City of Louisville
COLORADO • SINCE 1878

Recreation Advisory Board

Agenda

Monday, January 28, 2019
Louisville Recreation|Senior Center
900 West Via Appia
Snowy Owl
6:30 PM-Regular Meeting

I. Call to Order
II. Roll Call
III. Approval of Agenda
IV. Approval of Minutes
V. Public Comments on Items Not on the Agenda – 5 minutes
VI. Introduction of board and staff
VII. Designate Posting Locations for Meeting Notices
VIII. Open Government and Ethics Pamphlet
IX. Election of officers
    - Chair, Vice Chair and Secretary
X. City Council Update –10 minutes
XI. This link is to the 2019-2020 Golf and Recreation Operating Budgets
    - http://www.louisvilleco.gov/home/showdocument?id=22003
XII. Recreation Staff Update, Dashboard and Construction Update-10 minutes
    - Finance Sub- Committee member
XIII. Golf Dashboard and staff Update
    - Golf strategic plan sub-committee members
XIV. Discussion Items for next Meeting on Monday, February 25th
XV. Adjourn

City of Louisville
Parks & Recreation Department 749 Main Street Louisville CO 80027
303.335.4903 (phone) 303.335.4738 (fax) www.LouisvilleCO.gov

City of Louisville
COLORADO • SINCE 1878

Recreation Advisory Board

Meeting Minutes

December 17, 2018
Recreation Center
900 West Via Appia
6:30 PM

Call to Order – Chairperson Norgard called the meeting to order at 6:30 P.M.

Roll Call was taken and the following members were present:

Board Members Present: Rich Bradfield, Tucker Brown, Audrey DeBarros, Woody Hipsher, Lisa Norgard, Bob Shoulders, Michele Van Pelt

Board Members Absent: Ingrid Krenz

Staff Members Present: Kathy Martin, Tracy Winfree

Council Members Present: Dennis Maloney

Approval of Agenda – The agenda was approved by all members.
Motion: DeBarros
Second: Hipsher

Approval of Meeting Minutes – The minutes from the November 26, 2018 meeting were approved as written.
Motion: Norgard
Second: Van Pelt

Public Comments – None

City Council Update – Maloney

- Thanks to the continuing and departing board members for their service.
- Farewell to board members Tucker Brown, Woody Hipsher and Ingrid Krenz.
- Council approved three new board members at the 12/18/18 meeting: Christin Heuston, Eugene Kutscher and Brett Nickerson.

- Council approved the budget with no changes.
- Council has received several emails about fee increases; primarily about the relative senior fee increase proportion.
- 2017 financials will used as the base year financials for projecting financial support levels for the Rec Center in budgeting.
    - There will be an inflationary escalator.
    - The primary factor is staffing.
- While the over-realized first year revenues of the Recreation Center sales tax will be rebated to citizens, the city is seeking ways to retain any revenues of that tax, including those revenues beyond projections.

Recreation Staff Update and Construction Update – Martin

- Construction crews will be taking care of punch list items 12/26-28.
- Pools are scheduled to open 1/2/19.
- Tot slide was rejected for quality reasons, the Memory Square slide may be used initially.
- November had 21,758 visits, 17,793 were Louisville residents. 804 resident passes were renewed, 180 non-resident passes were renewed.
- FitZone staff has been hired. More aquatics instructors are needed.

Grand Opening Update – Martin

- RAB members will hand out giveaways at 9:45, Saturday 1/26/19.
- Mayor Bob Muckle, Councilwoman Susan Loo, RAB Chair Lisa Norgard and Nathan Mosley the Parks and Rec Director will speak.
- There may be t shirts for RAB members and others.

Discussion Items for next Meeting on Monday, January 28th

- Kathy Martin distributed a tentative Board Items Calendar (Appendix I).

Adjourn – The meeting was adjourned at 8:00 PM.

Motion: Norgard
Second: Hipsher

Appendix I

Recreation and Golf Advisory Board
TENTATIVE* Board Items Calendar
(Updated December 17, 2018)

January 28, 2019	February 25, 2019	March 18, 2019*
Action Items: • Officer Elections: Chair, Vice-Chair, and Secret'y • Approve Designation of Places for Posting "Notices for Public Meeting" for 2019 • Appoint Golf Strategic Plan Sub-Committee **Updates/Discussion from the Department:** • Introduction of New Board Members • Check-in on Rec Ctr Opening/Programming • Dashboards – Golf/Rec • Golf Expo - participation **Updates/Discussion from the Board:** • Finance Sub Committee	**Action Items:** • **Updates/Discussion from the Department:** • Age Well Plan **Updates/Discussion from the Board:** • Finance Sub Committee • Golf Sub Committee	**Action Items:** • **Updates/Discussion from the Department:** **Updates/Discussion from the Board:** • Finance Sub Committee • Golf Sub Committee
April 22, 2019	**May 20, 2019***	**June 24, 2019**
Action Items: **Updates/Discussion from the Department:** **Updates/Discussion from the Board:** • Finance Sub Committee •	**Action Items:** **Updates/Discussion from the Department:** • Rec and Golf Dashboard **Updates/Discussion from the Board:** • Finance Sub Committee •	**Action Items:** **Updates/Discussion from the Department:** **Updates/Discussion from the Board:** • Finance Sub Committee

