



City of
Golden

Boards and Commissions MANUAL



June 2022



City Council

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GUIDELINES FOR BOARD AND COMMISSION MEMBERS

WELCOME

Welcome to the City of Golden! Your selection as an active member of a board or commission (hereinafter “board”) provides you with a valuable opportunity for genuine public service and we thank you for your contribution. Although the specific duties of each board vary widely, there are certain responsibilities common to all board members. These guidelines will assist you in maximizing your contribution to our community. Along with this opportunity is the acceptance of the associated responsibilities and commitments to serve, participate and attend meetings.

ONBOARDING HANDOFF

The Chair shall meet with the new member(s) prior to their arrival to their first meeting. This discussion should include status of current matters and the expectations of a board member.

New members will familiarize themselves with the last few meetings and complete a future survey on onboarding to improve this process.

REPRESENTATION OF A BOARD OR COMMISSION

As an individual member of a board, you must not represent your own views or recommendations as those of the board unless the majority of the body has officially voted to approve such position or action. Board members making recommendations or expressing views which have not been approved by a majority of the board should indicate they are expressing individual opinions and are not speaking on behalf of the board or the City.

Public statements should not contain promises that may be construed to be binding on a board, staff, or the City Council. When making a public statement, members should remind listeners that board actions are recommendations (unless otherwise provided by law) and that final action will be taken by the City Council (hereinafter “Council”). Remember that your actions and statements as a board member assume special significance, and if not responsibly discharged, could result in a situation detrimental to the City’s best interests.

Although board members may be selected, in part, based on representing specific interest groups, each member should represent the overall public good and not that of an exclusive group or interest.

INTRODUCTION TO CITY GOVERNMENT

ABOUT GOLDEN

Golden is rich with culture, outdoor activities, scenic beauty, thriving businesses, and friendly people, but the City’s origins are largely thanks to another valuable resource – gold. A small amount of gold discovered in Clear Creek attracted the area’s earliest settlers in the mid-19th century and Golden City quickly became an important supply stop for gold miners seeking their fortunes in the adjacent mountains. Farmers soon discovered rich soil in the valley that is now home to the Coors complex, and Golden City further swelled as coal mining and clay extraction industries settled in the area, utilizing the region’s ample natural resources. In 1860, Golden City became the capital of the Provisional Jefferson Territory. In 1861, Colorado was federally designated the Colorado Territory. From 1860 to 1867 the Colorado legislature met in the building that is now home to the Old Capital Grill restaurant. Locals were outraged in 1867 when neighboring Denver snagged the territorial capital where it remained after statehood. But the loss of name distinction did nothing to dampen Golden’s vital growth – business was booming. Today, with the official name of City of Golden, the town continues to thrive. It offers residents and visitors an abundance of recreational, cultural and culinary opportunities. Come live, work and play with us in our modern town with an old west flair!

GOLDEN CITY CHARTER

The Charter provides for the Council-Manager form of City Government. Twenty-one members of a Home Rule Charter Convention elected at a special municipal election on August 8, 1967, were chosen pursuant to Article XX of the Constitution of the State of Colorado after the adoption of Home Rule by the citizens of Golden. In connection with Council procedure, an efficient form of operation was adopted, with the rights of the people protected through the provisions for initiative and referendum. Also adopted was a practical form of budget control and financing advantageous to the City.

Although the Charter was designed to govern the decisions many generations to follow, change is inevitable. Thus, by virtue of Article XX of the Constitution, a method was provided to amend the Charter by popular election when necessary.

GOLDEN MUNICIPAL CODE

The Municipal Code is the codification of all local ordinances that govern the operation of the City and conduct of the inhabitants of the City. An ordinance can be adopted by the Council, or it can be proposed by the residents of the City through the initiative process.

COUNCIL MANAGER FORM OF GOVERNMENT

The City of Golden operates within a Council-manager form of government.

CITY COUNCIL

As established by City Charter, the Golden City Council is the legislative and governing body of the City and may exercise all powers conferred upon and possessed by the City except those otherwise restricted by the Charter or by statute. The Council adopts laws, ordinances and resolutions as it deems proper.

There are seven members of the Golden City Council. Four are elected from wards, two are elected from districts (each district is comprised of two wards- district one is wards one and two-district two is wards three and four) and the mayor is elected at-large.

The Council sets direction for the City and decides all policy matters. The Council appoints the City Manager, City Attorney, Hearing Officer and Municipal Judge.

CITY MANAGER

Pursuant to the City's Charter, the City Manager is the chief administrative officer of the City and is responsible to the Council for the proper administration of City government. Through the appointment of highly qualified department directors, the City Manager has oversight responsibility of the City's day-to-day operations. Department directors report to the City Manager.

The City Manager develops and recommends alternative solutions to community problems for Council consideration; researches, plans, and develops new programs to meet the future needs of the City; prepares and recommends an annual budget for Council consideration; and fosters community pride in city government through excellent customer service.

BOARD/COMMISSION RELATIONSHIPS

RELATIONSHIPS WITH OTHER BOARD/COMMISSION

The purview of several boards at time overlap. Boards should coordinate with other Boards when such overlap becomes apparent. For example, the Historic Preservation Board may address historical matters that may impact the responsibilities of the Parks, Recreation and Museums Board. Coordination and collaboration, when appropriate, will produce a faster and more comprehensive result.

RELATIONSHIPS WITH CITY COUNCIL

Members are appointed by, and responsible to the Council. Members may advise and make recommendations to the Council, but the Council has the final responsibility for all policy decisions.

A board/commission (or member) should not present proposals to the Council through community organizations. This method of advancing proposals carries the political influence of the organization as well as the proposal, which puts Council in a difficult position to consider the proposal on its merits alone.

Board/commission members should not attempt to predict Council action, either publicly or privately. They should not interpret Council policies or identify trends in Council thinking.

RELATIONSHIPS WITH STAFF

The City's administrative staff works for and is responsible to the City Manager. The City Manager may assign staff to act in a technical or advisory capacity and provide supportive assistance to a board.

Board/Commission members should not attempt to direct City Staff assisting the board/commission or decide on the priority of staff work. They should not ask staff to commit manpower for work that has not been budgeted or has not been approved by the City Manager or his/her designated Department Director.

Members should not discuss employee-related matters with employees. These matters should be referred to their respective supervisors, department head or human resources department.

RELATIONSHIPS WITH OTHER BOARD/COMMISSION MEMBERS

On many occasions, the success or failure of the efforts of a board is dependent upon the degree of cooperation evident among the individual members of the body. We encourage you to keep the following points in mind in your interactions with other members:

- Always respect the other individual's viewpoint even though it may be the opposite of your own.
- Allow the other individuals to articulate his or her views and then attempt to make an objective evaluation of those views.
- Evaluate fellow members' viewpoints based on what is best for the total community.
- Be open and honest at all times.
- Welcome new members and help them become acquainted with their duties.
- Strive to minimize political action among members.

GENERAL INFORMATION

GENERAL PROVISIONS

Details about boards and commissions may be found in Chapter X, Section 10.1 of the City Charter. Council shall have the power and authority to create boards and commissions including advisory and appeal boards. Advisory boards may be created by resolution but are usually created by ordinance. Appeal boards shall be created by ordinance, which shall set forth the powers and duties delegated to the board.

All members, however, are subject to removal by the Council for poor attendance, repeated disruption or other causes. The Council shall also make appointments to fill vacancies for the unexpired terms. Each board shall elect its own Chair and Vice-Chair from among its members. Each board shall operate in accordance with its own rules of procedure except as otherwise directed by the Council. All meetings of any board shall be open to the public.

Any board which is not required by statute or this charter may be abolished by the Council.

WORK PLANS

Work plans should set out major projects and issues for discussion for two years with attention to consistency with Council's Strategic Plan. Timelines and scope of review should be provided when possible. If appropriate, an estimate of action to be taken should be included. Work plans should be concise and easily readable. The Council will review the work plan for each board and receive an annual report each year.

The Policy Proposal Process shall be used to make amendments, if needed to already adopted work plans. The board shall discuss the proposed amendment and reach agreement. If time allows, it can be added to the existing work plan. If an added item conflicts or creates a workload issue and/or financial impact, then the Board shall propose what will be removed from the existing work plan to Council on consent. The summary of these actions shall be provided via the Policy Proposal Document found on the City Council webpage and be considered advisory until agreed to by the City Manager and City Council.

VACANCIES

Staff liaisons are responsible for notifying the City Clerk's Office when a member resigns or a vacancy exists for other reasons. Council will appoint replacements at a regular business meeting.

ELECTION OF OFFICERS

Each board shall choose one of its members to act as Chair and one member to serve as Vice-Chair, except the Fire Pension Board. The Chair shall preside at all meetings of the board, except that in his/her absence, the Vice-Chair shall preside. At the board's option, the function of chairing specific meetings may be rotated among the board members.

STAFF LIAISON ROLE

Staff support is available to boards and commissions through the various staff members assigned for each board. Council empowers the staff liaison to have the board follow Council's directives and work plan. Should there be a deviation the staff liaison should report to Council.

The boards and commissions staff liaison is responsible for the following:

- Upload yearly meeting dates to Event Calendar.
- Prepare the agenda and review it with the Chair prior to distribution.
- Upload current meeting agenda and distribute the agenda packet.
- Ensure the recording and distribution of meeting minutes. The length and content of minutes will vary with the needs and legal requirements of each board.
- Handle logistics regarding meeting scheduling, setup and public notification.
- Coordinate the board's 2-year work plan and submit by the deadline.
- Monitor attendance and report non-compliance
- Ensure new members are oriented to the board, including procedures and projects.
- Be empowered to guide boards and commissions to stay in scope of their mission/charge.
- Coordinate the board's 2-year work plan and submit by the deadline.
- Advise the City Clerk's Office of the following:

- Resignations
- Meeting schedule/location changes
- Name/address/phone number changes for board members
- Staff/name/title/phone number changes for staff liaisons

ORIENTATION AND TRAINING

City staff provides yearly training about the structure and operation of City government and the legal and ethical duties and responsibilities of board members. All members of City boards and commissions are required to attend the training, either in person or in such other fashion as the City Manager and City Attorney may deem appropriate (such as viewing a training video). This requirement must be fulfilled within six months of the appointment of any member.

Record of compliance with this requirement will be maintained in the office of the City Clerk and retained for at least two years following the expiration of each board member's term of office.

Additionally, new members will also receive “on boarding” training with the intention that new members participate actively from the onset. Staff liaisons shall provide new board members with pertinent materials including this manual which will assist new members in becoming fully functioning members of the board. Incumbent board members are encouraged to share their experience and knowledge with new members. It is suggested that boards develop a procedure to ensure this takes place.

BUDGET

Generally, budgets are not established for boards and commissions. However, funds necessary for the routine business of boards and commissions are included in the departmental budget for each City department which provides staff support to a board. GURA and DDA operate under state law and have their own operating budgets. Boards and commission may provide spending recommendations to Council.

AUTHORITY TO ADOPT PROCEDURES

The City Code provides that all boards and commissions shall have the authority to adopt rules of procedure governing its proceedings and will conduct all its proceedings in accordance with such rules. Boards and commissions rules of procedure must be consistent with Council's established policies and applicable laws. Each board shall provide rules and amendments to Council.

MEETING RESPONSIBILITIES

CONDUCT OF MEETINGS

It is important that boards and commissions conduct their meetings in a manner that is procedurally correct. It is recommended that boards and commissions follow the conduct of meetings as established in “*Bob's Rules of Order*” (a short version of *Robert's Rules*) which will be provided to all boards and commissions members. However, the Chairs of City boards and commissions shall be permitted to participate in the debate of matters presented to such boards and commissions and are also permitted to vote on all motions made by members of such boards and commissions, to the same extent and with the same effect as other members. These rules of procedure may also be further modified by each board, upon majority vote, if the board believes that such modification would enable it to better meet its responsibilities under the Code or Charter and fulfill its functions. Additionally, in those instances where *Bob's Rules of Order* may be inconsistent with the provisions of the City Charter, the ordinances of the City, or this manual, city charter, ordinances, and this manual take precedence.

