record all ordinances and resolutions
- Perform such other duties as required by this Charter or by the City Manager.
Legal & Procedural Policies

Alison McKenney-Brown
Stephanie Carlile
Bob’s Rules of Order

Why Bother?

• Bob’s Rules Serve as a Roadmap
  • Helps give meetings structure
  • Increases efficiency—shorter meetings and more tasks achieved

• Improves Record Keeping
  • Standardizes meeting minutes for ease of public, staff and elected official’s access in the future

• Helps Everyone Have a Voice
  • Ensures that everyone has an opportunity to speak
  • Limit the amount of opportunities one person can speak on a topic
  • Members are more on-point and thorough
  • Quickens ability to arrive at a decision

• Bob’s Rules of Order were adopted by Ordinance per Charter § 27.
The Basics of Parliamentary Procedure

Want to begin discussion on an agenda item after a staff presentation or after Council questions have been answered?

- Make a motion
  - “I move that...”
  - Must be seconded before discussion can begin

Want to change the wording of a motion another Councilmember made?

- Move to amend
  - “I move that we amend the motion by ________________________________”
  - The motion to amend must be seconded before discussion can begin
  - Once a motion to amend is moved and seconded, that motion must be decided upon before Council returns to the original motion.

Want to delay action on an agenda item?

- Move to table
  - “I move that we table this item until ___DATE OR #OF WEEKS__.”

Want to end discussion on a topic and vote?

- Call the question
  - “I move the previous question” OR “I call the question”
  - The group then votes on the motion to call the question
  - If a majority votes yes, discussion ends and the matter proceeds to a vote
  - If a majority votes no, discussion resumes
What is a public record subject to the Colorado Open Records Act?
• Generally, most documents maintained in the course of public business are public records

What documents are not considered public records?
• Items protected by State and/or Federal law:
  • Attorney-client privileged documents and correspondence
  • The content of personnel files
  • Letters of reference
  • Trade secrets, privileged information, or confidential commercial or financial information furnished or obtained from a person that cannot be accessed by the general public
  • Sexual harassment investigations
  • Work product and drafts
  • Deliberative process materials
  • Real estate appraisals
  • Investigatory files complied for any law enforcement purpose

How are records delivered to the public?
• Electronic information is placed on a jump drive or emailed
• If unavailable electronically, paper copies can be provided for a fee of $0.25 per copy
• If neither a hard copy nor electronic copy is desired, documents can be made available for public viewing by appointment

What are the costs for public records?
• If more than one hour needed to collect information, the charge is $30 per hour (excluding the first hour) spent by any employee or third-party to comply with the request
• $0.25 per copy, but charges under $5.00 are waived
Why is CORA important?

- Ensures transparent and open government
- Guarantees the public access to public records (a.k.a.: government documents)
- Promotes accountability of City employees and elected officials
- Ensures the a portion of the cost of producing records is borne by the requestor and not all other taxpayers
Colorado Sunshine/Open Meetings Law

Why is it important?
• Ensures open and transparent government through open meetings
• Requires elected officials and City board & commission members to conduct City business in a forum where the public can witness proceedings

What is covered?
• Any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or other means of communication by three or more elected officials

What are some examples of Sunshine Law violations
• A group text email with three or more Council/Board/Commission members in which decisions are made about City business
• A Council/Board/Commission member (or City staff member) calls the members to see how they are going to vote on an issue
• A breakfast meeting with three Councilmembers/Commission members to discuss City business or discuss their golf game

What are examples of meetings that are not in violation?
• Two Councilmembers having lunch socially or to discuss City business
• Two Planning & Zoning Commissioners exchanging emails socially or to discuss City business
• City staff meeting with Councilmembers two-by-two to discuss (but not poll) an upcoming topic
• Any number of City Council or Board or Commission members meeting socially, without discussing City business

What is staff’s role in complying with the act?
• Ensure that agendas for public meetings are posted 72 hours in advance
• Advise Council or Board members when a violation may be occurring/has occurred
Conflicts of Interest & Council Liability

May not:

1) solicit or accept any personal gift, gratuity, favor, entertainment, loan or any other item of monetary value

2) from any organization, business firm or person who has or is seeking to obtain business with the City or from any organization, business firm or individual whose interests may be affected by the member’s performance or non performance of official duties.

See also: C.R.S. 24–10-105 for guiding ethical principles
Fiduciary Responsibility to City – CIRSA’s guiding principles

When you took office, you took an oath to uphold constitution, laws, and ordinances

What does that oath embody?

• A commitment to respect the boundaries and allocations of responsibility set by law
• A commitment to stay within the parameters of the “job description” as set out in applicable laws
• A commitment to lawful conduct, including constitutional requirements such as providing due process in quasi-judicial matters, and following criteria set in ordinance in making decisions
• A commitment to ethical practices, including the avoidance of practices that lead to unwarranted financial or other gain
• A commitment to professional courtesy and respect for one another’s divergent viewpoints and styles

Being true to your oath will keep you on the path of best practices and keep you out of the path of liability
Fiduciary Responsibility to City – CIRSA’s guiding principles

Government is conducted in the open – but there are legitimately confidential matters, including:

• Legal advice, litigation issues
• Personnel matters
• Issues being negotiated

Discussing confidential matters to the detriment of the City’s fiscal and legal interests is a violation of one’s fiduciary duty to the City.
City of Englewood Basics

Organizational Charts, City Assets & Facilities