LOUISVILLE RECREATION / SENIOR CENTER
January to December 2018

RECREATION & SENIOR CENTER USE AND REVENUE	2018	2017	VARIANCE $	VARIANCE %	2018 EXPENSE	
Total Daily Admissions			-			
Annual/Monthly Pass Admissions	201,388	212,208	(10,820)	-5%		
Punch Pass Admissions	40,314	45,755	(5,441)	-12%		
Daily Admissions	17,307	19,811	(2,504)	-13%		
Admission Revenue						
Membership Revenue	$ 537,915	$ 609,368	$ (71,453)	-12%		
Punch Pass Revenue	$ 178,873	$ 175,376	$ 3,497	2%		
Daily User Fee Revenue	$ 57,795	$ 85,568	$ (27,773)	-32%		
Total Admission Revenue	**$ 774,583**	**$ 870,312**	**$ (95,729)**	-11%		
Other Revenue						
Childcare	$ 8,410	$ 10,940	$ (2,530)	-23%		
Facility Rentals	$ 13,475	$ 20,137	$ (6,662)	-33%		
Rec Center Concession	$ 5,865	$ 9,094	$ (3,229)	-36%		
Pro Shop Sales	$ 854	$ 1,208	$ (354)	-29%		
Tax	$ 606	$ 1,208	$ (602)	-50%		
Park Rentals	$ 20,128	$ 28,274	$ (8,146)	-29%		
Total Other Revenue	**$ 49,338**	**$ 70,861**	**$ (21,523)**	-30%		
TOTAL ADMISSION AND OTHER REVENUE	**$ 823,921**	**$ 941,173**	**$ (117,252)**	-12%		
RECREATION PROGRAM REVENUE:						
Recreation Center Swim Lessons	$ 76,745	$ 85,301	$ (8,556)	-10%	$ 453,105.55	General Aquatics
Private Swim Lessons	$ 13,810	$ 34,215	$ (20,405)	-60%		
Aquatics Red Cross	$ 2,259	$ 765	$ 1,494	195%		
Aquatics Contractors	$ 35,980	$ 29,230	$ 6,750	23%		
Memory Square Lessons	$ 7,025	$ 565	$ 6,460	1143%	$ 175,667.91	General Memory Square
Memory Square Admission	$ 46,671	$ 30,370	$ 16,301	54%		
Swim Teams	$ 18,777	$ 20,269	$ (1,492)	-7%		
Aquatics Total Revenue	**$ 201,267**	**$ 200,715**	**$ 552**	**0%**	**$628,773**	**Aquatics Total Expenses**
Youth Activities	$ 206,095	$ 221,805	$ (15,710)	-7%	$ 300,783.44	General Youth Activities
Youth Activities Contractors	$ 27,889	$ 37,255	$ (9,366)	-25%	$ 77,586.80	Nite At The Rec
Youth Activities Red Cross	$ 194	$ -	$ 194			
Youth Sports	$ 143,251	$ 129,714	$ 13,537	10%	$ 199,584.32	General Youth Sports
Youth Sports Contractors	$ 22,510	$ 19,887	$ 2,623	13%		
Nites	$ 22,223	$ 55,448	$ (33,225)	-60%		
Youth ServicesTotal Revenue	**$ 422,162**	**$ 464,109**	**$ (41,947)**	**-9%**	**$577,955**	**Youth Services Total Expenses**
Adult Sports	$ 30,256	$ 40,259	$ (10,003)	-25%	$ 40,235.32	General Adult Sports
Adult Activities	$ 85,710	$ 81,496	$ 4,214	5%	$ 185,298.08	General Fitness
Fitness Contractors	$ 45,497	$ 41,158	$ 4,339	11%		
Fitness Red Cross	$ 278	$ 351	$ (73)	-21%		
Adult Services Total Revenue	**$ 161,741**	**$ 163,264**	**$ (1,523)**	**-1%**	**$225,533**	**Adult Services Total Expenses**
Senior Fees	$ 76,341	$ 80,792	$ (4,451)	-6%	$ 315,051.37	General Seniors
Senior Grants/Contributions	$ 6,784	$ 5,205	$ 1,579	30%		
Senior Contractors	$ 11,521	$ 14,348	$ (2,827)	-20%		
County Reimbursement	$ 34,910	$ 50,788	$ (15,878)	-31%		
Meal Site	$ 28,499	$ 15,185	$ 13,314	88%	$ 149,849.27	General Senior Meals
Senior Services Total Revenue	**$ 158,055**	**$ 166,318**	**$ (8,263)**	**-5%**	**$464,901**	**Senior Services Total Expenses**
TOTAL RECREATION PROGRAM REVENUE	**$ 943,225**	**$ 994,406**	**$ (51,181)**	**-5%**	$ 452,417.81	**REC CENTER MANAGEMENT**
					$ 423,766.04	**REC CENTER BLDG MAINTENANCE**
					$ 28,039.07	**MEMORY SQUARE BLDG MAINT**
					$ 178,085.47	**ATHLETIC FIELD MAINTENANCE**
TOTAL REC & SENIOR CENTER REVENUE	**$ 1,767,146**	**$ 1,935,579**	**$ (168,433)**	**-9%**	**$2,979,470**	**TOTAL EXPENSES**
					$ (1,212,324)	**TOTAL NET REVENUE (EXPENSE)**