All meetings shall adjourn no later than 10 p.m., or as soon thereafter as the hour may be brought to attention of the Chair, except that upon a majority vote of those present at the meeting, such meeting may be extended to 10:30 p.m. Meetings may be extended past 10:30 p.m., only upon adoption of a motion to suspend the rules.

CODE OF CONDUCT

The members of Boards and Commissions are subject to certain rules established by the Golden City Charter and Golden Municipal Code. Members are expected to adhere to these rules.

Boards and Commissions are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as individuals may "agree to disagree" on contentious issues.

- Be respectful of each other, staff and the public.
- Practice civility, professionalism and decorum in discussions and debate.
- Honor the role of the Chair in maintaining order
- It is the responsibility of the Chair to keep the comments of members on track during public meetings.
- Avoid personal comments that could offend others.
- Demonstrate effective problem-solving approaches.
- Be punctual
- Keep comments relative to topics discussed.

Boards and commissions members who violate the Code of Conduct or Code of Ethics will be contacted by the Mayor for discussion and/or disciplinary action, up to and including removal from the board.

ATTENDANCE POLICY

Upon application for and acceptance of appointment, board members demonstrate their intention and ability to attend meetings. Members of boards and commissions are required to attend 75 percent of scheduled meetings during a calendar year. This will be evaluated in February to allow time for remediation in time for a replacement if necessary. If a member will be absent notification of the absence should be given to the Chair of the board.

It is the responsibility of the staff liaison of each board to monitor and bring attendance issues to the attention of the Chair and handled internally. If it is not addressed internally then the matter will be referred to the City Clerk and the Mayor. The Mayor will contact the member for discussion and/or disciplinary action at the Mayor's discretion.

PUBLIC INPUT

Each board shall, at or near the beginning of each of its regular meetings, afford members of the public an opportunity to speak to any matter coming within the purview of the board, regardless of whether such matter is scheduled for consideration at that particular meeting. Uniform time limitations of three minutes will be imposed by the Chair of the board as necessary to conduct the business of the board in a timely and efficient manner.

OPEN MEETINGS

The City Code specifically requires that all meetings of a board, and all meetings of any committee of a board, shall always be open to the public, except when the board is meeting in a validly convened executive session.

The term “meeting” is defined as a gathering of a quorum or three or more members, whichever is fewer, of any board, or any committee of such board, at which any public business is discussed or at which any formal action may be taken. It is important to remember that the open meeting requirements apply to more than just in-person gatherings. They also apply to emails, conference calls, social media, or any other means of communication where conference-like communication can occur. However, the term “meeting” does not include a chance meeting or social gathering at which the discussion of public business is not the central purpose.

NOTICE REQUIREMENT

The notice requirement for meetings is slightly different from the public openness requirement. Full and timely notice to the public must be given prior to the holding of any meeting of a board (or committee of a board) at which a majority or quorum is in attendance or is expected to be in attendance or at which formal action could be taken. Public notice for all meeting shall be provided in advance in accordance with established city procedures.

QUORUM REQUIREMENTS

For a board to conduct any business or take any formal action, it is necessary that a quorum of the membership be present at the meeting. A quorum consists of a majority of the seated regular positions of the board. If a quorum is not present for a meeting, those present can adjourn the meeting to a later date and time.

MINUTES

Minutes of any meeting of a local public body at which the adoption of any proposed policy, position, resolution, rule, regulation or formal action occurs or could occur shall be taken and promptly recorded, and such records shall be open to inspection. Minutes are not taken at Study Sessions as no formal action can be taken.

The minutes of a meeting during which an executive session is held shall reflect the topic of the discussion at the executive session.

Approval of Minutes

- Any additions, deletions, or corrections to the minutes should be presented by board and staff members.
- A motion should be made and seconded to approve the minutes of the last meeting as amended.
- The approved minutes should be signed by the Chair and secretary of the board. Minutes are permanent records and should be kept by the staff liaison of the board.

EXECUTIVE SESSIONS

Executive Sessions are not a common practice of boards and commissions, with the exception of GURA and DDA, which sometimes do have executive sessions. The members of a local public body upon the announcement by the local public body to the public of the topic for discussion in the executive session, including specific citation to the provision of this section authorizing the body to meet in an executive session and identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized, and the affirmative vote of two-thirds of the quorum present, after such announcement, may hold an executive session only at a regular or special meeting and for the sole purpose of considering any of the following matters; except that no adoption of any proposed policy, position, resolution, rule, regulation, or formal action,

except the review, approval, and amendment of the recorded minutes of an executive session, shall occur at any executive session that is not open to the public.

- (1) The purchase, acquisition, lease, exchange, transfer, or sale of any real, personal, or other property interest; except that no executive session shall be held or concealing the fact that a member of the board has a personal or financial interest in such purchase, acquisition, lease, exchange, transfer, or sale;
- (2) Conferences with an attorney for the local public body or receiving legal advice on specific legal questions. Mere presence or participation of an attorney at an executive session of the board is not enough to satisfy the requirements of this section;
- (3) Matters required to be kept confidential by federal or state laws or rules or regulations;
- (4) Specialized details of security arrangements or investigations;
- (5) Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators;
- (6) Consideration of any documents protected by the mandatory non-disclosure provisions of Part 2, Article 72 of Title 24, C.R.S., commonly known as the "Open Records Act". Except that all consideration of documents or records that are work product, as defined in C.R.S. 24-72-202(6.5) or that are subject to the governmental or deliberative process privilege, shall occur in a public meeting unless an executive session is otherwise allowed pursuant to this section.
- (7) Deliberations of matters in which the local public body is acting in a quasi-judicial capacity.

An audio recording must be made of all discussions that occur in an executive session, except those discussions that constitute a privileged attorney-client communication. In that attorney-client situation, a recording need not be made so long as the attorney is present at the executive session and the audio recording of the executive session discussion reflects the fact that no further record was kept of the discussion based on the opinion of said attorney that the discussion constitutes a privileged attorney-client communication.

The audio recording of an executive session must be maintained for not less than 90 days, after which it may be destroyed pursuant to the City's document retention policy.

During an executive session, the board cannot make final policy decisions, adopt resolutions, or take other formal action. If a board does attempt to take formal or final action in an executive session, such action would be void and of no effect.

Information received by board members in an executive session shall be kept confidential by the members. A member could become criminally liable for misuse of official information if a member used confidential information for his or her personal pecuniary gain or aided another in achieving a pecuniary benefit. Disclosure of confidential information could also result in the loss of liability protection under the Colorado Governmental Immunity Act for the individual making the disclosure and removal from membership on the board.

COLORADO OPEN RECORDS ACT (CORA)

In the spirit of open government, the Colorado Open Records Act (CORA) requires that most public records be available to the public. The members of City boards and commissions are responsible for the efficient use of email as a method of business communication, keeping the potential of CORA requests in mind. Please refer to the open meeting requirements, defined as a gathering of a quorum or three or more members, whichever is fewer, of any board, or any committee of such board, at which any public business is discussed or at which any formal action may be taken, which apply to emails and social media.

CONFLICT OF INTEREST GUIDELINES

INTRODUCTION

The members of City boards and commission are subject to certain rules of ethical conduct established by the City Charter and Code. The following summary highlights the primary areas of concern addressed by these rules. When in doubt, a board member should consult with the staff liaison.

CONFLICTS OF INTEREST

A board member should refrain from voting on or attempting to influence any decision in which he or she has a financial or personal conflict of interest.

Generally, a board member has a financial interest in a decision when the decision entails some foreseeable, measurable financial benefit to the individual member or relative.

Even if a member does not have a financial interest in a decision or recommendation, a personal interest may also create a conflict of interest. The test for a personal interest is whether, in the judgement of a reasonably prudent person, the board member would realize or experience some direct and substantial benefit or detriment different in kind from that experienced by the general public.

TYPES OF BOARDS AND COMMISSIONS

Boards and commissions are established for reviewing information and making recommendations to Council on City policy issues. There is no difference between a board and commission. Specific duties and functions are established individually for each board. The majority of boards and commissions are advisory to the Council and/or City administration. These boards and commissions do not have decision-making powers. The advisory boards are as follows:

ADVISORY TO CITY COUNCIL:

- Community Sustainability Advisory Board (CSAB)
- Fire Pension Board
- Historic Preservation Board
- Mobility & Transportation Advisory Board (MTAB)
- Parks, Recreation & Museums Advisory Board
- Economic Development Commission
- Public Art Commission
- Planning Commission
- Visit Golden

REGULATED UNDER STATE WITH SOME AUTONOMY FROM CITY COUNCIL:

- Downton Development Authority (DDA)
- Golden Urban Renewal Authority (GURA)

ADVISORY TO CITY MANAGEMENT AND/OR CITY COUNCIL:

- Citizens Budget Advisory Committee

Investment Advisory Committee

QUASI-JUDICIAL:

Planning Commission

Historic Preservation Board (in some instances)

Various boards and commissions are quasi-judicial, they have decision-making powers within their areas of expertise and their decisions are subject to appeal to the City Council or the courts.

For quasi-judicial matters, the rules of engagement have a basis in constitutional due process requirements, the right to a fair hearing before a neutral decision maker when individual property rights are at stake.

These rules of engagement include:

- *You will follow the applicable legal criteria, and apply those criteria to the evidence you hear at the hearing, to arrive at your decision.*
- *You will refrain from “ex parte” or “outside the hearing” contacts regarding a pending quasi-judicial matter.*
- *You will not attend neighborhood meetings on a case that may come to your board if it involves land use, specifically.*
- *You will not participate in decision-making in a quasi-judicial matter in which you have a conflict of interest.*

BOARDS, COMMISSIONS AND COMMITTEES FUNCTIONS

COMMUNITY SUSTAINABILITY ADVISORY BOARD (CSAB)

The Community and Sustainability Advisory Board was formed in 2007 to assist the City in achieving the sustainability goals set by Council in Resolution No. 1793 and amended by Resolution Nos. 2330 and 2656.

Appointment and Terms:

The seven members of the board are appointed by the Mayor and confirmed by a majority of the Council. All members shall serve without compensation. Members of the board shall not hold any other municipal office or position on a standing board, commission or authority, except that members of the board may serve on other temporary committees, task forces, or similar ad hoc groups and may serve as an ex-officio member on another city board to enhance collaboration, upon appointment by their primary board.

Members shall serve staggered terms of four years. No person having served two complete consecutive terms on the board shall be appointed by Council unless, upon appointment, at least four years have passed since that person’s previous term. Upon appointment, the city will regularly provide orientation and training for new and existing board members.

Board Membership:

It is intended that the community sustainability advisory board membership consist of a diverse and committed group of individuals with a variety of complementary skills, critical thinking abilities, and expertise as necessary to fulfill their duties. Diversity of backgrounds, neighborhoods, and interests helps the commission understand and make recommendations to benefit the entire community. In addition, because of the technical nature of

the board's duties, the Mayor and Council are encouraged to strive to represent the following interests in the appointments to the board:

- (a) Three members of the community at large.
- (b) One member who is a professional in the sustainability industry (e.g., renewable energy production, energy efficiency).
- (c) One representative of a public research facility.
- (d) One representative of the education profession.
- (e) One small business owner, or a representative of a medium or large business.

Authority to Adopt Regulations:

The community sustainability advisory board shall have the authority to adopt rules of procedure governing its proceedings consistent with applicable requirements and provisions of the Golden Charter and Municipal Code and will conduct all of its proceedings in accordance with such rules. The rules of procedure shall be posted and available to the public.

Duties of the Board:

Primary duties.

