



# City of Loveland

*Handbook for  
Boards and Commissions*

*Revised March 2013*

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## **INTRODUCTION**

The public is playing an ever increasing role in local government. Citizens concerned about quality of life for themselves and their families, taxes and governmental services are speaking out as never before and are shaping local government in a way that meets their needs. Indeed, the governing body of a city like Loveland is composed of citizens elected by their fellow citizens to set policy and to guide and direct city government.

In order to assist it in setting direction for the city, the City Council considers the advice of its various boards and commissions. Citizens who serve on boards and commissions, therefore, play an important part in translating ideas into programs and suggestions and concerns into change. They also expand the knowledge and experience base of the elected decision makers.

The City Council has engaged more and more citizens in the process of government by creating new boards and commissions when the need arises. At present, the City of Loveland has the following boards and commissions:

- Affordable Housing Commission (AHC)
- Citizens' Finance Advisory Commission (CFAC)
- Community Marking Commission (CMC)
- Construction Advisory Board (CAB)
- Creative Sector Development Advisory Commission (CSDAC)\*
- Cultural Services Board (CSB)
- Disabilities Advisory Commission (DAC)
- Fire & Rescue Advisory Commission (FRAC)
- Golf Advisory Board (GAB)
- Historic Preservation Commission (HPC)
- Human Services Commission (HSC)
- Library Board (LB)
- Loveland Utilities Commission (LUC)
- Open Lands Advisory Commission (OLAC)
- Parks and Recreation Commission (PRC)
- Planning Commission (PC)
- Police Citizen Advisory Board (PDCAB)
- Senior Advisory Board (SAB)
- Transportation Advisory Board (TAB)
- Visual Arts Commission (VAC)
- Youth Advisory Commission (YAC)

\*In accordance with City Code Section 2.60.290, the CSDAC shall expire on December 31, 2013 unless extended by ordinance of the City Council.

In addition to the above, the City Council is responsible for making appointments to several boards and commissions whose powers and duties are defined under state law, and whose functions go beyond advising and making recommendations to the City Council. Those boards and commissions are:

- Employees' Pension Board
- Housing Authority

Local Licensing Authority  
Police Pension Board of Trustees  
Volunteer Firefighters' Pension Board of Trustees

## **PURPOSE**

The purpose of this Handbook for Boards and Commissions is to explain the role of boards and commissions in advising the City Council and to set forth guidelines to assist members in carrying out their work.

## **CITY STRUCTURE**

In order to be more effective in fulfilling their purpose, board and commission members should understand the organizational structure of the city. The City of Loveland is a home rule municipality operating pursuant to the City of Loveland Charter, adopted by the citizens of Loveland in May, 1996. The citizens have chosen a council-manager form of government. Under this form, the citizens elect eight council members, two from each ward, and one mayor at large. The entire City Council elects the mayor pro tem.

The City Council sets the goals and policies for city government and annually adopts a budget in support of city activities. City staff, under the direction of the City Manager, is responsible for carrying out the direction of the City Council in implementing programs and services. The municipal judge, City Manager, and City Attorney report directly to the City Council. Department directors and their staffs are under the direction of the City Manager.

As the city's chief executive officer, the City Manager oversees responsibilities for the day-to-day administrative affairs of the city, including assigning staff liaisons to boards and commissions to assist them in carrying out their responsibilities. The City Manager is responsible for conveying and implementing City Council policy.

## **BOARD MEMBER EXPECTATIONS**

### **Attendance**

The effective operation of a board depends upon regular attendance of the members at meetings. Members shall be required to attend a minimum of seventy percent of meetings each calendar year. If a member is unable to attend a meeting, he or she should contact the chairperson or staff liaison at least twenty-four hours in advance of the meeting, when possible. If a member has three unexcused absences in a row, the member could lose his or her position on the board or commission. For the purposes of this rule, "unexcused absences" shall be all absences other than for illness, family emergency, or participation in other City of Loveland business. The chairperson shall provide attendance information to the City Clerk's Office upon request. Each calendar year, the City Clerk shall report to the City Council attendance information for every board and commission to include the number of meetings held by each board and commission and the number of meetings attended by each member.

### **Conflicts of Interest**

Members must avoid conflicts of interest. A member should also avoid even the appearance of a conflict. Because there may be areas where members are unsure or unaware that a conflict exists, the following guidelines should be considered.

If a member has acquired confidential information in the course of official duties that information cannot be used to substantially further the member's personal financial interests.

Occasionally gifts are offered to members. Rules regarding acceptance of gifts are set forth in Chapter 2.73 of the City Code.