Oct , Nov, Dec 2018

2018 REVISED Dashboard

Background information	Quarterly actual	Quarterly budget	YTD actual	YTD Budget
Playable Days	53	71	276	297
Total Rounds	2,865	3,277	27,267	32,000
Revenue				
Golf club rental	$ 700.43	$ 1,000	$ 6,077	$ 10,200
Green Fees	$ 84,182	$ 127,000	$ 873,219	$ 924,000
Golf Cart Fees	$ 17,653.96	$ 25,445	$ 206,691	$ 250,000
Golf Clulb Repair	$ 619.00	$ 1,400	$ 12,086	$ 8,160
Golf Lessons	$ 4,295	$ 3,000	$ 58,879	$ 34,000
handicap fees	$ -	$ -	$ 5,580	$ 4,400
Pro Shop retail sales	$ 13,554.72	$ 16,843	$ 119,005	$ 110,000
Pull Cart Rentals	$ 427.30	$ 1,003	$ 3,946	$ 8,860
Range Fees	$ 9,449	$ 16,964	$ 111,091	$ 110,000
Annual pass revenue	$ 75,190.28	$ 70,000	$ 168,419	$ 155,000
Sweet Spot lease F&B sales		$ 2,000	$ 37,988	$ 26,000
Sweet Spot utilities	$ 5,732	$ 5,720	$ 21,407	$ 26,000
insurance recovery	$ 37,667		$ 113,568	
fourth of july reimbursement			$ 8,000	
Interest earnings	$ (979)		$ 3,869	$ 4,210
miscelaneous			$ 300	$ 5,000
total revenue	**$ 248,491**	**$ 270,375**	**$ 1,750,125**	**$ 1,675,830**
total revenue per round	**$ 86.73**	**$ 82.51**	**$ 64.18**	**$ 52.37**
reveunue per playable day	$ 4,688.52	$ 3,808.10	$ 6,341.03	$ 5,642.53
Expenditures	Quarterly actual	Quarterly budget	YTD Actual	YTD Budget
Course maintenance	244,292	$ 138,000	868,392	$ 773,350
Golf Operations	113,239	$ 89,000	706,165	$ 575,520
clubhouse	83,263	$ 20,000	142,516	$ 94,520
Marketing	28,654	$ 26,400	114,792	$ 131,830
Total expenditures	**469,448**	**273,400**	**1,831,865**	**1,575,220**
Expenese per round	**$ 163.86**	**83.43**	**67.18**	**$ 49.23**
Total revenue - total expendi	**(220,957)**	**$ (3,025)**	**(81,740)**	**$ 100,610**
gross profit (loss) per round	**$ (77)**	**$ (0.92)**	**$ (3.00)**	**$ 3.14**
What does it cost to produce a round?			$ 31.85	
golf course maintenance + golf ops labor/18 hole equiviant				

Recreation and Golf Advisory Board
TENTATIVE* Board Items Calendar
(Updated January 11, 2019)

January 28, 2019	February 25, 2019	March 18, 2019
Action Items: • Officer Elections: Chair, Vice-Chair, and Secret'y • Approve Designation of Places for Posting "Notices for Public Meeting" for 2019 **Updates/Discussion from the Department:** • Introduction of New Board Members • Check-in on Rec Ctr Opening/Programming • Dashboards – Golf/Rec Golf Expo – participation • Work Plan • Appoint Golf Sub Comm **Updates/Discussion from the Board:**	**Action Items:** • Officer Elections: Chair, Vice-Chair, and Secret'y • Approve Designation of Places for Posting "Notices for Public Meeting" for 2019 • **Updates/Discussion from the Department:** • Sales Tax Rebate **Updates/Discussion from the Board:** • Finance Sub Committee • Marketing/Outreach Sub Committee	**Action Items:** • • **Updates/Discussion from the Department:** • Age Well Plan **Updates/Discussion from the Board:** • Finance Sub Committee • Marketing/Outreach Sub Committee •
April 22, 2019	**May 20, 2019**	**June 24, 2019**
Action Items: **Updates/Discussion from the Department:** **Updates/Discussion from the Board:** • Finance Sub Committee • Marketing/Outreach Sub Committee •	**Action Items:** **Updates/Discussion from the Department:** **Updates/Discussion from the Board:**	**Action Items:** **Updates/Discussion from the Department:** **Updates/Discussion from the Board:**