- (a) The primary purpose of the board is to assist the city in achieving the sustainability goals set by Council in Resolution No. 1793, and its subsequent amendments, including Resolution Nos. 2330 and 2656, and may be further amended from time to time.
- (b) The board shall be responsible for securing commitment and assistance from as many residents, visitors, building owners, and business owners and their employees as possible, and to this end shall:
 - 1. Conduct all its proceedings in such a manner as to secure broad public support.
 - 2. Plan, organize and sponsor public educational initiatives.
 - 3. Consider the need for public support when making recommendations to Council.
 - 4. Develop and monitor a community outreach and communication plan.
- (c) The board shall keep the Council advised of its progress and submit a written annual report to Council and the community. The board shall prepare a ten- year plan to meet the goals in Resolution No. 1793.
- (d) The board shall recommend to Council changes to the Golden Municipal Code related to the goals in Resolution No. 1793 and its subsequent amendments, including Resolution Nos. 2330 and 2656.
- (e) Periodically review the city's internal sustainability and environmental programs to track compliance with the city's energy efficiency, renewable energy, waste, vehicle miles travelled, and water conservation goals. Advise the city manager on programs to improve that effort and additional efforts and their anticipated results.
- (f) Provide leadership, monitoring, advice and reporting for city participation in state, national and international programs related to sustainability and improvement of the environment.

Advisory activities.

- (a) The board shall review citizen requests for funding of local sustainability related projects and/or capital infrastructure projects and forward an evaluation and recommendation to Council for consideration.
- (b) The board shall review requests or initiatives for city participation in local, regional and national organizations and forward an evaluation and recommendation for action, if appropriate, to Council for consideration.

Collaborative activities.

- (a) The board shall periodically participate in ad-hoc committees and established city boards and commissions to advocate for sustainability policies. Board members may attend meetings of these groups to collaborate and share data and information about the impact of potential projects and programs.
- (b) In fulfilling the collaborative duties described herein, the board may opt to appoint ex-officio members to other boards or commissions, where such formal non-voting participation can enhance the level of cooperation and collaboration among city boards and commissions.

DOWNTOWN DEVELOPMENT AUTHORITY (DDA)

The Downtown Development Authority was established in 2014 as a special district entity to benefit the economic and community vitality of the downtown area. Beginning in mid-2014, the DDA began to take over downtown benefit programs from the Golden Urban Renewal Authority (GURA), which continued to focus on other URA projects.

Appointment and Terms:

The Authority shall have a board comprised of seven members, all of whom, except for any member of the Council, must be “qualified electors” of the Authority, as defined in Section 31-25-802(9), C.R.S. (“Board”), appointed by the Mayor and confirmed by a majority of the Council. Consistent with Sections 31-25-805 and 31-25-806, C.R.S., the Board of Authority shall be constituted as follows:

- (a) One member shall be a member of Council
- (b) Six members who are residents, landowners or business lessees within the boundaries of the authority

Terms are as follows:

- (a) The member from the Council shall serve at the pleasure of Council
- (b) The terms of all members appointed to the Board shall expire from the expiration date of the terms of their predecessors
- (c) After notice and an opportunity to be heard, an appointed member of the Board may be removed for cause by the Council
- (d) Board members shall hold office until their successor has been appointed and qualified by the Mayor and confirmed by a majority of the Council

Board Membership:

The six members who are residents, landowners or business lessees within the boundary’s authority.

The term “business” shall include a for profit business or a nonprofit business. An officer or director of a corporation having a place of business within the boundaries of the Authority shall be eligible for appointment by the Board. No officer or employee of the City, except the member from the Council, shall be eligible for appointment to the Board.

Members of the Board shall serve without compensation, but they may be reimbursed for actual and necessary expenses.

FIRE PENSION BOARD

The Fire Department Pension Board listens to pension issues, evaluates options, makes recommendations, and votes on Golden Fire Department pensions issues. The Board consists of three fire department members, two citizen members, City Manager, Finance Director, and Mayor.

Appointment and Terms:

The citizen members shall be appointed by the mayor with the approval of the majority of the Council. Such citizen members shall serve without compensation. Such citizen members of the board shall not hold any other municipal office or position on a standing municipal board, commission or authority, except that members of the board may serve on other temporary committees, task forces, or other similar ad hoc groups.

- (a) Citizen members shall serve staggered terms of four years. No person having served two complete, consecutive four-year terms on the board shall be appointed by Council unless, upon appointment, at least four years have passed since that person's previous four-year term. Terms served by citizen members pursuant to appointments made prior to calendar year 2017 shall not be considered when determining whether the term limitations provided for herein disqualify appointment.
- (b) In order to achieve staggered terms, the term of the current citizen member, whose term is set to expire in 2018, shall be extended for 12 months.

Officers:

The board shall elect a president and secretary from its membership. The city's Finance Director shall serve as the ex-officio treasurer of the board.

GOLDEN URBAN RENEWAL AUTHORITY (GURA)

The Golden Urban Renewal Authority was established in 1989 as a special district entity to halt, or prevent the spread of blighted areas within designated plan areas. The first urban renewal areas were in downtown Golden and ran from 1989 to 2014. After the expiration of the downtown urban renewal are, the City established three new urban renewal areas:

- Central Neighborhoods, 2013-2038
- Parfet Briarwood, 2013-2038
- West Colfax, 2014-2039

Appointment and Terms:

The Authority shall have a board comprised of seven members, as defined in C.R.S. Title 31, Article 25, appointed by the Mayor and confirmed by a majority of the Council. Consistent with Sections 31-25-104, C.R.S., the Board of Authority shall be constituted as follows:

- (a) One member shall be a member of Council

- (b) Six members who are residents

Terms are as follows:

- (a) The term of office shall be five years
- (b) The member from the Council shall serve at the pleasure of Council
- (c) The terms of all members appointed to the Board shall expire from the expiration date of the terms of their predecessors
- (d) After notice and an opportunity to be heard, an appointed member of the Board may be removed for cause by the Council
- (e) Board members shall hold office until their successor has been appointed and qualified by the Mayor and confirmed by a majority of the Council

Board Membership:

The six members who are residents living within the City of Golden shall be eligible for appointment by the Board. No officer or employee of the City, except the member from the Council, shall be eligible for appointment to the Board.

Members of the Board shall serve without compensation, but they may be reimbursed for actual and necessary expenses.

HISTORIC PRESERVATION BOARD

The Historic Preservation Board is responsible for evaluating and preserving the rich historical, architectural, and cultural heritage of the City of Golden. The board consists of seven members and one alternate who are appointed by the Mayor and confirmed by a majority vote of the Council.

Appointment and Terms:

The historic preservation board shall be comprised of seven members, each of whom shall be a resident of the city. The members of the board shall be appointed by the mayor, the appointment of whom shall be confirmed by the majority of Council.

Members of the board shall not hold any other municipal office or position on a standing municipal board, commission or authority, except that members of the board may serve on other temporary committees, task forces, or similar ad hoc groups and may serve as an ex-officio member on another city board to enhance collaboration, upon appointment by their primary board.

Members shall serve staggered terms of four years. No person having served two complete consecutive terms on the board shall be appointed by Council unless, upon appointment, at least four years have passed since that person's previous term. Upon appointment, the city will regularly provide orientation and training for new and existing board members.

Board Membership:

It is intended that the historic preservation board membership consist of a diverse and committed group of individuals with a variety of complementary skills, critical thinking abilities, and expertise as necessary to fulfill their duties. Diversity of backgrounds, neighborhoods, and interests helps the board understand and make recommendations to benefit the entire community.

Duties of the Board:

Primary duties.

- (a) Evaluate and determine the merits of sites, landmark properties, and districts for historic preservation designation under chapter 18.58;
- (b) Conduct Certificate of Appropriateness Review for work on designated sites, landmark properties, or districts;
- (c) Prepare or cause to be prepared a comprehensive inventory of the essential structures, priority structures, and preservation areas within designated historic sites or districts, with specific attention to the condition of priority structures and sites, and including the identification of at-risk historic features;
- (d) Consult with the building official as to the adequacy of the work being performed under the Certificate of Appropriateness Review;
- (e) Increase public awareness of the value of historic, architectural and cultural preservation, including through programs such as the structure of merit or endangered sites list programs;
- (f) Actively support and promote owners of eligible sites and districts seeking designation under this chapter.

Advisory duties.

- (a) Evaluate and comment on proposals by individual land owners or the city, city staff, Golden Urban Renewal Authority, Golden Economic Development Commission, Council, and other public agencies, affecting the physical development and land use patterns in or affecting designated historic sites or districts with the objective of being apprised of potential threats to or effects on historic districts, structures, sites and vistas at the beginning of discussions, not after decisions are made;
- (b) Make recommendations to the Council regarding:
 - 1. The utilization of grants from federal and state agencies, private groups, and individuals to promote the preservation of historic or architecturally significant structures in the city; and
 - 2. The acquisition of facade easements and the imposition of other restrictions for purposes of historic preservation; and
 - 3. Public property contracts for the purposes of historic preservation where private preservation is not feasible; and
 - 4. New information affecting preservation interests in the city.
- (c) The board shall be available to provide advice and guidance to individuals, developers, neighborhood groups or other parties regarding work on designated historic sites, or within designated historic districts.

Collaborative duties.

- (a) The board shall seek ways to collaborate with various city boards and commissions as well as external partners. Such collaborative partners may include the planning commission regarding community and neighborhood plans and the parks, recreation, and museums advisory board regarding support of the city's museums.

- (b) In fulfilling the collaborative duties described herein, the board may opt to appoint ex-officio members to other boards or commissions, where such formal non-voting participation can enhance the level of cooperation and collaboration among city boards and commissions.

MOBILITY & TRANSPORTATION ADVISORY BOARD (MTAB)

The Mobility and Transportation Advisory Board (MTAB) was established in 2017 as an advisory board focused on transportation and transit issues within the city. The board provides a venue to evaluation the relationship between mobility of all types and the economy, sustainability, safety, land use, neighborhood integrity, and emergency response times; and study the importance of transportation access to health care, employment, education, housing, business, and recreational facilities. The board's recommendations contribute to community and neighborhood plans prepared by the Planning Commission and to policy and strategic decisions of Council.

Appointment and Terms:

MTAB shall be comprised of seven members, each of whom shall be a resident of the city. The seven members shall be appointed by the Mayor, with approval of a majority of the Council. All members shall serve without compensation.

Members of the board shall not hold any other municipal office or position on a standing municipal board, commission or authority, except that members of the board may serve on other temporary committees, task forces, or similar ad hoc groups, and may serve as an ex officio member on another city board to enhance collaboration, upon appointment by their primary board.

Members shall serve staggered terms of four years. No person having served two complete consecutive terms on the board shall be appointed by Council unless, upon appointment, at least four years have passed since that person's previous term. In addition to the foregoing membership, the city manager has the option to appoint up to two additional non-voting members to the board, from the police department, the fire department, or any other city department.

Board Membership:

It is intended that the mobility and transportation advisory board membership consist of a diverse and committed group of individuals with a variety of complementary skills, critical thinking abilities, and expertise as necessary to fulfill their duties. Diversity of backgrounds, neighborhoods, and interests helps the board understand and make recommendations to benefit the entire community.

Duties of the Board:

Primary duties.

- (a) To review, monitor, and propose changes as necessary to:
1. Transportation, mobility, and transit plans;
 2. Traffic calming policies;
 3. The downtown parking management system;
 4. Neighborhood parking permit systems;
 5. Planning and funding priorities for transportation, mobility, and transit capital improvements;

6. School zone safety;
 7. Any other city policies regarding streets, automobiles, pedestrians, bicycles, and transit.
- (b) To work with individual citizens, neighborhood groups, and city staff to develop and recommend criteria by which to guide neighborhood projects for traffic calming, traffic mitigation, and transportation related noise mitigation.
 - (c) To work with city staff to develop policy guidance to evaluate the appropriate use of traffic control measures and devices within the boundaries of traffic and engineering standards, and the city engineer's professional judgment. To provide an organized forum for an integrated review and recommendations to the City Engineer regarding citizen or neighborhood requests for installation or changes to traffic control measures, pedestrian safety improvements and related issues.
 - (d) To work with city staff to develop educational materials and programs related to the beneficial use of transportation and mobility systems and to advocate for the safe usage of such systems.
 - (e) To work within the community and region as an advocate for safe and effective transportation systems.
 - (f) To accomplish its work and gather public input, the board may use surveys, community meetings, listening sessions, focus groups, study sessions, or public hearings, as necessary.
 - (g) In the performance of its activities and duties the board shall seek assistance from staff to ensure that all its actions and recommendations follow applicable engineering codes, standards and regulations.