State law provides that a member shall not hold an interest in a business or undertaking that may possibly be directly and substantially economically affected by any official action of the member's board or commission. A member shall not perform an official act causing an economic benefit to the member's business or economic detriment to the member's business competitors.

For six months following termination of office, a member should not obtain employment in which a direct advantage, unavailable to others, will be gained in matters with which the member was directly involved.

A member shall not engage in a substantial financial transaction for private business purposes with a person under the direction of that member's board or commission.

If a member has a personal or private interest in any matter before the board or commission, the member must disclose the interest to the board or commission, must not vote on the matter, and must refrain from attempting to influence the other members in voting on the matter. However, if that member's participation is necessary to obtain a quorum or to otherwise enable the board or commission to act, the member may vote if, prior to acting, the interested member discloses the nature of his private interest. The disclosure shall be made in writing to the Secretary of State, listing the amount of his financial interest, if any; the purpose and duration of his services rendered, if any; and the compensation received for the services, and such other information as is necessary to describe his interest. Following this procedure, if the interested member then proceeds to vote, the member shall state for the record that the member has an interest and shall summarize the nature of the interest. The member should consider not only his or her financial interests and investments, but also those of the member's spouse and children.

If a member is unsure of his or her legal responsibilities on any matter coming before the board or commission, the member should seek the advice of the City Attorney's Office before the meeting.

### **Training for New Board Members**

Recognizing that a newly-appointed board or commission member will need a basic foundation of knowledge concerning the subject matter having to do with the particular board or commission, the city will provide informal and/or formal training opportunities for each newly-appointed member. The Council liaison, staff liaison, and chairperson of the board or commission shall work cooperatively to establish a training process that will provide to the new member a basic foundation of knowledge concerning the subject matter having to do with the particular board or commission. Where appropriate, in-service training should be provided which may include presentations on the responsibility of board and commission members, parliamentary procedure, conflicts of interest, specific

board or commission mission, consensus and decision making model, city administration overview, open meetings, and language of local government and commonly used abbreviations and acronyms.

Board and commission members should be invited to in-service opportunities offered by the city. Board and commission members should be encouraged to identify in-service opportunities that would be specifically beneficial to their particular board or commission. When possible, exit interviews should be conducted with departing board and commission members to determine areas in which the city can be more helpful to the board or commission. The city should provide funding for appropriate in-service training for board and commission members

### **Board Responsibilities**

Each board and commission is responsible to investigate and make thoughtful recommendations to the City Council and city staff on issues coming before it. Such recommendations are often most useful if they include alternatives that were considered and an analysis of the pros and cons of the alternatives.

Matters upon which a board or commission makes recommendations can come from the City Council, from city staff, from the citizens of Loveland, and from the members themselves. The City Council does not wish to impose a rigid structure upon the thoughts and ideas of any board or commission, but instead believes that creative and innovative ideas can come from many different sources. Often, however, ideas will originate with the consideration and adoption of goals by the City Council, and boards and commissions will be asked to consider such goals.

The normal channels for communication between the City Council and the boards and commissions are through the City Council liaison and city staff in the affected department. Such persons will report to the Council the deliberations and recommendations of the board or commission. The boards and commissions, and their individual members, are always free to communicate directly with the City Council on any matter concerning their areas of responsibility.

In considering recommendations from boards and commissions, the City Council will attempt to balance the many diverse interests in our community.

### **ORGANIZATION OF THE BOARD**

Each board or commission shall choose a chairperson and a vice chairperson. Additional offices may be created by the board or commission from time-to-time as necessary. If a city staff person is not made available to serve as recording secretary, the board or commission shall choose a recording secretary.

#### **Chairperson**

The chairperson serves as the presiding officer over all meetings. It is the responsibility of the chairperson to conduct meetings, keep the discussion on track, encourage the input of ideas, and facilitate the overall decision process. The chairperson should clarify ideas as they are discussed and should repeat motions to ensure that all members fully understand the wording of the item upon which they are voting. It is also the chairperson's responsibility to sign all documents on behalf of the board or commission, see that all of the decisions of the board or commission are carried out properly, and perform any other duties and functions requested by the board or commission.

The chairperson, working with the recording secretary, is responsible for preparing an agenda for each meeting, and assuring its circulation in advance to all members and other persons who have requested notification and to ensure public notice of meetings.

### **Vice Chairperson**

The vice chairperson shall perform the duties of the chairperson in the absence of the chairperson. The vice chairperson shall also perform any other duties assigned to his office by the board or commission. The vice chairperson may request the assistance of other members in carrying out the duties of the office.