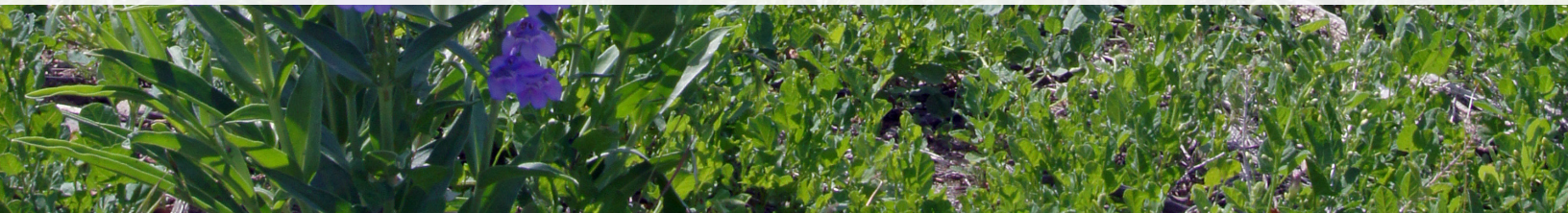
*All items are subject to change. A final version of the agenda is posted on the web during the week prior to the RAB meeting.

DRAFT

City of Louisville
Open Government & Ethics Pamphlet
2019

City Clerk's Office
749 Main Street
Louisville CO 80027

www.LouisvilleCO.gov
303.335.4536



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Participation in Government

The City of Louisville encourages citizen involvement and participation in its public policy process. There are many opportunities for citizens to be informed about and participate in City activities and decisions. All meetings of City Council, as well as meetings of appointed Boards and Commissions, are open to the public and include an opportunity for public comments on items not on the agenda. No action or substantive discussion on an item may take place unless that item has been specifically listed as an agenda item for a regular or special meeting. Some opportunities for you to participate include:

Reading and inquiring about City Council activities and agenda items, and attending and speaking on topics of interest at public meetings

City Council Meetings:

- Regular meetings are generally held on the first and third Tuesdays of each month at 7:00 PM in the City Council Chambers, located on the second floor of City Hall, 749 Main Street;
- Study sessions are generally held on the second and fourth Tuesdays of each month at 7:00 PM in the Library Meeting Room, located on the first floor of the Library, 951 Spruce Street;
- Regular meetings are broadcast live on Comcast Cable Channel 8 and copies of the meeting broadcasts are available on DVD in the City Manager's Office beginning the morning following the meeting;
- Regular meetings are broadcast live and archived for viewing on the City's website at www.LouisvilleCO.gov.
- Special meetings may be held occasionally on specific topics. Agendas are posted a minimum of 48 hours prior to the meeting.

Meeting agendas for all City Council meetings, other than special meetings, are posted a minimum of 72 hours prior to the meeting at the following locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- City website at www.LouisvilleCO.gov

Meeting packets with all agenda-related materials are available 72 hours prior to each meeting and may be found at these locations:

- Louisville Public Library Reference Area, 951 Spruce Street,
- City Clerk's Office, City Hall, 749 Main Street,
- City website at www.LouisvilleCO.gov

You may receive eNotifications of City Council news as well as meeting agendas and summaries of City Council actions. Visit the City's website (www.LouisvilleCO.gov) and look for the eNotification link to register.

After they are approved by the City Council, meeting minutes of all regular and special meetings are available in the City Clerk's office and on the City's website (www.LouisvilleCO.gov).

Information about City activities and projects, as well as City Council decisions, is included in the *Community Update* newsletter, mailed to all City residents and businesses. Information is also often included in the monthly utility bills mailed to City residents.

Communicating Directly with the Mayor and City Council Members

Contact information for the Mayor and City Council members is available at www.LouisvilleCO.gov, as well as at City Hall, the Louisville Public Library, and the Recreation/Senior Center. You may email the Mayor and City Council as a group at CityCouncil@LouisvilleCO.gov.

Mayor's Town Meetings and City Council Ward Meetings are scheduled periodically. These are informal meetings at which all residents, points of view, and issues are welcome. These meetings are advertised at City facilities and on the City's website (www.LouisvilleCO.gov).