Advisory activities.

- a) Advise the city manager and Council and make recommendations concerning transportation and transit projects and matters and alternate transportation programs.
- b) Advise planning commission on the incorporation of policies and recommendations pertaining to transportation and transit in community and neighborhood plans.
- c) Act as a conduit of information between the city and the community to gather and assess the information necessary to make sound and consistent advisory recommendations to the city for transportation studies, mitigation strategies, and the funding and prioritization of transportation improvements.
- d) Review proposed street vacations and provide an advisory opinion to the planning commission.

Collaborative activities.

- (a) The board shall seek to promote close collaboration among Council, planning commission, sustainability board, other boards and commissions, city departments, individuals, businesses, schools, and institutions concerned with transportation and transit to secure the public health, safety, and welfare.
- (b) In fulfilling the collaborative duties described herein, the commission may opt to appoint ex-officio members to other boards or commissions, where such formal non-voting participation can enhance the level of cooperation and collaboration among city boards and commissions.

PARKS, RECREATION & MUSEUMS ADVISORY BOARD (PRAM)

The Parks, Recreation & Museums Advisory Board (P R A M) was created in 1982, and board members are appointed by the Mayor and confirmed by a majority of the City Council, representing Golden citizens. Board members are appointed by Council and represent Golden citizens. The Parks, Recreation & Museums Advisory Board consists of seven members and one alternate, which serve four- year terms. The board makes suggestions about policies and procedures, fees, and charges, acceptance of park land, design of parks, and other projects relating the Parks and Recreation Department.

Appointment and Terms:

The parks, recreation, and museums advisory board shall be comprised of seven members, and one alternate, each of whom shall be a resident of the city. The seven members and one alternate of the board shall be appointed by the mayor, with approval by a majority of the Council.

All members shall serve without compensation. Members of the board shall not hold any other municipal office or position on a standing municipal board, commission or authority, except that members of the board may serve on other temporary committees, task forces, or similar ad hoc groups and may serve as an ex-officio member on another city board to enhance collaboration, upon appointment by their primary board.

Members shall serve staggered terms of four years. No person having served two complete consecutive terms on the board shall be appointed by Council unless, upon appointment, at least four years have passed since that person's previous term. Upon appointment, the city will regularly provide orientation and training for new and existing board members.

Board Membership:

It is intended that the PRAM board membership consist of a diverse and committed group of individuals with a variety of complementary skills, critical thinking abilities, and expertise as necessary to fulfill their duties. Diversity of backgrounds, neighborhoods, and interests helps the board understand and make recommendations to benefit the entire community.

Duties of the Board:

Primary duties.

- (a) To serve in an advisory capacity to the Council with reference to the operation, development, expansion, growth, and all other matters related to the city's parks, trails, and recreational facilities, including education, events, and programming, for recreation and to promote a sense of community, physical health, and well-being.
- (b) To serve in an advisory capacity to Council with respect to the operation, development, expansion, growth, and all other matters related to the city's museums and cultural facilities, and to assist Council with the preservation and promotion of the city's culture and history through education, events and programming in conjunction with the city's museums.
- (c) The board may also from time to time guide and assist with the preparation of comprehensive long-term plans for the growth and development of the city's parks and recreational facilities and museum and cultural facilities, within the meaning and the spirit of the city's growth and development policy plan.
- (d) In carrying out its duties, the parks, recreation, and museums advisory board shall have authority to conduct open public hearings, conduct investigations, studies and surveys, prepare maps, charts, exhibits, and reports

as shall be necessary; and do and perform all other acts and duties necessary to the promotion of public interest and understanding of its programs and plans. Whenever a public hearing is held before the parks, recreation, and museums advisory board, public notice shall be published in a newspaper of general circulation within the city at least seven days prior to such hearing.

- (e) Act as a conduit of information between the city and the community to gather and assess the information necessary to make sound and consistent advisory recommendations in areas related to the board's activity.

Advisory duties.

Advise other boards and commissions on the incorporation of policies and recommendations pertaining to the city's parks, recreation, open space, trails, museums, and similar community elements in plans prepared by such boards and commissions.

Collaborative activities.

- (a) The board shall seek ways to collaborate with various city boards and commissions, including the mobility and transportation advisory board and historic preservation board, as well as external partners like the Jefferson County Open Space Department, active recreation organizations, and other governmental, non-profit, and private agencies.
- (b) In fulfilling the collaborative duties described herein, the board may opt to appoint ex-officio members to other boards or commissions, where such formal non-voting participation can enhance the level of cooperation and collaboration among city boards and commissions.

ECONOMIC DEVELOPMENT COMMISSION (EDCOMM)

The Economic Development Commission (EDComm) was established by Golden City Council in June of 1999. Each member has a broad base of professional and complementary expertise in the fields of finance, advertising, retail, and economic development. EDComm's duties include developing a structure and strategy for marketing/promoting the Golden community.

Appointment and Terms:

EDComm shall be comprised of seven members, each of whom shall be a resident of the city, property owner within the city, be employed within the city, or own a business within the city. The members of the commission shall be made up of a combination of members selected by representative groups, and members appointed by the mayor of the city. The Golden Urban Renewal Authority and the Golden Chamber of Commerce board of directors shall each select one person to serve on the commission, the appointment of whom shall be confirmed by the majority of Council. In addition to these two members, five members shall be appointed by the mayor, the appointment of whom shall be confirmed by a majority of the Council.

Members of the commission shall not hold any other municipal office or position on a standing municipal board, commission or authority, except that members of the commission may serve on other temporary committees, task forces, or similar ad hoc groups and may serve as an ex-officio member on another city board to enhance collaboration, upon appointment by their primary board. The foregoing notwithstanding, one member of the Golden Urban Renewal Authority may serve on EDComm, if selected by the Golden Urban Renewal Authority.

Members shall serve staggered terms of four years. No person having served two complete consecutive terms on the commission shall be appointed by Council unless, upon appointment, at least four years have passed

since that person's previous term. Upon appointment, the city will regularly provide orientation and training for new and existing board members.

Board Membership:

It is intended that EDComm membership consist of a diverse and committed group of individuals with a variety of complementary skills, critical thinking abilities, and expertise as necessary to fulfill their duties. Diversity of backgrounds, neighborhoods, and interests helps the board understand and make recommendations to benefit the entire community.

Duties of the Commission:

Primary duties.

- (a) The primary purpose of the EDComm shall be to promote the retention, expansion, and attraction of the primary employment and entrepreneurial sector of the local economy. In fulfilling this mission, the commission will be expected to perform the following tasks:
 - Annual preparation and submittal to Council of a strategic plan/work plan in accordance with the above mission and focus.
 - Annual preparation and submittal to Council of a report and outcomes related to the strategic plan and work plan.
 - Recommendations to Council about economic incentive requests.
- (b) In carrying out its duties, EDComm shall have authority to conduct open public hearings, conduct investigations, studies and surveys, prepare maps, charts, exhibits and reports as shall be necessary; and do and perform all other acts and duties necessary for the promotion of public interest and understanding of its programs and plans.

Advisory activities.

- (a) The commission shall participate in policy discussions and revisions to community planning documents, and make recommendations related thereto.

Collaborative activities.

- (a) The commission shall seek ways to collaborate with various city boards and commissions as well as external partners. Such collaborative partners may include the urban renewal authority, downtown development authority, visit golden, chamber of commerce, as well as external partners at the county, regional, and state level.
- (b) In fulfilling the collaborative duties described herein, the board may opt to appoint ex-officio members to other boards or commissions, where such formal non-voting participation can enhance the level of cooperation and collaboration among city boards and commissions.

PLANNING COMMISSION

The Planning Commission, established in 1948, affords residents the opportunity to actively participate in the planning of the City and its welfare. The Commission is comprised of seven members and one alternate of four-year terms. The Chair and Vice-Chair are selected from within the Commission by its members.

Appointment and Terms:

The planning commission shall be comprised of seven members, and an alternate, each of whom shall be a resident of the city. The seven members and alternate shall be appointed by the mayor, with approval of a majority of the Council.

All members shall serve without compensation. Members of the board shall not hold any other municipal office or position on a standing municipal board, commission or authority, except that members of the board may serve on other temporary committees, task forces, or similar ad hoc groups and may serve as an ex officio member on another city board to enhance collaboration, upon appointment by their primary board.

Members shall serve staggered terms of four years. No person having served two complete consecutive terms on the board shall be appointed by Council unless, upon appointment, at least four years have passed since that person's previous term. Upon appointment, the city will regularly provide orientation and training for new and existing board members.

Commission Membership:

The planning commission membership consist of a diverse and committed group of individuals with a variety of complementary skills, critical thinking abilities, and expertise as necessary to fulfill their duties. Diversity of backgrounds, neighborhoods, and interests helps the commission understand and make recommendations to benefit the entire community.

Duties of the Commission:

The Planning Commission has general supervision of all planning for the development, expansion and growth of the City and shall, from time to time, prepare comprehensive long term plans for the growth and development of the City. In an advisory capacity, Planning Commission makes recommendations to Council regarding annexations, zonings, subdivisions and right of way vacations. It renders the final decision on site development plans and special use permits. The Commission also recommends standards and regulations affecting land subdivision, and regulations governing the use of land; the height, area, bulk and uses of private buildings and structures.

Primary duties.

The planning commission shall have general supervision of all planning for the development, expansion, and growth of the city. The planning commission shall perform quasi-judicial review of land use applications when required by the provisions of the Golden Municipal Code and, periodically, prepare comprehensive long-term plans for the growth and development of the city. In the preparation of such plans the commission shall have authority to conduct open, public hearings, conduct investigations, studies, and surveys, prepare maps, charts, exhibits, and reports as shall be necessary; and do and perform all other acts and duties necessary to the promotion of public interest and understanding of its programs and plans. The planning commission shall serve as a fact-finding board to make decisions and/or findings and recommendations to Council for specific requests as identified in Title 18 of the Golden Municipal Code.

Advisory activities.

In addition to the powers and duties set forth in section 2.44.070(1) hereof, the commission shall serve in a direct advisory capacity to the Council in the following matters:

- (a) Opening, closing, vacating, and abandoning streets, alleys, and other public ways;

- (b) The study of a land use plan, showing the proposed general distribution, location, and extent of residential areas, business areas, industrial areas, and areas for recreation and education and other categories of public and private use of land;
- (c) Recommend standards and regulations affecting land subdivision;
- (d) Recommend regulations governing the use of land; the height, area, bulk, and uses of public and private buildings and structures;
- (e) Recommend site development design standards and guidelines for evaluation of private multi-family and commercial construction projects in the community;
- (f) Recommend the adoption of regulations and ordinances calculated to promote the healthful and convenient distribution of population in the city; for the promotion of public safety; for the promotion and development of attractive overall civic design and the development of natural resources of the city; for the promotion and development of metropolitan area planning, growth, and expansion;
- (g) Recommend policies that relate to the intersection between land use and transportation, and that promote the appropriate mix of modes of transportation;
- (h) Act as a conduit of information between the city and the community to gather and assess the information necessary to make sound and consistent advisory recommendations in areas of land use and community development.

Collaborative activities.

In fulfilling the duties related to development and implementation of comprehensive community and neighborhood plans, the commission shall seek to promote collaboration with and among Council, the transportation advisory board, community sustainability advisory board, parks and recreation advisory board, other boards and commissions, city departments, individuals, businesses, schools, and institutions concerned with the commission's duties in order to secure the public health, safety, and welfare. The collaboration process shall include the sharing of information that relates to each board's primary duties when relevant, and for each board to then have an opportunity to provide comments in response, or to suggest a specific collaboration process when more significant issues arise. The commission shall specifically collaborate on the development and inclusion of policies and recommendations pertaining to the below topics in community plans prepared by the commission:

- (a) The location, character, and use of public ways, grounds, and spaces; the general location of major public buildings, structures, and facilities;
- (b) The location, maintenance, and operation of public ways including freeways, highways, streets, alleys, boulevards, parkways, waterways, airways, airports, and other public transportation and transit facilities now or hereafter established;
- (c) The general location, character, extent, and use of open space parcels, parks, playgrounds, community centers, squares, public buildings, and structures;
- (d) The character and plan for areas of the community where redevelopment investment is anticipated.

