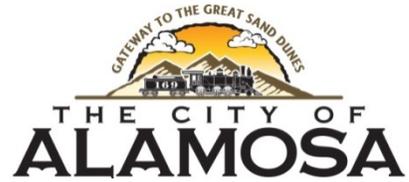


Advisory Boards  
and  
Commissions Handbook



**Mayor**

Mr. Ty Coleman

**City Council**

Ward 1

Ms. Liz Hensley

Ward 2

Mr. David Broyles

Ward 3

Mr. Charlie Griego

Ward 4

Mr. Michael Carson

At-Large

Mr. Jan Vigil

At-Large

Ms. Kristina Daniel

Dear New Board or Commission Member:

Thank you for volunteering your service to the City of Alamosa! We are sincerely glad you have joined an advisory board and welcome you to our team. It is through the efforts of elected officials, volunteers and staff members working together that we have been able to continue to succeed. Only through the continued dedication, loyalty and pride in our City will the tradition of outstanding government service and professionalism continue.

The City Council depends on the advice and expertise of our advisory boards. If you have any questions, please feel free to contact me, Council Members, or the staff liaison to your board.

Again, thank you for your service to the City of Alamosa.

Sincerely,

Ty Coleman  
Mayor

Heather Brooks  
City Manager

## TABLE OF CONTENTS

<b>1. Citizen Board and Commission Definitions</b> .....	2
<b>2. City Department Descriptions</b> .....	4
Form of Government.....	5
City Clerk/Municipal Court .....	5
City Manager’s Office .....	5
Economic Development .....	6
Finance .....	6
Fire Department .....	6
Human Resources .....	7
Information Technology .....	7
Parks, Recreation & Library .....	8
Police.....	8
Public Works.....	9
<b>3. City of Alamosa Organization Chart</b> .....	11
<b>4. Citizen Board and Commission Descriptions</b> .....	14
Golf Board .....	15
Historic Preservation Advisory Committee.....	15
Homeless Coalition.....	16
Library Board .....	16
Main Street Advisory Committee.....	16
Noxious Weed Advisory Board.....	16
Personnel Board.....	16
Planning Commission.....	17
Recreation Advisory Board .....	17
Tree Board .....	17
<b>5. Advisory Boards and Commissions Ordinances</b> .....	19
<b>6. Colorado Sunshine Law</b> .....	24
<b>7. Conflicts of Interest Law</b> .....	27
<b>8. Tips on Parliamentary Procedure</b> .....	29



# **BOARD AND COMMISSION DEFINITIONS**

## **BOARDS AND COMMISSIONS**

Boards and Commissions are divided into two categories: advisory and administrative. Advisory Boards have no decision-making authority unto themselves. Advisory Boards consider matters delegated to them by the City Council and recommend actions on those matters back to the City Council. They also can make recommendations to staff on matters pertaining to the Advisory Board, but these recommendations are advisory as well.

Administrative Boards, on the other hand, have decision-making powers on specific items. Some Administrative Boards have quasi-judicial powers to decide whether an applicant complies with a given rule or code to hear appeals of decisions of City Officials, and to grant variances to certain City codes. Appeals of decisions of Administrative Boards can be taken directly to the District Court (rather than the City Council), pursuant to the Administrative Procedures Act and to Court Rules governing actions by governmental officials.

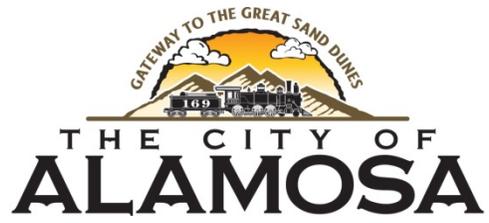
All of Alamosa's board and commissions are advisory boards, except for the Planning Commission and the Personnel Board.