Mayor or City Council Elections

City Council members are elected from three Wards within the City and serve staggered four-year terms. There are two Council representatives from each ward. The mayor is elected at-large and serves a four-year term. City Council elections are held in November of odd-numbered years. For information about City elections, including running for City Council, please contact the City Clerk's Office, first floor City Hall, 749 Main Street, or call 303.335.4571.

Serving as an Appointed Member on a City Board or Commission

The City Council makes Board and Commission appointments annually. Some of the City's Boards and Commissions are advisory, others have some decision-making powers. The City Council refers questions and issues to these appointed officials for input and advice. (Please note the Youth Advisory Board has a separate appointment process.) The City's Boards and Commissions are:

- Board of Adjustment
- Building Code Board of Appeals
- Cultural Council
- Historic Preservation Commission
- Historical Commission
- Housing Authority
- Library Board of Trustees
- Local Licensing Authority

- Open Space Advisory Board
- Parks & Public Landscaping Advisory Board
- Planning Commission
- Recreation Advisory Board
- Revitalization Commission
- Sustainability Advisory Board
- Youth Advisory Board

Information about boards, as well as meeting agendas and schedules for each board, is available on the City's website (www.LouisvilleCO.gov).

Agendas for all Board and Commission meetings are posted a minimum of 72 hours prior to each meeting and are posted at these locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- City web site at www.LouisvilleCO.gov

Copies of complete meeting packets containing all agenda-related materials are available at least 72 hours prior to each meeting and may be found at the following locations:

- Louisville Public Library Reference Area, 951 Spruce Street,
- City Clerk's Office, City Hall, 749 Main Street
- City web site at www.LouisvilleCO.gov

Planning Commission

The Planning Commission evaluates land use proposals against zoning laws and holds public hearings as outlined in City codes. Following a public hearing, the Commission recommends, through a resolution, that the City Council accept or reject a proposal.

- Regular Planning Commission meetings are held at 6:30 PM on the second Thursday of each month. Overflow meetings are scheduled for 6:30 PM on the 4th Thursday of the month as needed, and occasionally Study Sessions are held.
- Regular meetings are broadcast live on Comcast Channel 8 and archived for viewing on the City's website (www.LouisvilleCO.gov).

Open Government Training

All City Council members and members of a permanent Board or Commission are required to participate in at least one City-sponsored open government-related seminar, workshop, or other training program at least once every two years.

Open Meetings

The City follows the Colorado Open Meetings Law ("Sunshine Law") as well as additional open meetings requirements found in the City's Home Rule Charter. These rules and practices apply to the City Council and appointed Boards and Commissions (referred to as a "public body" for ease of reference). Important open meetings rules and practices include the following:

Regular Meetings

All meetings of three or more members of a public body (or a quorum, whichever is fewer) are open to the public.

All meetings of public bodies must be held in public buildings and public facilities accessible to all members of the public.

All meetings must be preceded by proper notice. Agendas and agenda-related materials are posted at least 72 hours in advance of the meeting at the following locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- On the City web site at www.LouisvilleCO.gov

Study Sessions

Study sessions are also open to the public. However, study sessions have a limited purpose:

- Study sessions are to obtain information and discuss matters in a less formal atmosphere;
- No preliminary or final decision or action may be made or taken at any study session; further, full debate and deliberation of a matter is to be reserved for formal meetings; If a person believes in good faith that a study session is proceeding contrary to these limitations, he or she may submit a written objection. The presiding officer will then review the objection and determine how the study session should proceed.
- Like formal meetings, a written summary of each study session is prepared and is available on the City's website.

Executive Sessions

The City Charter also sets out specific procedures and limitations on the use of executive sessions. These rules, found in Article 5 of the Charter, are intended to further the City policy that the activities of City government be conducted in public to the greatest extent feasible, in order to assure public participation and enhance public accountability. The City's rules regarding executive sessions include the following:

Timing and Procedures

The City Council and City Boards and Commissions may hold an executive session only at a regular or special meeting.

No formal action of any type, and no informal or "straw" vote, may occur at any executive session. Rather, formal

actions, such as the adoption of a proposed policy, position, rule or other action, may only occur in open session.

Prior to holding an executive session, there must be a public announcement of the request and the legal authority for convening in closed session. There must be a detailed and specific statement as to the topics to be discussed and the reasons for requesting the session.

The request must be approved by a supermajority (two-thirds of the full Council, Board, or Commission). Prior to voting on the request, the clerk reads a statement of the rules pertaining to executive sessions. Once in executive session, the limitations on the session must be discussed and the propriety of the session confirmed. If there are objections and/or concerns over the propriety of the session, those are to be resolved in open session.

Once the session is over, an announcement is made of any procedures that will follow from the session.