In fulfilling the collaborative duties described herein, the commission may opt to appoint ex-officio members to other boards or commissions, where such formal non-voting participation can enhance the level of cooperation and collaboration among city boards and commissions.

PUBLIC ART COMMISSION

The Public Art Commission, established in 2013, affords residents the opportunity to actively participate in creating a vibrant and appealing atmosphere that contributes to the quality and identity of the City of Golden, through public art.

Appointment and Terms:

The Public Art Commission shall be comprised of seven voting members, as follows:

- (1) Five of the members shall be residents of the city and appointed by the mayor, with approval by a majority of the Council;
- (2) One member shall be the executive director of the Foothills Art Center or their designee, with approval by a majority of Council.
- (3) One member shall be selected by the board of directors of the Golden Civic Foundation, with approval by a majority of Council.

All members shall serve without compensation. Members of the public art commission shall not hold any other municipal office or position on a standing municipal board, commission or authority, except that members of the commission may serve on other temporary committees, task forces, or similar ad hoc groups. The city manager shall appoint a staff liaison to provide administrative support and assistance to the commission as necessary to accomplish the duties of the commission and the purposes of this chapter.

The five resident members and the one member selected by the Golden Civic Foundation shall serve terms of four years and shall be eligible for reappointment for no more than two consecutive terms. Upon initial appointment, three of these members shall be randomly selected to serve initial terms of two years. The term of the executive director of the Foothills Art Center or their designee shall be ex officio, subject to approval by Council.

Duties of the Commission:

The primary purposes of the public art commission shall be to promote, select, acquire, and maintain public art in fulfillment of the goals of the city's art in public places program, to administer the provisions of this chapter and chapter 2.60 of this Code pertaining to the city's art in public places program, and to adopt policies and guidelines necessary for such administration.

The commission shall prepare and submit, not later than March of each year, a report to Council of its activities and expenditures for the prior year. The commission shall prepare and submit a 2-year work plan to Council describing its goals and plans for the city's art in public places program for the coming year and amend such plan as necessary.

Adoption of Policies & Guidelines:

The Public Art Commission shall adopt policies and guidelines:

- (1) To identify suitable art objects for city buildings or property;
- (2) To facilitate the preservation of art objects and artifacts that may be displayed in public places;
- (3) To prescribe a method or methods for competitive selection of art objects for display;

- (4) To prescribe procedures for the selection, acquisition, placement, display, rotation and deaccessioning of public art;
- (5) To address safety and other precautions with respect to the selection, location and maintenance of public art; and
- (6) To address any other matter necessary for the administration of chapters

2.60 and 2.64 of this Code and the city's art in public places program.

All policies adopted by the Public Art Commission, and any amendments thereto, are subject to review and approval by Council, and shall be effective upon Council's adoption of same by resolution.

CITIZEN BUDGET ADVISORY COMMITTEE (CBAC)

The Citizen Budget Advisory Committee was created by the City Manager to advise City staff on the development, implementation, and evaluation of the annual City budget. Participation in CBAC is an opportunity not only to advise on the prioritization of how City tax dollars are spent, but also to advise our policymakers in their decision-making process. The Citizen Budget Advisory Committee is not appointed through the boards and commissions process.

INVESTMENT ADVISORY COMMITTEE

The Investment Advisory Committee was created to review and monitor the City's cash management and investment results, develop and recommend investment policies to Council, and assist in the selection of investment facilitators and managers. The Investment Advisory Committee consists of the Mayor or a Councilperson appointed by the Mayor, the City Manager, the Finance Director and two financial professionals.

MARKETING STAKEHOLDER COMMITTEE "VISIT GOLDEN"

Chapter 18.64 has been created to reflect the administration and management of the community marketing program as initially created by Ordinance No. 1510 in 2000.

The city manager, and through his designation of the director of community and economic development, is appointed to be the administrator of the community marketing fund, as established by subsection 3.03.010(f). The community marketing fund shall be administered and operated in a manner consistent with the requirements of subsection 3.03.010(f), and in accordance with the city's budgeting, contracting, and purchasing policies and procedures.

Appointment and Terms:

The marketing stakeholder committee shall be comprised of 12 members, each of whom shall be a resident of the city, be employed within the city, or be an owner of real property within the city.

The members of the committee shall be made up of one individual appointed by Council (representing a merchant business or attraction, or with demonstrated marketing expertise), and 11 individuals selected by and from the following representative groups:

- (1) Two representatives from downtown merchants.
- (2) One representative from the Golden Cultural Alliance.
- (3) One representative from South Golden Road Area Business Committee.
- (4) One representative from the Golden Ridge/Colfax area.
- (5) One representative from a north area business.

- (6) One MillerCoors representative (as a funding partner).
- (7) One Downtown Development Authority representative (as a funding partner).
- (8) One representative from the Golden Chamber of Commerce.
- (9) One representative from the Economic Development Commission.
- (10) One representative from the Golden Visitors Center Board.

It is expected that the stakeholder representation may evolve over time, with subsequent amendments to this chapter, and that other affiliated groups may choose to create formal liaisons with the committee.

All members shall serve without compensation, unless the Council shall, by resolution, establish compensation.

The terms of the members of the committee shall commence on May 1, and shall be for a period of four years or until their successors take office, with at least five terms expiring every second year.

The committee bylaws will further specify the nomination and appointment process for all representatives.

Duties of the Committee:

The marketing stakeholder committee shall direct the expenditures of the community marketing fund, as established by subsection 3.03.010(f). In doing so, the committee shall direct expenditures through the adoption of community marketing plans, and budget, as provided below, which shall be in a manner consistent with the requirements of subsection 3.03.010(f) and the city's economic development and comprehensive plans. The use of the community marketing fund shall be restricted as follows:

- (a) A community marketing plan will be developed by the committee using all available information. Input into the plan will be sought from the retail business community, entertainment, and local attractions segments of the Golden community. The plan will focus on the entire city, including business areas that service local and regional residents and employees, as well as visitors and tourists.
- (b) Marketing efforts will include development and updating the implementation strategy for promotion activities, public relations activities, direct advertising, and limited indirect support for certain events and activities recommended by the plan.
- (c) Except as provided herein, the community marketing fund shall not be used to pay any salaries or operating costs for city staff, or other business support programs sponsored by the city. The forgoing notwithstanding, the city may employ no more than one part- or full-time marketing manager utilizing funds from the community marketing fund, provided that the employee's time paid for by this fund shall only be used for duties consistent with this section, and further subject to compliance with the annual plan for expenditures described in subsection (d) below.
- (d) An annual budget for expenditures from the community marketing fund ("marketing budget") will be developed, adopted and managed by the committee based upon the community marketing plan.
- (e) The annual marketing budget shall be subject to the city's budget process and Council approval within the city budget and shall be subject to and comply with the city's policies and procedures.

- (f) In the event of the termination of the community marketing fund under the provisions of subsections 3.03.010(f) and 3.04.050(b), the committee will discontinue its role with respect to the fund.

MEETING INFORMATION

Boards and commissions routinely meet at the following times and places unless a specific change is announced. All meetings are held in Council Chambers at City Hall, 911 10th Street unless otherwise noted.

BOARDS AND COMMISSIONS		
Board/Commission	Meeting Date/Time/Location	Contact
Community Sustainability Advisory Board (CSAB)	Fourth Wednesday of each month – 6-8:30 p.m.	Theresa Worsham 384-8117
Downtown Development Authority (DDA)	Third Monday of each month – 6:30 p.m.	Robin Fleischmann 384-8080
Fire Pension Board	Regular meetings are held at least quarterly, as well as study sessions and special meetings when necessary.	Jason Slowinski 384-8010
Golden Urban Renewal Authority (GURA)	Second Monday of each month – 6:30 p.m.	Robin Fleischmann 384-8080
Historic Preservation Board	First Monday of each month – 6:30 p.m.	Rick Muriby 384-8098
Mobility & Transportation Board (MTAB)	Fourth Tuesday of each month – 6:00 p.m.	Joe Puhr 384-8115
Parks, Recreation & Museums Advisory Board (PRAM)	Third Tuesday of each month – 7:00 p.m.	Stacy Turner 384-8191
Economic Development Commission (EDComm)	Second Tuesday of each month – 6:30 p.m.	Robin Fleischmann 384-8080
Planning Commission	First Wednesday of each month – 6:30 p.m.	Rick Muriby 384-8098
Public Art Commission	First Thursday of each month – 9-10:30 a.m.	Steve Glueck 384-8095
Citizen Budget Advisory Committee	Second Wednesday of each month - 7:30 a.m. (Mar-Nov)	Jeff Hansen 384-8020

Investment Advisory Committee	Regular meetings are held at least quarterly	Jeff Hansen 384-8020
Marketing Stakeholder Committee "Visit Golden"	Second Thursday of each month – 7:30 a.m.	Megan Pinson 384-8172

CHARGE: A CHECKLIST FOR EFFECTIVENESS

C – Charter

Am I familiar with . . .

- The Charter of the City of Golden in general?
- The specific function of my board, as outlined in the City Code?
- What my fellow board members and I expect to achieve for the community?
- The staff liaison to my board?

H – HIERARCHY

Do I understand . . .

- How my board's work affects the community?
- The scope of authority of my board?
- The role of my board's staff liaison and Chair?
- My role as a board member?

A – ACCOUNTABILITY

Do I understand . . .

- My board's liability and my own liability as an individual member?
- What constitutes a conflict of interest? And how the law requires that a conflict of interest be handled?
- The importance of treating staff, citizens and fellow board members professionally and with respect?
- My board's accountability to the public?

R – RESPONSIBILITY

Do I . . .

- Attend all board and commission meetings?
- Prepare for the meetings by studying the agenda and supplemental materials ahead of time?
- Complete the tasks I have volunteered to take on?
- Know what responsibilities each of us, as individual board members, has to our board colleagues?

G – GOALS

Do I know . . .

- My board's goals for the next 12 months?

- What tasks must be completed to reach each of our goals?
- Deadlines for the tasks for which I'm responsible?

E – EVALUATION

Have I discussed with other members and staff what our board can do to improve our performance?

“Bob’s Rules of Order”

Robert (Bob) Widner

The following materials are excerpted from “*The Colorado Handbook for Effective Local Government Meetings*” (tentative title) which is in preparation for anticipated future publication. These materials are intended to support and aid understanding of information provided at various workshops and presentations in sessions conducted by the author often titled “Running Effective Meetings and Bob’s Rules of Order.”

The excerpted materials primarily include “Bob’s Rules of Order” which are offered as a simplified set of motions and rules premised very broadly on the seminal handbook *Roberts Rules of Order*.

It is hoped that, through a uniform understanding of simplified local procedural rules, government officials engaged in public meetings can more effectively conduct the public’s business.

An important disclaimer about legal advice:

These materials are for informational purposes only and not for the purpose of providing legal advice. You should contact your local attorney to obtain advice with respect to any particular issue or problem. If anything you read in these materials or hear during this presentation is inconsistent with your local attorney’s advice or counsel, your local attorney’s advice and counsel is correct.

A note about what rules govern your community:

Colorado local governments enjoy fairly broad authority to craft rules to govern their day-to-day affairs and the conduct of their local meetings. In determining what rules might govern a particular matter, it is important to consult your local ordinances, resolutions, and bylaws, and to have an understanding of the local historical practices that have guided your community meetings in the past. Overshadowing all of these local rules and practices is our state law -- to the extent it might be applicable – which should be considered when determining proper meeting procedure.

The rules and processes contained in these materials are not applicable to your community unless your community takes appropriate steps to formally incorporate the rules and processes into your local laws and policies.