This Handbook is Applicable to all City of Alamosa Boards and Commissions, whether administrative or advisory. In addition, the Planning Commission and the Personnel Board are subject to further procedures governing the exercise of their quasi-judicial powers, which procedures are beyond the scope of this handbook.

Applicants to City Boards and Commissions must complete an Advisory Board Application, which provides pertinent information to the City Council to assist them in making these appointments.

Except as otherwise required by ordinance or State statutes, city board and commission members:

- a. Must be a registered elector of the city; or
- b. Be a resident of Alamosa County and
  - a. Own property within the city
  - b. Own a business located within the city; or
  - c. Be employed full time within the city.
- c. Members of the Planning Commission and the Personnel Board shall be registered electors of the city.
- d. Must resign from the Board or Commission if (s)he is selected to the City Council; and
- e. Will have abandoned the position if the board member has more than three unexcused absences in 12 months or misses half of the meetings held within 12 months excused or not.



# **CITY DEPARTMENT DESCRIPTIONS**

# **CITY DEPARTMENTS AND SERVICES**

## **Form of Government**

The City of Alamosa is a home rule city organized under the State of Colorado Constitution and Statutes. The Charter may be viewed as the basic legal document of city government in Alamosa. The form of municipal government provided for in the Charter is the Council-Manager form of government. The City Charter functions somewhat like the “constitution” for the City. The charter sets rules on how the city government is to be managed. The Charter was initially adopted by a vote of the people, and amendments to the Charter are put before a public vote.

The City government also operates through the passage of ordinances by the City Council. Any policy decision, such as a zoning change or adopting the annual operating budget, must be voted on by the City Council. Ordinances are compiled in the City Code, which is continually updated so that the City complies with all laws and policies.

Under the Council/Manager form of government, the Mayor and City Council establish policy and law, and the City Manager handles the day-to-day management of the City organization. The Mayor is elected at large (citywide) for a four-year term. Two other City council members are elected at large while four City council members are elected from wards for staggered four-year terms. The Mayor and City Council appoint the City Manager, City Attorney, Municipal Judge, City Prosecutor, and the City Clerk. The City Manager appoints Department Heads.

## **City Clerk**

The City Clerk’s Office provides the following services:

- ◆ Administration and Processing of Liquor Licensing
- ◆ Records Custodian
- ◆ Elections
- ◆ Boards and Commissions
- ◆ Code of Ordinances
- ◆ City Council Support
- ◆ Municipal Court

## **City Manager’s Office**

The City Manager is the CEO of the City government. Appointed directly by the City Council, the City Manager is in charge of the day-to-day operations of the City. When the City Council makes a decision on ordinance, law, or policy, the City Manager is responsible for implementing those policies.

The City Manager’s Office coordinates the operations of the City’s departments. The City Manager is responsible for the preparation of a proposed annual operating budget and its presentation to the City Council. The budget as adopted by the Council provides funding,

staffing, and general guidance to the City Departments for that budget year.

### **Economic Development**

The Economic Development Department is a public/private partnership aimed at business retention, expansion, and attraction. The Director provides support to existing and new businesses in an effort to strengthen the economic base.

### **Finance**

The Finance Department is responsible for the collection and disbursement of City funds and for providing timely and informative financial information to a variety of users. The Finance Department prepares and administers the City's annual operating budget and five-year capital plan. In addition to performing a variety of general accounting activities, the Department also invests City funds, participates in policy analysis and formation and ensures City financial compliance with federal and state legislation, as well as the City's Charter, ordinances and policy requirements.

The Finance Department is responsible for all monetary aspects of the City with the primary goal of providing accurate and accountable financial information to City Council and the citizens of Alamosa. Utility bills and business licenses are also managed by the department.

### **Fire**

The Alamosa Fire Department is a volunteer department. There are currently two stations, Station 1, located at 425 4th Street, and Station 2, located at 2827 Vigil Way. The Alamosa Fire Department delivers fire rescue services to the community from the two stations strategically located throughout the city.