### **Recording Secretary**

The recording secretary is responsible for taking the minutes of the meeting and for keeping a record of the proceedings of the board or commission. The secretary also performs any additional duties or functions that the board or commission may assign. The secretary prepares an agenda in advance of each meeting. Minutes from meetings shall be recorded as soon as possible. A copy of the approved minutes from each meeting shall be deposited with the Loveland city clerk.

### **Officers' Terms of Office**

The term of office for the chairperson and the vice chairperson shall be one year. Each officer shall be eligible for reelection. However, chairpersons are encouraged not to serve for more than two consecutive years so that other board or commission members may gain experience as a chairperson. Officers shall be elected at the next regular meeting following the month of the year in which the terms of office of the members of the board expire.

### **Council Liaison**

The City Council liaison assigned to a board or commission shall serve the following roles:

1. Communicate with the board or commission when City Council communication is needed and to serve as the primary two-way communications channel between the City Council and the board or commission.
2. Participate in filling vacancies, reviewing applications, and interviewing candidates for the board or commission.
3. Serve as the primary informal City Council contact.
4. Help answer questions the board or commission may have about the role of the City Council, municipal government, and the board or commission.
5. Establish formal or informal contact with the chairperson of the board or commission and effectively communicate the role of the liaison.
6. Provide procedural direction and relay the City Council's position to the board or commission.
7. Serve as City Council contact rather than an advocate for or ex-officio member of the board or commission.



## **CONDUCT OF MEETINGS**

### **Open Public Meetings**

All meetings at which any public business is discussed where a quorum of the board is present are public meetings open to the public at all times. No board or commission shall conduct any closed meeting without first consulting with the City Attorney's Office concerning its propriety.

### **Quorum**

The majority of all of the members of a board or commission shall constitute a quorum. In order to conduct business at any meeting, a quorum shall be present. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a future date.

### **Special Meetings**

A special meeting may be called by the chairperson or vice chairperson, or upon the written request of three members of the board or commission. Notice should be given to each of the members by personally serving them or by leaving notice at their usual place of residence. Notice of special meetings should be given as much in advance as possible. The notice of a special meeting shall set forth the time, place, date, and purpose of the meeting. Attendance at a special meeting constitutes a waiver of the notice of the meeting.

### **Public Notice**

Public notice of all meetings where the board or commission may take any formal action or at which a majority or quorum of the board or commission is expected to attend shall be given. The public notice shall be given no less than twenty-four hours in advance of the meeting and shall be posted at a location designated by the City Council, including the bulletin board outside the City Council Chambers. The public notice should also be posted on the City's website. The notice should contain a specific agenda if possible, and be in the format specified by the City Clerk.

### **Rules of Order**

Generally, meetings can be held in any manner that assures an orderly and focused discussion and facilitates the input of all members. When necessary, in order to effectively conduct business, as determined by a majority vote of those present, Robert's Rules of Order shall be in effect.

### **Public Hearings**

Occasionally, a board or commission will be called upon to conduct a public hearing on a matter coming before it. A public hearing is a process by which official input on a matter coming before a board or commission is received from all those wishing to present testimony. It is a matter of fundamental due process that decisions made as a result of the public hearing are based solely upon the evidence presented at the public hearing, and no prior investigation or discussion should be conducted by any member. If members have acquired information from outside the hearing, they should state during the hearing what the information is and allow public comment.

The chairperson should declare the public hearing open, and after hearing public testimony, declare the hearing closed. Following the public hearing, members should discuss the matter among themselves (still in open meeting) and reach a decision by adopting a motion that sets forth the basis for the decision. Any such decision should be set out in the minutes of the meeting.

Further information regarding the conduct of public hearings is available from the City Attorney's Office.

### **APPOINTMENT AND VACANCIES**

Unless otherwise provided by state law or by the ordinance establishing the particular board or commission, the following guidelines will be used in dealing with appointments and vacancies to boards and commissions.

Whenever a vacancy occurs on a board or commission, whether by expiration of term of office, removal of a member, or resignation, the following steps shall be taken unless otherwise stated herein or directed by the City Council:

1. The chairperson shall notify the City Manager's Office of the vacancy.
2. Upon notice of the vacancy or not less than seventy-five days prior to the expiration of a term, whichever is applicable, the City Manager's Office will notify the City Council of the vacancy and notify the public of the availability of the position. The City Manager's Office shall establish a closing date for the receipt of applications, which date shall be not less than thirty days from the date of the first notification to the public. Applications received after the closing date shall not be considered by the interview committee.
3. The chairperson should announce the vacancy at the first meeting after being notified of the vacancy and urge the members to solicit qualified candidates.
4. Applications shall be in a form determined by the City Manager, but shall include, without limitation, a question related to the applicant's current service on other city boards and commissions.
5. Private interviews for the position shall occur within a reasonable time following the closing date for receipt of applications and shall be scheduled by the staff liaison. The interview committee shall consist of the following persons: the City Council liaison; the staff liaison; and the chairperson.
6. Immediately following the interviews, the interview committee shall advise the City Manager's Office of its recommendation. The City Manager's Office will endeavor to place the matter on the next available City Council agenda for consideration of the appointment. If an alternate is selected by the interview committee, the appointment of the alternate also shall be placed on the agenda for consideration.
7. The recommendation of the interview committee and the appointment by the City Council shall be based upon qualification, experience, knowledge, interest, willingness to serve, ward residency, the need for a diverse cross-section of the community, past and current service on other city boards and commissions, and other factors deemed relevant by the City Council. The

recommendation of the interview committee shall be considered but shall not be binding upon the City Council.

8. The City Manager's Office shall forward a letter of appointment and a Handbook for Boards and Commissions to the newly-appointed member.

Members shall serve for their appointed term as specified in the City Code. Alternate appointments shall be effective until the first day on which the term of any member of the board or commission expires. Alternates shall assume unexpired terms in instances of resignation or removal, but shall not be appointed to serve where a vacancy is created by expiration of a term. However, in such circumstances, alternates are encouraged to apply for the position.

There shall be no term limits for board and commission members unless the term limits for the board or commission are specifically set forth in state law or in the City Charter or Code. In addition, board and commission members may not serve on more than one board and commission at a time, unless: (i) the member is the only qualified applicant for the position; or (ii) the member resigns his or her position on the first board or commission prior to or upon appointment to the second board or commission.

Any person who has served less than fifty percent of a full term will be eligible for consecutive reappointment for a full term, pursuant to the following process:

1. Ninety calendar days prior to the partial term expiration, a letter will be sent by the City Manager's Office to the member advising the member that he or she must notify the City Manager's Office in writing within fifteen calendar days of the date of the letter if the member desires to be reappointed to the board or commission. If the member provides such notification and if the member remains otherwise eligible to serve on the board or commission, the member shall be recommended to the City Council for reappointment without the need for solicitation of applicants and interviews.
2. If the member does not provide timely notification as set forth in paragraph 1, the member will not be eligible for reappointment without the solicitation of applicants and interviews.

Unless otherwise provided by state law or by the City Charter or Code, a person shall not be eligible for appointment to a board or commission unless either: (a) such person resides within or has substantial ties within the corporate limits of the city; or (b) where the City Council determines that the duties and functions of a board or commission impact, or are likely to impact, areas beyond the corporate limits, such person resides within or has substantial ties to the affected area. Factors that may be considered in determining whether a person has substantial ties to the city or an affected area are property ownership, employment, conduct of a business or profession, or other factors deemed relevant by the City Council. Any person who ceases to reside in, or have substantial ties to, the area which was determined to be the basis for appointment may be removed from the board or commission by the City Council.

Further, unless otherwise provided by state law or by the City Charter or Code, no appointment of a person to any board or commission shall have the effect of increasing the number of nonresident members on that board or commission to more than fifty percent of the total membership of the board or commission.

A person shall not be eligible for appointment to any city board or commission if that person's spouse, parent, sibling, or child (whether related by blood, marriage, or adoption) is a city employee who in his or her capacity as a city employee regularly appears before or advises that board or commission. This does not prohibit such person from being eligible for appointment to any other city board or commission not affected by this eligibility limitation.

### **EXPENSE REIMBURSEMENT**

The city will reimburse any member of a board or commission who incurs expense for travel, lodging, registration fees, and the like where such expenses have been provided for in the budget of the department with which the board or commission is connected. To make sure that an anticipated expense is authorized, all subject expenditures must be cleared in advance through the City Manager's Office.

### **LIABILITY**

When performing the function for which a member is appointed, such member is an authorized volunteer of the City of Loveland and is entitled to the protection of the Governmental Immunity Act. The Act, generally speaking, protects the board member from personal liability for any action within the scope of such appointment, except where the act is willful or wanton. Many homeowners' insurance policies provide some coverage for acts undertaken as a volunteer. Please consult your insurance agent regarding any such coverage. The City Attorney's Office is available for further discussions regarding liability.

### **BOARDS AND COMMISSIONS**

For specific information regarding the City's boards and commissions and a description of their membership requirements and duties, please see City Code Chapter 2.60, available online at [www.cityofloveland.org](http://www.cityofloveland.org), or contact the City Manager's Office at (970) 962-2303, or the City Clerk's Office at (970) 962-2322.