Excerpts from
Colorado Handbook for Effective Local Government Meetings
(Publication Pending)

Introduction

Efficient and well run public meetings are a necessity for local government. An efficient and well-run meeting allows all scheduled business to be accomplished, voices to be equally heard, and differences of opinion to be aired amicably. Whether the meeting issues are deeply challenging and emotional or simply ministerial and non-confrontational, a well-run meeting leaves all participants feeling that the decisions made during the meeting are the product of fairness, equality, and respect. Poorly run meetings can undermine confidence in local government by allowing a perceived inequality among participants when engaged in debate and discussion, injecting conflict and argument between the participants, and adding confusion to the decision-making process and uncertainty in the eventual decision. Unfortunately, efficient and well-run meetings for many Colorado local governments may be the exception and not the rule.

The seminal handbook, *Roberts Rules of Order*, is perhaps the most widely known set of rules designed to facilitate and manage meetings. Beginning with the pocket handbook first drafted in 1878, and with significant rewriting and amendment since that time, *Roberts Rules of Order* has evolved into a complex set of rules intended to organize large meetings of every type. Due to the sheer volume and complexity of *Roberts Rules of Order*, it is unreasonable for all meeting participants to fully comprehend and gain a working knowledge of *Roberts Rules of Order*. As a result, *Roberts Rules of Order* is often ineffective for use in conducting the meetings of local government.

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“Bob’s Rules of Order” is intended as a simplified set of rules better suited to manage local government meetings and decision-making within Colorado. Although *Bob’s Rules of Order* calls upon the basic concepts offered by *Robert’s Rules*, *Bob’s Rules* pares down the available motions to those essential to advance the goal of running an efficient public meeting for Colorado local government.

Key Terminology

Amendment (or to Amend) - An amendment is a motion to change, to add words to, or to omit words from, a pending main motion. The change is usually to clarify or improve the wording of the original motion and must, of course, be germane to that motion.

Body – The formally constituted organization commissioned with the obligation and duty to act on behalf of the local government.

Chairperson – The person appointed or elected to preside over the meeting.

Floor – The privilege or right to speak to the body.

Member – A person appointed or elected to hold office as a recognized participant of the body.

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Motion – A formal proposal seeking specific action by the body typically preceded by the words “I move that ...” Motions are generally introduced by voice but may be presented in writing.

Moving Party – The Member presenting a motion or point for action by the body.

Out of Order – An act or action that fails to comport with these Rules of Order

Point – A declaration of a member addressed to the chairperson requesting to bring before the body a matter for immediate decision or resolution. There are three recognized points: (1) Point of Order; (2) Point of Information; and (3) Point of Appeal.

Second – An oral declaration by a Member to express that a motion offered to the body should receive debate or discussion.

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General Rules Governing the Meeting

- Floor Required to Address Body. Except when raising a Point (Point of Order, Point of Information, or Point of Appeal), a Member must first be recognized by the Chairperson and be given the floor in order to address the Body.
- Time Limit for Floor. A Member's right to the floor should be limited to five (5) minutes. A Member may request that the Chairperson grant additional time. Such request should customarily be granted by the Chairperson unless the Chairperson determines that other Members are waiting to be recognized to obtain the floor or that meeting efficiency necessitates that the requested extension be denied. When one Member is denied a request for an extension of time to speak, no other Member shall be granted an extension of time for the same agenda item.
- Limitation on Obtaining Floor. A Member should only speak once to any motion under debate until such time that all others seeking the floor have been provided an opportunity to speak to the motion.
- No Interruptions or Side Discussions. In order to maintain a clear recorded meeting record, only one person shall speak at any one time. Interrupting a person who has the floor or engaging in side discussions while another person has the floor is out of order.
- Second Required for Debate. All motions must receive a second before debate or discussion may begin. A second does not connote approval of the motion but only that the Member offering the second supports fuller discussion of the motion.
- Chairperson Discretion. The Chairperson may independently decide to deviate from the Rules of Order in order to increase meeting efficiency and to best enable full and informed discussion of a matter before the Body. However, such independent action by the Chairperson remains subject to a Point of Order and Point of Appeal through which a Member can bring the meeting into full compliance with the Rules of Order.

- Voting:

Vote Requirement. A majority vote of the quorum present is required for any motion unless a different requirement is set by these Rules of Order or by applicable law. For example, a supermajority (2/3rds of quorum present) is required for a Motion to Call the Question pursuant to these Rules of Order and a supermajority (2/3rds of a quorum present) is required for a motion for executive session pursuant to the Colorado Open Meetings Law (C.R.S. § 24-6-402(4)).

Aye or Nay Vote Required. A vote of aye or nay (or another form of affirmative or negative declaration such as “yes” or “no”) shall be taken upon motions. Every Member, when present, must vote aye or nay unless:

- (1) The Member is excused by the Chairperson due to the Member’s declaration of a conflict of interest at the introduction of the agenda item or immediately upon discovery of a legally recognized conflict of interest; or
- (2) The Member is excused by the Chairperson because the member is without sufficient information upon which to enable an informed vote due to an absence at a prior meeting, e.g., the member did not attend the meeting for which meeting minutes are moved for approval.

No Abstention. An unexcused member’s vote to “abstain” or other similar declaration other than “aye” or “nay” shall be recorded as a “nay” vote on the pending motion or matter.

No Explanation of Vote. Members shall not explain their vote except during discussion and deliberation prior to the calling of the vote on the question. Any attempt to explain a vote or to condition the vote immediately prior to casting the vote is out of order.

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Meeting Notice, Minutes, and Recording of Meetings

A. Notice

The most effective meetings involve active participation by varying viewpoints and opinions. Participation is best achieved through adequate and reasonable notice given to interested parties.

Notice of a meeting should include information that would clearly inform the layperson of the date, time, place, and general purpose of the meeting.

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It is often surprising for some to learn that state law requires relative little notice to the public of local government meetings where business may be conducted. In fact, absent any local rules or practices requiring greater notice, most meetings can be conducted, and important public

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business accomplished with as little as 24 hours' notice posted at some general location in the community that is annual designated and could include a local bulletin board.¹ Locally adopted rules can greatly aid in the effort of providing greater notice to inform the community of meetings. Municipalities should consider establishing minimum notice requirements and, if desired non-mandatory or "courtesy" notice guidelines with the understanding that failure to comply with the mandatory requirements may undermine the ability to conduct a meeting or, at worst, invalidate action taken during a meeting held without compliance with the required notice.

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Chairperson's Privileges & Duties

- Chairperson to Direct Meeting. The Chairperson is privileged to act as the director of the meeting. The Chairperson shall seek to clarify the actions pending before the Body during the meeting and prior to a vote. For example, the Chairperson is encouraged to restate motions, announce expectations for the meeting agenda, and recommend to the Body the proper procedure or rules for a particular course of action. The Chairperson has a continuing right to the floor although, like any other member, shall be held to compliance with the Rules of Order.
- Chairperson as Parliamentarian. The Chairperson is the meeting parliamentarian and shall decide all questions of process and procedure. Such decisions are subject to appeal by a Point of Appeal. The Chairperson may consult with the Body's legal counsel or administrative staff to assist in rendering decisions regarding the application of the Rules of Order.
- Chairperson as Facilitator of Discussion. As the meeting director, the Chairperson should generally encourage and enlist other Members to propose or to second motions and to lead initial debate. Nevertheless, the Chairperson is entitled to the same rights as Members regarding the presentation of motions, seconding motions, and debate and may exercise such privilege as deemed appropriate by the Chairperson.
- Temporary Informal Recesses. The Chairperson may declare a temporary recess without motion or consent of the Body. However, no recess shall be declared which would interrupt a member who has properly secured the floor to speak.

¹ C.R.S. § 24-6-402(2)(c) provides:

"Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year. The posting shall include specific agenda information where possible."

Moving Party's Privileges

- At any time *prior to* receiving a second on a motion, the Moving Party may unilaterally withdraw or unilaterally amend a motion provided that the Moving Party has the floor. A motion, *once seconded*, belongs to the decision-making Body and the Moving Party's privileges are limited.
- The Moving Party retains the following limited privileges after the motion receives a second if the Moving Party has properly secured the floor to speak:
 - A. The Moving Party may speak to the rationale, purpose, meaning, or need of the motion prior to the opening of full debate to other members of the Body.
 - B. The Moving Party may withdraw his/her seconded motion unless an objection is raised by Point of Order. An objection to the Moving Party's withdraw of the seconded motion will summarily defeat the Moving Party's request to withdraw.
 - C. The Moving Party may accept a proposed amendment (a "Friendly Amendment") unless an objection is raised by Point of Order. An objection to a Friendly Amendment will summarily defeat the Moving Party's privilege to accept a Friendly Amendment and, in such case, a formal Motion to Amend would be in order.
 - D. During debate, to further explain or clarify the meaning, intent, or purpose of the motion or to otherwise respond to a Point of Information.

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Classes & Priority for Points and Motions

There are three classes for motions and points: (1) Privileged; (2) Main; and (3) Subordinate. The class determines the priority or importance of the motion or point and, therefore, determines whether the motion or point is "in order" when made, i.e., if the motion or point proposed is appropriate for the Body to consider at the time it is presented.

- **PRIVILEGED** motions, which include all three Points, do not require a pending main motion on the floor and do not relate directly to a pending question. Privileged motions or points may be raised at any time. Privileged *points* do not require the floor; privileged *motions* require the floor. Privileged motions oftentimes involve an administrative or ministerial aspect of the meeting that needs to be resolved independently of the business then-pending before the Body. The following motions or points are recognized as privileged and are listed *in order of precedence*:
 - Point of Order
 - Point of Information

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- Point of Appeal
- Motion to Recess
- Motion for Executive Session
- A **MAIN** motion formally presents to the Body an item for action. A Main motion can be made only when no other motion is pending. If a Main motion is presented when another pending motion or point is before the Body, it is out of order.

Although there are as many Main motions as there are subject matters that a Body may consider, there are four (4) commonly recognized *specific* Main motions used in local government decision-making:

- Motion to Adjourn
- Motion to Reconsider
- Motion to Postpone an Agenda Item to a Date Certain
- Motion to Postpone Indefinitely
- A **SUBORDINATE** motion is related to and supplements or builds upon the Main motion. A Subordinate motion must be dealt with before the Main motion can be voted on. A Subordinate motion is in order only when there is a pending main motion on the floor. Once a seconded Subordinate motion is pending on the floor, neither a MAIN motion nor another Subordinate motion is in order.

There are three (3) recognized Subordinate motions:

- Motion to Amend (a Main Motion)
- Motion to Continue Matter Before the Body to Date Certain
- Motion to Call the Question (Close Debate)

Points and Motions in Detail

A. Points

There are three "Points:" (1) Point of Order; (2) Point of Information; and (3) Point of Appeal. Points do not require a second. They are each "privileged" and may be raised at any time.

- **Point of Order** (or to "raise a question of order" as it is sometimes expressed), is an opportunity for a Member to express an opinion that the rules or procedures of the Body are being violated. The appropriate means of asserting such opportunity is for the member to wait for a break in the discussion and state "Point of Order" and wait to be recognized by the Chairperson. Any existing debate or discussion should cease. Upon the Chairperson's recognition, the member must succinctly state the general rule or procedure believed to be in violation. A point of order

should not interrupt another speaker, does not require a second, is not debatable, is not amendable, and cannot be reconsidered. For example:

Member Jones was granted the floor and proposed a motion to approve a site plan. Member Jones then proceeded to discuss the rationale for his motion.

Member Jones: [has the floor and is engaged in debate on a motion, he pauses in his debate]

Member Smith: "Point of Order."

Chairperson: "Excuse me a moment, Mr. Jones. The Chairperson recognizes Ms. Smith."

Member Smith: "I believe we are debating a motion that did not receive a second. I believe that this is out of order because a motion requires a second before debate."

Chairperson: "You are correct Ms. Smith, I do not recall a second was offered. Therefore, let us cease debate. Do I have a second on the motion? [A second is offered]. Thank you for your Point of Order, Ms. Smith. Mr. Jones, you have the floor and may commence debate."