The Fire Department centers on protecting the quality of life in our community by delivering services in the most effective, efficient, safe, and professional manner possible with the resources available. They achieve this through many activities including:

- Conducting public education programs;
- Conducting construction plan reviews, fire safety inspections, and pre-fire plans;
- Participating in continuous training of personnel;
- Maintaining personnel, apparatus, and equipment in a constant state of readiness;
- Responding to fire, rescue, and hazardous material incidents;
- Planning, preparing for, and responding to natural and man-made disasters;
- Investigating the origin and causes of fires; and,
- Maintaining records and reports of all activities.

## **Human Resources**

The Human Resources Department provides support to the City of Alamosa's long-term and short-term objectives through six main functions: recruitment, safety, employee relations, compensation and benefits, compliance, and training and development.

In addition to providing strategic, operational, and administrative oversight over the six main functions of Human Resources; the HR Department administers the City's wellness and safety program, along with the commercial and workers compensation insurance while creating and implementing risk management policies and procedures.

## **Information Technology**

The Information Technology department provides quality and innovative information technology solutions to enhance efficiency, reduce paperwork, reduce costs and streamline the flow of information to the citizens, business community, City Departments, City Council and other governmental agencies. The department maintains a robust network, firewall, software platforms, website, and other tools. The department also provides similar services to the City of Monte Vista through an intergovernmental agreement.

## **Parks, Recreation and Library**

The Alamosa Parks & Recreation Department strives to enhance the quality of life for youth and adults by providing affordable year round recreation, leisure, and community activities. The City manages 21 recreational facilities including a growing Park and Trail System with over 400 acres of active and passive recreational green space, recreation center, multiuse pavilion/ice rink, 27-hole disc golf course, two ballfield complexes, two dog parks, fairgrounds, and approximately 24 miles of multipurpose trails. The City's trail system mileage has doubled in the last four years reflecting resident's desire for more outdoor recreation opportunities. The Department is responsible for the maintenance and operation of public recreation programs, facilities, sports leagues and tournaments, special events, and more. With the 2020 addition of the Golf Division, the department employs 15 full time employees and approximately 90 part-time and seasonal staff.

### **Golf Division**

The management and operation of the City-owned Cattails Golf Course was transferred to the City's Parks and Recreation Department on January 1, 2020. Cattails is a scenic championship length 18-hole golf course situated just north of the Rio Grande. A full service pro shop, driving range, putting area, and restaurant space are additional amenities. The Golf Division oversees the operation and maintenance of Cattails Golf Course with occasional assistance from the Parks Division and Public Works Department.

## **Parks Division**

The Division is responsible for the maintenance, planning, and improvement of City parks, trails, cemetery, park facilities, ball fields, and other designated areas. Staff is also responsible for activities related to the Noxious Weed Control Plan. Some cross-training with the Golf Division maintenance crew will occur to enhance staffing flexibility and ultimately patron experience through the consistency of the course and facility conditions.

## **Recreation Division**

The Division is responsible for the planning, organization, implementation and evaluation of recreation classes, sports leagues, and special events. The Division also operates the Family Recreation Center, Multiuse Pavilion/Ice Rink, and oversees the burgeoning outdoor recreation facilities (24 mile trail system, 27-hole disc golf course and Blanca Vista Pond Youth Fishery etc.).

## **Library Division**

The library offers a full range of library materials and services to citizens and visitors of Alamosa. The library is especially popular for its dynamic children's programming.

Materials include:

- Books, books on tape, books on CD, and large print books
- Downloadable e-books and audiobooks
- Movies and music
- Genealogy and local history information
- Magazines and newspapers
- Foreign language tapes, books and online learning
- Community check out kits

Library services include:

- Free Public access Internet terminals and WIFI
- Free online databases and resources
- Free programs, classes, and workshops for all ages
- Private study rooms
- Interlibrary loan program
- Community meeting rooms that can be reserved year round by non-profit organizations

## **Police**

The Alamosa Police Department is a general law enforcement agency that strives to provide a safe and secure environment and to enhance the overall quality of life for Alamosa citizens. Among the department's many services are:

- Crime prevention;
- Investigating crimes and apprehending criminals;

- Maintaining order and safeguarding property;
- Facilitating the safe flow and movement of traffic; and
- Providing other miscellaneous services.