Executive sessions are recorded, with access to those tapes limited as provided by state law. Those state laws allow a judge to review the propriety of a session if in a court filing it is shown that there is a reasonable belief that the executive session went beyond its permitted scope. Executive session records are not available outside of a court proceeding.

Authorized Topics

For City Council, an executive session may be held only for discussion of the following topics:

- Matters where the information being discussed is required to be kept confidential by federal or state law;
- Certain personnel matters relating to employees directly appointed by the Council, and other personnel matters only upon request of the City Manager or Mayor for informational purposes only;
- Consideration of water rights and real property acquisitions and dispositions, but only as to appraisals and other value estimates and strategy for the acquisition or disposition; and
- Consultation with an attorney representing the City with respect to pending litigation. This includes cases that are actually filed as well as situations where the person requesting the executive session believes in good faith that a lawsuit may result, and allows for discussion of settlement strategies.

The City's Boards and Commissions may only hold an executive session for consultation with its attorney regarding pending litigation.

Ethics

Ethics are the foundation of good government. Louisville has adopted its own Code of Ethics, which is found in the City Charter and which applies to elected officials, public body members, and employees. The Louisville Code of Ethics applies in addition to any higher standards in state law. Louisville's position on ethics is perhaps best summarized in the following statement taken from the City Charter:

> *Those entrusted with positions in the City government must commit to adhering to the letter and spirit of the Code of Ethics. Only when the people are confident that those in positions of public responsibility are committed to high levels of ethical and moral conduct, will they have faith that their government is acting for the good of the public. This faith in the motives of officers, public body members, and employees is critical for a harmonious and trusting relationship between the City government and the people it serves.*

The City's Code of Ethics (Sections 5-6 though 5-17 of the Charter) is summarized in the following paragraphs. While the focus is to provide a general overview of the rules, it is important to note that all persons subject to the Code of Ethics must strive to follow both the letter and the spirit of the Code, so as to avoid not only actual violations, but public perceptions of violations. Indeed, perceptions of violations can have the same negative impact on public trust as actual violations.

Conflicts of Interest

One of the most common ethical rules visited in the local government arena is the "conflict of interest rule." While some technical aspects of the rule are discussed below, the general rule under the Code of Ethics is that if a Council, Board, or Commission member has an "interest" that will be affected by his or her "official action," then there is a conflict of interest and the member must:

- Disclose the conflict, on the record and with particularity;
- Not participate in the discussion;
- Leave the room; and
- Not attempt to influence others.

An "interest" is a pecuniary, property, or commercial benefit, or any other benefit the primary significance of which is economic gain or the avoidance of economic loss. However, an "interest" does not include any matter conferring similar benefits on all property or persons similarly situated. (Therefore, a City Council member is not prohibited from voting on a sales tax increase or decrease if the member's only interest is that he or she, like other residents, will be subject to the higher or lower tax.) Additionally, an "interest" does not include a stock interest of less than one percent of the company's outstanding shares.

The Code of Ethics extends the concept of prohibited interest to persons or entities with whom the member is associated. In particular, an interest of the following persons and entities is also an interest of the member: relatives (including persons related by blood or marriage to certain

degrees, and others); a business in which the member is an officer, director, employee, partner, principal, member, or owner; and a business in which member owns more than one percent of outstanding shares.

The concept of an interest in a business applies to profit and nonprofit corporations, and applies in situations in which the official action would affect a business competitor. Additionally, an interest is deemed to continue for one year after the interest has ceased. Finally, "official action" for purposes of the conflict of interest rule, includes not only legislative actions, but also administrative actions and "quasi-judicial" proceedings where the entity is acting like a judge in applying rules to the specific rights of individuals (such as a variance request or liquor license). Thus, the conflict rules apply essentially to all types of actions a member may take.

Contracts

In addition to its purchasing policies and other rules intended to secure contracts that are in the best interest of the City, the Code of Ethics prohibits various actions regarding contracts. For example, no public body member who has decision-making authority or influence over a City contract can have an interest in the contract, unless the member has complied with the disclosure and recusal rules. Further, members are not to appear before the City on behalf of other entities that hold a City contract, nor are they to solicit or accept employment from a contracting entity if it is related to the member's action on a contract with that entity.

Gifts and Nepotism

The Code of Ethics, as well as state law, regulates the receipt of gifts. City officials and employees may not solicit or accept a present or future gift, favor, discount, service or other thing of value from a party to a City contract, or from a person seeking to influence an official action. There is an exception for the "occasional nonpecuniary gift" of $15 or less, but this exception does not apply if the gift, no matter how small, may be associated with the official's or employee's official action, whether concerning a contract or some other matter. The gift ban also extends to independent contractors who may exercise official actions on behalf of the City.

The Code of Ethics also prohibits common forms of nepotism. For example, no officer, public body member, or employee shall be responsible for employment matters concerning a relative. Nor can he or she influence compensation paid to a relative, and a relative of a current officer, public body member or employee cannot be hired unless certain personnel rules are followed.