- **Point of Information** is a *request to receive information* on a specific question, either about process, meeting conduct, clarification of a motion, or about a fact at any time during a meeting. A Point of Information is not an opportunity for a member to provide information to the Body and should never be used as a means of continuously interrupting the flow of debate. Using a Point of Information to provide information or to interrupt debate would be out of order.

As an example of the proper use of a Point of Information while the Body is engaged in debate on a seconded motion:

Member Quinn: [Has the floor and is offering her thoughts on a pending matter.]

Member Frank: "Madam Chairperson, Point of Information"

Chairperson: "Excuse me a moment, Ms. Quinn. The Chairperson recognizes Member Frank."

Member Frank: "Ms. Quinn said there are more than 5,000 vehicles passing through the Main Street intersection during the peak evening hours. But I recall that our Traffic Engineer stated earlier that the traffic count at the intersection during evening peak hours was only 1,500 vehicles. What is the correct number?"

Chairperson: "Let's have the Traffic Engineer provide us the accurate figure for traffic count."

Following the Traffic Engineer's advisement, Ms. Quinn again has the floor.

- **Point of Appeal** is a request of a member to challenge a decision of the Chairperson concerning the application of the Rules of Order. A Point of Appeal shall customarily be in order immediately following the Chairperson's decision and may be declared out of order and unavailable where the Body has relied upon the Chairperson's decision and continued the proceeding in reliance upon, or in accordance with, the Chairperson's decision. The member making the Point of Appeal may briefly state his or her reason for the Point, and the Chairperson may briefly explain his or her ruling, but there shall be no further debate on the appeal.

As an example of the use of a Point of Appeal when a motion is pending discussion:

Chairperson: "We have on the floor a Motion to Call the Question that was seconded." The vote on a Motion to Call the Question is not debatable and will require a majority vote of the quorum present."

Member Thomas: "Point of Appeal"

Chairperson: Mr. Thomas has raised a Point of Appeal. Mr. Thomas, you have the floor. What is your appeal?"

Member Thomas: I appeal the Chairperson's decision regarding the required vote on a Motion to Call the Question. A Motion to Call the Question requires a 2/3rds vote pursuant to our Rules of Order.

Chairperson: "My decision regarding the required vote is being appealed. I believe that closing debate is a rather simple matter only requiring a majority vote like a majority of all of our motions."

"We shall now vote on the appeal. Mr. Thomas appeals my decision regarding a vote on a Motion to Call the Question requires a simple majority of this quorum. Mr. Thomas asserts it should be a 2/3rds vote. The question we are now voting on is 'Shall the decision of the Chairperson be sustained?'"

[The Members vote to not sustain (they overturn) the Chairperson's decision.]

Chairperson: "My decision is overturned on appeal. I stand corrected and will now declare that the Motion to Call the Question requires a vote of 2/3rds of the members of the Body. Let us proceed to the consideration of the Motion to Call the Question."

B. Motions

- **Motion to Recess** **(Privileged)**

A Motion to Recess is intended to provide a temporary cessation in the meeting to accommodate matters such as restroom breaks or to consult with legal counsel or administrative staff. The motion should state approximate amount of time for the requested recess as a convenience to other members and the public in attendance. A second is required and the motion is not debatable and requires an immediate vote. A majority vote of quorum present required for approval.

As an example of a Motion to Recess, such motion might be stated as:

Member Thomas: "I move to recess our meeting for 15 minutes until 7:30."

Member Jones: "Second."

Chairperson: "We have a Motion to Recess on the floor to recess until 7:30. Because this motion is not debatable, would the clerk please call for the vote."

- **Motion to Adjourn** **(Main)**

Motion to Adjourn is available to cease further action of the Body and immediately terminate the meeting. A Motion to Adjourn is debatable and requires a majority vote of quorum present required. Caution should be exercised when presenting a Motion to Adjourn when items are pending on the agenda that required prior notice (such as public hearing publication or posting of property) because these matters must be properly continued to a future date or new notice published and/or posted.

As an example of a Motion to Adjourn, such motion might be stated as:

Member Thomas: "I move to adjourn this meeting."

Member Jones: "Second."

Chairperson: "We have a Motion to Adjourn on the floor. Member Thomas, did you want to speak to your motion or open any debate?"

Member Thomas: "Thank you. I believe the remaining items on our agenda are not important and it is already 11:00 p.m. I believe we are all tired and can no longer concentrate."

Chairperson: Any other debate? Seeing none, would the clerk please call for the vote? Please note that only a

simple majority of our quorum present tonight is needed to adjourn.”

- **Motion to Reconsider** **(Main)**

A Motion to Reconsider is an extraordinary motion that requires a degree of care in presenting and, if approved, care in processing the matter to be reconsidered. A successful Motion to Reconsider will effectively void the prior vote taken on the previously decided motion and cause the matter to be reopened for another motion and a new consideration.

A Motion to Reconsider is only in order at the same meeting at which the decision to be reconsidered was made or at the *next* regular meeting of the Body. The motion must be made by a member on the prevailing side of the original motion to be reconsidered. The required second on the motion need not be a member from prevailing side. The motion is debatable but only for the reasons to explain or justify reconsideration and not for the purpose of debating the merits of the original motion.

A supermajority vote of 2/3rds of the quorum present is required for approval. All proceedings, testimony, evidence, and debate on the matter presented during the initial consideration of the original matter will remain part of the official record; only the decision or vote taken is voided.

In the event of a successful Motion for Reconsideration, it is recommended that the reconsideration of the original matter be continued to a future date as opposed to being heard at the same meeting in which the Motion for Reconsideration was approved. This recommendation stems from the fact that the matter under reconsideration will likely require new public notice so that interested parties (and possibly an applicant whose rights are being decided) are apprised of the new consideration and can attend and participate in the new consideration. Even when a successful Motion for Reconsideration was presented in the same night as the matter subject to reconsideration, the parties present for the original matter may have departed the meeting after what appeared to those attending to be a final decision on the original motion. Fairness will often dictate that the reconsideration be scheduled for a future date.

As an example of the typical process surrounding a Motion to Reconsider, such motion might be stated as:

Member Thomas: “I move to reconsider our decision to approve Ordinance 14 which required all owners to keep their dogs on leashes at all times. I believe I can make this motion because I voted “yes” on the ordinance and it was approved at our last meeting.”

Member Jones: “Second.”

Chairperson: “We have on the floor a Motion to Reconsider Ordinance 14 concerning our new dog leash law.

Please note that a Motion to Reconsider, if we approve it tonight, will reopen the consideration of Ordinance 14 and require new debate, a new motion, and a new vote. Member Thomas, did you want to speak to your Motion to Reconsider? Please note that you are free to discuss the reason why you wish to seek reconsideration but this is not intended to be a debate of the merits of Ordinance 14 at this time.”

Member Thomas: “Thank you. I would like us to reconsider Ordinance 14 because upon reflection over the last week I believe the Ordinance may be too restrictive and we might want to consider allowing an exemption to the leash requirement for owners that can maintain control over their dogs by using voice command.”

Chairperson: “Any other debate concerning whether we should reconsider Ordinance 14? Seeing none, would the clerk please call for the vote. Please note that this Motion to Reconsider requires a supermajority of 2/3rds of the quorum present tonight to be approved. If approved, our administrative staff will need to schedule Ordinance 14 for discussion at a future date and provide or publish any required notices to the public concerning our reconsideration of Ordinance 14.”

- **Motion to Postpone an Agenda Item to Date Certain (Main)**

A Motion to Postpone an Agenda Item to a Date Certain pertains to a matter that is not presently on the floor but is scheduled for later consideration on the Body’s agenda. The motion must identify a date and time certain for the agenda item to be reset for Body consideration. If the Moving Party desires to *indefinitely* postpone an item, a Motion to Postpone indefinitely is the appropriate motion (see below). The Motion to Postpone an Agenda Item to a Date Certain is debatable. A majority vote of quorum present required for approval.

As an example of a Motion to Postpone an Agenda Item to Date Certain, such motion might be stated as:

Member Smith: “I move to Postpone Agenda Item 8 which pertains to funding of the repainting of the offices in the City Hall to our meeting on August 15 at 7:00 p.m. here in our Council Chambers.”

Member Edwards: “Second.”

Chairperson: “We have a Motion to Postpone Agenda Item 8 which pertains to the funding of the repainting of the offices. This motion is debatable, so I would offer Mr. Smith and other Members an opportunity to comment on the motion”.

Member Smith: “I believe that this is not an urgent matter and, quite frankly, there are more pressing matters to fully consider tonight. The August 15 agenda looks like a light meeting.”

Chairperson: “Any other discussion? Seeing none, would the clerk please call for the vote?”

• **Motion to Postpone Indefinitely (Main)**

A Motion to Postpone Indefinitely will effectively kill a matter that is subject to the Body’s consideration (and is usually on the meeting agenda or scheduled on a future agenda). This motion will remove the matter from the Body’s consideration without full debate of the matter and without directly voting the matter down on the matter’s merits. It is most commonly used to eliminate a matter from the current and/or future agendas because there is insufficient interest on the Body to hear the matter. As a caution, a Motion to Postpone Indefinitely would not be appropriate where the item involves a quasi-judicial matter for which an applicant has a right to a hearing and opportunity to be heard; legal counsel should be consulted regarding the use of this Motion for any quasi-judicial matter. The motion is debatable. A majority vote of quorum present required for approval. If approved, the matter will not be brought back to the Body unless the Body instructs that the item return for a future agenda.

As an example of a Motion to Postpone Indefinitely, such motion might be stated as:

Member Johnson: “I move to Postpone Indefinitely Agenda Item 2 which pertains to enacting a leash law for all cats in the city.”

Member Samuels: “Second.”

Chairperson: “We have a Motion to Postpone Agenda Item 2 indefinitely which pertains to our imposing a leash law on cats. This motion is debatable and requires a majority vote of the quorum present tonight. I would offer Ms. Johnson and other Members an opportunity to comment on the motion.”

Member Johnson: “I have talked with many citizens about this proposal and believe that we are likely to be harshly criticized should be enact such an ordinance. So I think it is a waste of our time to continue to entertain this idea

and I prefer just to eliminate the matter from tonight's agenda and our future consideration."

Chairperson: "Any other discussion? [Member Thomas requests floor] The floor recognizes, Mr. Thomas. Mr. Thomas you have the floor."

Mr. Thomas: "Thank you. Although I agree with Ms. Johnson about the public sentiment we are likely to hear about leashing cats, I think we should at least open the public debate and have the citizens comment to us directly. So I oppose the motion to postpone indefinitely."

Chairperson: "Seeing no other discussion, would the clerk please call for the vote."

[Vote fails to gain the required simple majority vote needed for a Motion to Postpone Indefinitely.]

Chairperson: "We do not have the required majority of the quorum so the offered motion is rejected or fails. We will consider the matter of leashing cats as our scheduled Agenda Item 2 tonight."

- **Motion to Amend (a Main Motion) (Subordinate)**

A Motion to Amend (a Main Motion) is applicable only to a Main motion on the floor. The motion must provide specificity as to the intended amendment. The motion is debatable. A majority vote of a quorum present required for approval. A motion to amend is not in order when another motion to amend is already pending (made and seconded) before the Body; e.g., the Body will deal with only one Motion to Amend at a time to avoid confusion.

As an example of a Motion to Amend a Main Motion, such motion might be stated as:

Member Smith: I move to Approve Ordinance No. 6 as presented to us tonight."

Member Jackson: "Second."

Chairperson: "We have a proper Motion on the floor that has received a second to approve Ordinance No. 6. Any discussion?"

Chairperson: "Yes, the Chair recognizes Mr. James. Mr. James, you have the floor."

Member James: “Thank you. I move to amend the motion offered by Ms. Smith to change the amount of the penalty for the first violation stated in Section 1-1-3 on page 3 of Ordinance No. 6 from the stated \$100 for the first offense to \$200 for the first offense.”

Member Samuel: “Second.”