In addition to the general law enforcement services, the department also provides animal control and nuisance and weed abatement services.

## **Public Works**

The Public Works Department promotes the quality of planned community development by regulating land use, managing public infrastructure improvements, and supporting safe building projects. The Department is charged with compiling the City's Capital Improvements Program and Comprehensive Plan. Public Works provides information concerning subdivision plats and existing City infrastructure.

### **Planning**

The Planning and Development division is responsible for managing the City's built environment and creating a livable community that balances the needs of residents, businesses, property owners, and visitors. The division also assists other departments in coordinating multi-departmental work efforts to address a wide range of issues including land-use studies, transportation planning and water conservation. The division supports the Planning and Zoning Commission and Historic Preservation Commission, and reviews development applications and requests, such as subdivisions, zoning and land use, annexations, signs, and site plans.

### **Inspections**

Inspections is responsible for building inspections, building plan review, site layout review, interpretation and enforcement of the International Building Codes, construction standards, sign regulations and any local construction codes adopted by the City Council. They are responsible for the inspections and enforcement of the City's minimum property standards. Licensing of contractors is included in the division's responsibility.

### **Street Maintenance**

Street Maintenance duties include repairing City streets, street cleaning, minor pavement overlays, emergency response during storms and floods, striping, signing for Alamosa's 61 miles of streets as well as operating and maintaining City-owned traffic signals. The Street Division is also responsible for snow removal, special event signs and barricades, street light management and maintenance, and many other general right-of-way maintenance activities.

### **Wastewater Treatment**

Wastewater Treatment is responsible for operating and maintaining a 1 million gallon per

day wastewater treatment plant that provides primary and secondary treatment collected in the City's sanitary sewer system for proper discharge in compliance with state and federal regulations. Wastewater staff also manages and monitors the proper disposal of the biosolids resulting from the treatment process in accordance with applicable state and federal regulations. Personnel at the facility are also responsible for maintaining more than 26 lift stations.

### **Solid Waste**

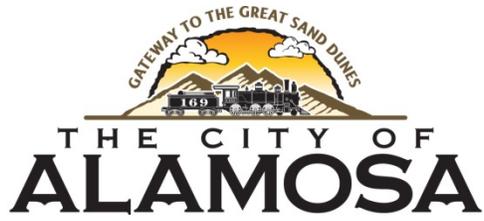
Solid Waste operations provide weekly solid waste and seasonal yard waste pickups to more than 2,183 households and 205 commercial locations in the city. Additionally, Solid Waste operates the recycling public drop off facility. Special programs are also administered through Solid Waste such as special large item pickups and recycling education.