Other Ethics Rules of Interest

Like state law, Louisville's Code of Ethics prohibits the use of non-public information for personal or private gain. It also prohibits acts of advantage or favoritism and, in that regard, prohibits special considerations, use of employee time for personal or private reasons, and use of City vehicles or equipment, except in same manner as available to any other person (or in manner that will substantially benefit City). The City also has a "revolving door" rule that prohibits elected officials from becoming City employees either during their time in office or for two years after leaving office. These and other rules of conduct are found in Section 5-9 of the Code of Ethics.

Disclosure, Enforcement, and Advisory Opinions

The Code of Ethics requires that those holding or running for City Council file a financial disclosure statement with the City Clerk. The statement must include, among other information, the person's employer and occupation, sources of income, and a list of business and property holdings.

The Code of Ethics provides fair and certain procedures for its enforcement. Complaints of violations may be filed with the City prosecutor; the complaint must be a detailed written and verified statement. If the complaint is against an elected or appointed official, it is forwarded to an independent judge who appoints a special, independent prosecutor for purposes of investigation and appropriate action. If against an employee, the City prosecutor will investigate the complaint and take appropriate action. In all cases, the person who is subject to the complaint is given the opportunity to provide information concerning the complaint.

Finally, the Code allows persons who are subject to the Code to request an advisory opinion if they are uncertain as to applicability of the Code to a particular situation, or as to the definition of terms used in the Code. Such requests are handled by an advisory judge, selected from a panel of independent, disinterested judges who have agreed to provide their services. This device allows persons who are subject to the Code to resolve uncertainty before acting, so that a proper course of conduct may be identified. Any person who requests and acts in accordance with an advisory opinion issued by an advisory judge is not subject to City penalty, unless material facts were omitted or misstated in the request. Advisory opinions are posted for public inspection; the advisory judge may order a delay in posting if the judge determines the delay is in the City's best interest.

Citizens are encouraged to contact the City Manager's Office with any questions about the City's Code of Ethics. A copy of the Code is available at the City's website (www.LouisvilleCO.gov) and also from the Offices of the City Manager and City Clerk.

Other Laws on Citizen Participation in Government

Preceding sections of this pamphlet describe Louisville's own practices intended to further citizen participation in government. Those practices are generally intended to further dissemination of information and participation in the governing process. Some other laws of interest regarding citizen participation include:

Initiative and Referendum

The right to petition for municipal legislation is reserved to the citizens by the Colorado Constitution and the City Charter. An initiative is a petition for legislation brought directly by the citizens; a referendum is a petition brought by the citizens to refer to the voters a piece of legislation that has been approved by the City Council. In addition to these two petitioning procedures, the City Council may refer matters directly to the voters in the absence of any petition. Initiative and referendum petitions must concern municipal legislation—as opposed to administrative or other non-legislative matters. By law the City Clerk is the official responsible for many of the activities related to a petition process, such as approval of the petition forms, review of the signed petitions, and consideration of protests and other matters. There are minimum signature requirements for petitions to be moved to the ballot; in Louisville, an initiative petition must be signed by at least five percent of the total number of registered electors. A referendum petition must be signed by at least two and one-half percent of the registered electors.

Public Hearings

In addition to the opportunity afforded at each regular City Council meeting to comment on items not on the agenda, most City Council actions provide opportunity for public comment through a public hearing process. For example, the City Charter provides that a public hearing shall be held on every ordinance before its adoption. This includes opportunities for public comment prior to initial City Council discussion of the ordinance, as well as after Council's initial discussion but before action. Many actions of the City are required to be taken by ordinance, and thus this device allows for citizen public hearing comments on matters ranging from zoning ordinances to ordinances establishing offenses that are subject to enforcement through the municipal court.

Additionally, federal, state, and/or local law requires a public hearing on a number of matters irrespective of whether an ordinance is involved. For example, a public hearing is held on the City budget, the City Comprehensive Plan and similar plans, and a variety of site-specific or person-specific activities, such as annexations of land into the city, rezonings, special use permits, variances, and new liquor licenses. Anyone may provide comments during these hearings.

Public Records

Access to public records is an important aspect of citizen participation in government. Louisville follows the Colorado Open Records Act (CORA) and the additional public records provisions in the City Charter. In particular, the Charter promotes the liberal construction of public records law, so as to promote the prompt disclosure of City records to citizens at no cost or no greater cost than the actual costs to the City.

The City Clerk is the custodian of the City's public records, except for financial, personnel, and police records which are handled, respectively, by the Finance, Human Resources, and Police Departments. The City maintains a public policy on access to public records, which include a records request form, a statement of fees, and other guidelines. No fee is charged for the inspection of records. No fee is charged for locating or making records available for copying, except in cases of voluminous requests or dated records, or when the time spent in locating records exceeds two hours. No fees are charged for the first 25 copies requested or for electronic records.