Chairperson: “We have a Motion to Amend before us to change the penalty in Section 1-1-3 of Ordinance No. 6 from \$100 to \$200 for the first offense. We will take up the Motion to Amend first and decide that Motion before we consider the Main Motion. It is debatable and requires a simple majority vote. I see no one wishing to comment or debate the offered amendment to Ordinance No. 6. Would the clerk call for the vote on the Motion to Amend only.”

[Motion receives majority vote of approval.]

Chairperson: “The Motion to Amend is approved so Ordinance No. 6 is now amended to change the penalty for a first offense to \$200. We next turn to the Main Motion to approve Ordinance 6, now as amended. Any debate on Ordinance No. 6 as amended? Seeing none, would the clerk please call for the vote of Ordinance No. 6 as it was amended?”

- **Motion to Continue Matter to Date Certain (Subordinate)**

A Motion to Continue a Matter (that is before the Body) to a Date Certain postpones to holdover the current motion to a specific date, time, and place stated in the motion. Note that a motion to continue a matter without stating a date certain would operate more like a Motion to Postpone Indefinitely (see above) and would require the matter to be affirmatively requested by the Body for future consideration and reintroduced and, when required, new publication of notice of the hearing or discussion. The motion is debatable. A majority vote of a quorum present required for approval.

As an example of a Motion to Continue a Matter to a Date Certain, such motion might be stated as:

Member Smith: “I move to continue this matter under consideration to our meeting on February 23 at 7:00 p.m. here in our Council Chambers.”

Member Edwards: “Second.”

Chairperson: “We have a Motion to Continue this matter we are considering to a date and time certain, that being our meeting of February 23, at 7:00 p.m. here in our

Council Chambers. This motion is debatable and only requires a majority of the quorum here this evening. I would offer Mr. Smith and other Members an opportunity to comment on the motion.”

Member Smith: “I believe we need a continuation so that we can have a full opportunity to review the traffic study we received tonight. Without my detailed review of that study, I do not believe I am able to make an informed decision on the matter pending before us.”

Chairperson: “Any other discussion? The Chair recognizes Ms. Hampton.”

Member Hampton: “We have all had the traffic study for more than a month and we received a presentation on the study contents last week. With all respect to Mr. Smith, I believe a majority of us are fully informed and we can decide the issue tonight.”

Chairperson: “Seeing no other request to debate, would the clerk please call for the vote?”

- **Motion to Call the Question (Subordinate)**

A Motion to Call the Question (also more correctly phrased as to “Close Debate”) will close further debate and require vote on the motion pending before the Body. The motion applies only to the motion on the floor. The motion is not debatable. Due to the fact that such a motion will forestall the Body’s ability to discuss the merits of the pending matter, a supermajority vote of 2/3rds of the quorum present is required for approval in order that the Body evidences a strong intent that continuing debate is not necessary to decide the matter.

As an example of a Motion to Call the Question (or Close Debate), such motion might be stated as:

[A debatable motion is pending before the Body and the Body is engaged in debate.]

Member Bernie: “I move to Call the Question.”

Member Jones: “Second.”

Chairperson: “We have Motion to call the Question which will, if approved, close all debate on the matter presently before us and require a vote. This motion is not debatable. This motion will require a supermajority of our quorum by 2/3rds. Would the clerk please call for the vote?”

Chairperson: "The Motion to Call the Question is approved by a 2/3rds vote. Would the Clerk please call for the vote on the main motion?"

• **Motion for Executive Session** **(Privileged)**

Executive sessions are expressly permitted by state law to allow the Body to discuss certain topics in a closed non-public setting. The most common authorized executive session topics for local government include:

- A. Purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except that no executive session shall be held for the purpose of concealing the fact that a member of the local public body has a personal interest in such purchase, acquisition, lease, transfer, or sale.²
- B. Conferences with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions. Mere presence or participation of an attorney at an executive session of the local public body is not sufficient to qualify the executive session as a session involving legal advice.³
- C. Matters required to be kept confidential by federal or state law or rules and regulations. The Body shall announce the specific citation of the statutes or rules that are the basis for such confidentiality before holding the executive session.⁴
- D. Specialized details of security arrangements or investigations, including defenses against terrorism, both domestic and foreign, and including where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law.⁵
- E. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators.⁶
- F. Personnel matters *except if* the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting.⁷ However, you cannot hold an executive session for "personal matters" to discuss:
 - (i) an elected official or an appointed member of the Body;⁸ or

² C.R.S. § 24-6-402(4)(a).

³ C.R.S. § 24-6-402(4)(b).

⁴ C.R.S. § 24-6-402(4)(c).

⁵ C.R.S. § 24-6-402(4)(d).

⁶ C.R.S. § 24-6-402(4)(e).

⁷ C.R.S. § 24-6-402(4)(f)(I).

⁸ C.R.S. § 24-6-402(4)(f)(II).

- (ii) the appointment of a person to fill an appointed⁹ or elective office; or
 - (iii) personnel policies that do not require the discussion of matters personal to particular employees.¹⁰
- G. Consideration of any documents protected by the mandatory nondisclosure provisions of the "Colorado Open Records Act",¹¹ except that all consideration of documents or records that are work product as defined in C.R.S. § 24-72-2020 or that are subject to the governmental or deliberative process privilege shall occur in a public meeting unless an executive session is otherwise allowed pursuant to state law.

Because the authorized purposes for executive session are limited and because errors in calling for an executive session may result in the session discussion becoming subject to public disclosure or actions, if any, invalidated, it is always advised to obtain legal advice regarding each motion.

Unlike other matters that will be open for public discussion, debated, and possibly decided by the Body, it is not necessary that the Executive Session be listed on the meeting agenda in advance. Oftentimes, the Body has no need for an executive session and the need arises during the meeting. For example, the need for legal advice may not be known until evidence or information is presented that give rise to a question requiring consultation with the Body's counsel.

The Motion for Executive Session must include the citation to Colorado Revised Statute subsection authorizing session and a brief description of subject matter.

The motion is debatable. However, care should be taken during debate to not disclose any confidential or sensitive information that might undermine the purpose of the executive session. For example, a town board member may state in debate during the public meeting that an executive session should be held to allow the council to decide "whether to spend up to \$2,000,000 on the acquisition of the vacant Thompson Property for a public park." Such public disclosure would essentially undermine the purpose of the executive session, that is, to give the town board the opportunity to determine negotiation strategy and the total amount willing to be paid to the seller for the Thompson Property. More appropriate would be to declare in debate that the executive session is needed to "allow the town board to decide the maximum amount the negotiation team can offer in negotiation."

⁹ Id. A special statutory provision of the Colorado Open Meetings Law (C.R.S. § 24-6-402(3.5)) may authorize non-public executive sessions to conduct some of the business associated with selecting the chief executive officer (commonly considered as the "city manager" or "town administrator.") Consult your local counsel to understand the steps necessary to hold these special forms of non-public public meetings.

¹⁰ C.R.S. § 24-6-402(4)(II).

¹¹ Id.

Very importantly, a supermajority of 2/3rds of quorum present required for approval pursuant to the Colorado Open Meetings Law.

As an example of a Motion for Executive Session to obtain legal advice, such motion might be stated as follows:

Member Thomas: "I move to hold an executive session pursuant to C.R.S. § 24-6-402(4)(b) to receive legal advice on the right to impose a condition on the proposed rezoning application under discussion."

Member Jones: "Second."

Chairperson: "Is there any debate on this motion? Seeing none, would the clerk please call for the vote?" Please note that the vote required for executive session is a 2/3rds of the quorum present tonight."

[Vote by the Body is taken and the vote is unanimous.]

Chairperson: "We are now authorized to enter into executive session."

The Location of Executive Session

State law does not require that executive sessions be conducted in any particular location. Most communities remove the Body to a side room or conference chambers that allows for private conversation outside the hearing of the general public. Other communities ask members of the public attending the body's meeting to exit the room to allow the necessary confidential conversation.

Confidentiality of Executive Sessions

Contrary to popular belief, there are no *specific* laws that require confidentiality of discussion in executive session or prohibit disclosure of confidential information discussed in an executive session. Attendees may, therefore, believe they are free to disclose information provided to them during the session. However, state law imposes upon all municipal officials, officers, and employees a general statutory obligation to protect the public trust.¹² Where disclosure of confidential information harms the interests of the public, such disclosure may subject the official, officer, or employee to prosecution for the monetary harm inflicted on the public due to such disclosure.¹³ As a better protection, local rules of ethics and conduct may be enacted to expressly provide that executive session information is deemed confidential and the disclosure of such information may violate local ethics standards and, for employees, may lead to disciplinary action.

***[Materials Deleted from Original]

¹² See Part 1, Article 18, Title 24, C.R.S., titled "Code of Ethics" and in particular C.R.S. § 24-18-103.

¹³ C.R.S. § 24-18-103(2)(prosecution by district attorney for breach of public trust).

Who May Attend an Executive Session?

State law does not specify who may attend an executive session. It is commonly understood that the Body determines the individuals that are necessary to conduct the executive session and provide the background information and advice to the Body. Besides the Body members, the most common attendees include the city or town manager or administrator, the Body's legal counsel, and administrative staff members involved in the particular issue under discussion. Obviously, the city or town legal counsel is required for any executive session convened for the purpose of obtaining legal advice pursuant to C.R.S. § 24-6-402(4)(b).

A special note should be made when inviting individuals into the executive session who are not members of the municipal government. These individuals will not be bound to any local rules such as local ethics rules or personnel rules that require confidentiality. It is not uncommon for a municipality to require some form of confidentiality agreement or understanding by the non-municipal attendee as a condition of attendance.

On occasion, a Body member or several members of the Body may request that another member of the Body be excluded from the executive session. Such exclusion may be due to a myriad of reasons, for example, an actual or perceived conflict of interest, unwillingness of the excluded member to agree to keep executive session information confidential, or lack of confidence in the excluded member to maintain confidences. Although state law does not provide a means or method for exclusion of a Body member from an executive session, the law does not, conversely, give an absolute right to a Body member to attend every executive session. It is recommended that local policy be created and approved by the Body that specifically authorizes the Body, as a whole, to decide executive session attendees.

***[Materials Deleted from Original]

Suspension of Rules

A. Chairperson May Suspend

Subject to challenge by Point of Appeal, the Chairperson may elect to suspend operation of any rule provided by these Rules of Order; provided, however, that the Chairperson shall not be authorized to suspend or alter the vote required on any motion or matter.

B. Motion to Suspend

Any member may move to suspend the applicability of a rule of order by proposing a main motion; provided, however, that no motion may suspend or alter the vote required on any motion or matter. Such motion shall be presented only as a Main motion which motion shall require a second, be subject to debate, and shall require a majority vote of the quorum present for adoption.

Summary of Requirements for Motions and Points

MOTION	Type	Second Required?	Debatable?	Vote Required
Point of Order	Privileged	No	No	No Vote Required
Point of Information	Privileged	No	No	No Vote Required
Point of Appeal (to challenge the Chairperson's decision)	Privileged	No	Only as needed to explain the Decision and the applicable Rule subject to challenge	Majority of quorum present
Motion to Recess	Privileged	Yes	No	Majority of quorum present
Motion for Executive Session	Privileged	Yes	No	2/3rds of quorum present
Any Main Motion	Main	Yes	Yes	Majority of quorum present unless otherwise required by law, rule, or regulation
Motion to Adjourn	Main	Yes	Yes	Majority of quorum present
Motion to Reconsider	Main	Yes	Yes	2/3rds of quorum present
Motion to Postpone an Agenda Item	Main	Yes	Yes	Majority of quorum present
Motion to Postpone Indefinitely	Main	Yes	Yes	Majority of quorum present

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MOTION	Type	Second Required?	Debatable?	Vote Required
Motion to Amend (a Main Motion)	Subordinate (to a Main Motion)	Yes	Yes	Majority of quorum present
Motion to Continue Matter Before the Body to Date Certain	Subordinate (to a Main Motion)	Yes	Yes	Majority of quorum present
Motion to Call the Question (Close Debate)	Subordinate (to a Main Motion)	Yes	No	2/3rds of quorum present