### **Water Treatment**

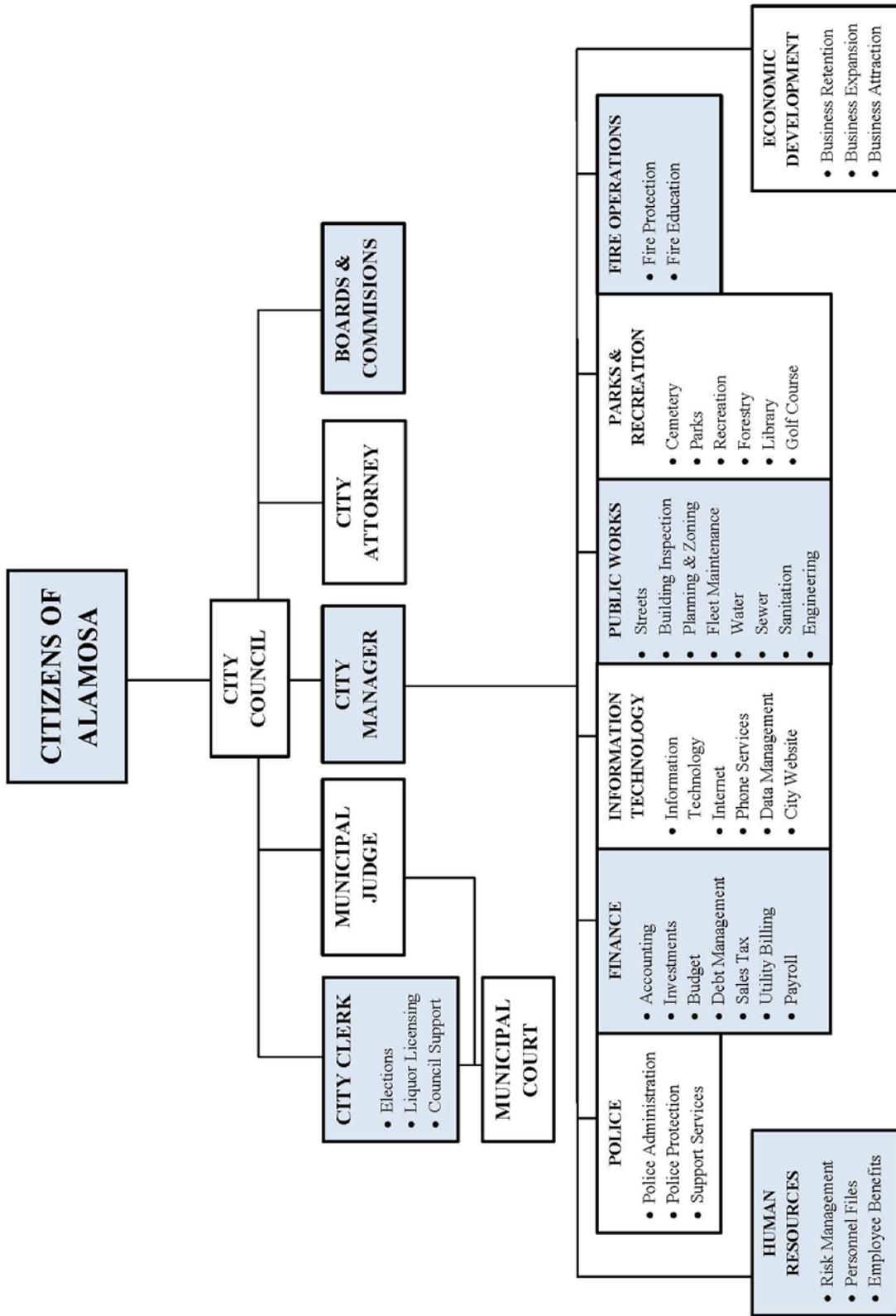
Water Treatment is responsible for operating and maintaining a facility that can produce over 4 million gallons per day. The plant provides treated potable water to all residents and businesses throughout the city. Daily testing for Arsenic levels along other possible contaminants along with maintaining and monitoring Chlorine residuals throughout the distribution system. Comply with all State and EPA required monitoring.

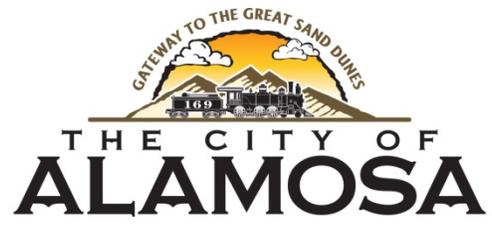
### **GIS**

GIS is responsible for making, reading and interpreting maps, in addition to maintaining a spatial inventory of city assets, including but not limited to streets, utilities, addresses. GIS prepares interactive web-based maps and applications for City staff and the public to assist in data research and acquisition. GIS is also involved in annual reporting to various State and Federal agencies