Many records, particularly those related to agenda items for City Council and current Board and Commission meetings, are available directly on the City's website (www.LouisvilleCO.gov). In addition to posting agenda-related material, the City maintains communication files for the City Council and Planning Commission. These are available for public inspection at the City Clerk's Office, 749 Main Street.

CORA lists the categories of public records that are not generally open to public inspection. These include, for example, certain personnel records and information, financial and other information about users of city facilities, privileged information, medical records, letters of reference, and other items listed in detail in CORA. When public records are not made available, the custodian will specifically advise the requestor of the reason.

Citizens are encouraged to review the City's website (www.LousivilleCo.gov) for information, and to contact the City with any questions regarding City records.

Public Involvement Policy

Public participation is an essential element of the City's representative form of government. To promote effective public participation City officials, advisory board members, staff and participants should all observe the following guiding principles, roles and responsibilities:

Guiding Principles for Public Involvement

Inclusive not Exclusive - Everyone's participation is

welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.

Voluntary Participation - The process will seek the support of those participants willing to invest the time necessary to make it work.

Purpose Driven - The process will be clearly linked to when and how decisions are made. These links will be communicated to participants.

Time, Financial and Legal Constraints - The process will operate within an appropriate time frame and budget and observe existing legal and regulatory requirements.

Communication - The process and its progress will be communicated to participants and the community at-large using appropriate methods and technologies.

Adaptability - The process will be adaptable so that the level of public involvement is reflective of the magnitude of the issue and the needs of the participants.

Access to Information -The process will provide participants with timely access to all relevant information in an understandable and user-friendly way. Education and training requirements will be considered.

Access to Decision Making - The process will give participants the opportunity to influence decision making.

Respect for Diverse Interests - The process will foster respect for the diverse values, interests and knowledge of those involved.

Accountability - The process will reflect that participants are accountable to both their constituents and to the success of the process.

Evaluation - The success and results of the process will be measured and evaluated.

Roles and Responsibilities - City Council

City Council is ultimately responsible to all the citizens of Louisville and must weigh each of its decisions accordingly. Councilors are responsible to their local constituents under the ward system; however they must carefully consider the concerns expressed by all parties. Council must ultimately meet the needs of the entire community—including current and future generations—and act in the best interests of the City as a whole.

During its review and decision-making process, Council has an obligation to recognize the efforts and activities that have preceded its deliberations. Council should have regard for the public involvement processes that have been completed in support or opposition of projects.

Roles and Responsibilities - City Staff and Advisory Boards

The City should be designed and run to meet the needs and priorities of its citizens. Staff and advisory boards must ensure that the Guiding Principles direct their work. In addition to the responsibilities established by the Guiding Principles, staff and advisory boards are responsible for:

- ensuring that decisions and recommendations reflect the needs and desires of the community as a whole;
- pursuing public involvement with a positive spirit because it helps clarify those needs and desires and also adds value to projects;
- fostering long-term relationships based on respect and trust in all public involvement activities;
- encouraging positive working partnerships;
- ensuring that no participant or group is marginalized or ignored;
- drawing out the silent majority, the voiceless and the disempowered; and being familiar with a variety of public involvement techniques and the strengths and weaknesses of various approaches.

All Participants

The public is also accountable for the public involvement process and for the results it produces. All parties (including Council, advisory boards, staff, proponents, opponents and the public) are responsible for:

- working within the process in a cooperative and civil manner;
- focusing on real issues and not on furthering personal agendas;
- balancing personal concerns with the needs of the community as a whole;
- having realistic expectations;
- participating openly, honestly and constructively, offering ideas, suggestions and alternatives;
- listening carefully and actively considering everyone's perspectives;
- identifying their concerns and issues early in the process;
- providing their names and contact information if they want direct feedback;
- remembering that no single voice is more important than all others, and that there are diverse opinions to be considered;
- making every effort to work within the project schedule and if this is not possible, discussing this with the proponent without delay;
- recognizing that process schedules may be constrained by external factors such as limited funding, broader project schedules or legislative requirements;
- accepting some responsibility for keeping themselves aware of current issues, making others aware of project activities and soliciting their involvement and input; and
- considering that the quality of the outcome and how that outcome is achieved are both important.

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This pamphlet is prepared pursuant to the Home Rule Charter of the City of Louisville.

This is a compilation of Articles 4 and 5 of the Charter of the City of Louisville and is available at all times in the City Clerk's Office, 749 Main Street, Louisville, Colorado, and on the City's web site at www.LouisvilleCO.gov.

This pamphlet is also provided to every member of a public body (board or commission) at that body's first meeting each year.