# **CITY ORGANIZATIONAL CHART**





# **BOARD AND COMMISSION DESCRIPTIONS**

## **CITIZEN BOARD AND COMMISSION DESCRIPTIONS**

As described previously, Boards and Commissions are divided into two categories: advisory and administrative. Advisory Boards have no decision-making authority unto themselves. Advisory Boards consider matters delegated to them by the City Council and recommend actions on those matters back to the City Council. They also can make recommendations to staff on matters pertaining to the Advisory Board, but these recommendations are advisory as well. All City of Alamosa Boards, Commissions, and Committees are advisory except the Planning Commission and Personnel Board, which have both advisory and administrative capacities.

### **Golf Board**

Four-year term. Board consists of seven members designated by the Cattails annual members and subsequently appointed by Council. Council does retain final approval/appointment powers for the Board. Meetings will be monthly on a yet to be determined regular time and date. One City Councilor will be a non-voting member of the Board. Staff contact – Parks & Recreation Director.

- ◆ Provide advice to Council on issues surrounding the operation of Cattails Golf Course.
- ◆ Appear before Council annually to report on activities.
- ◆ Provide input and recommendations on Capital projects and needs for the Course in a similar capacity as the Community Recreation Advisory Board

*\*Note: Since the Golf Board will be voted on and recommended from the Cattails membership; the City's standard residency and/or other eligibility requirements are not applicable meaning anyone, provided they are an annual member of the Course, can serve on the Board.*

### **Historic Preservation Advisory Committee**

Four-year term. Meets second Tuesdays quarterly (Feb. May, Aug., Nov.) at 5:30 p.m. in the City Council Chambers. Committee shall consist of five members who shall be appointed by the City Council. Staff contact – Planning/Development Specialist.

- ◆ Administers the City's Historic Preservation program and advises the Planning Commission and City Council on matters relating to Historic Preservation.
- ◆ Accepts and reviews applications for designation of local historic landmarks and historic districts.
- ◆ Recommends designation to City Council.
- ◆ Accepts and reviews applications for nomination to the National Register of Historic Places.
- ◆ Plans for historic preservation in the community.
- ◆ Educates community on historic preservation.
- ◆ Committee members should have a demonstrated interest in historic preservation.

### **Homeless Coalition**

Four-year term. Meetings held fourth Tuesdays monthly at 6:00 p.m. at City Hall. The Homeless Coalition consists of eighteen members of whom thirteen are appointed by the Council. The Coalition was created for the purpose of discussion and identification of causes, effects, and potential solutions to the homelessness issues in Alamosa, and to assist in development of strategic partnerships, collaborative responses, and engagement of community resources to address homelessness. Staff contact – City Manager.

### **Library Board**

Five-year term. Meetings held fourth Tuesdays bimonthly odd months at 5:30 p.m. at City Hall. The Library Board consists of nine members of whom seven are appointed by the Council. The Mayor or the Mayor's designee from time to time, who must be a City Councilor and the City Manager, are ex officio members\* of the Library Board. Staff contact – Library Director. Serve as an advisory board to advise City Council and City Manager on all issues pertaining to the public library.

### **Main Street Advisory Committee**

Four-year term. Meetings TBD at City Hall. The Committee consists of nine members of whom seven are appointed by the Council. The Committee was created to identify enhancements to the Central Business District to create a more vibrant and welcoming downtown. The focus will include input on the implementation of the Downtown Design Plan and to act as a deliberative review body representing the interests of the Central Business District. Matters may include infrastructure priorities, redevelopment projects, development tool kit, development incentives, vacant store fronts, Main Street programs, land use matters, public parking policies, etc. Staff contact – Economic Development Director.

### **Noxious Weed Advisory Board**

Standing advisory committee which contains the appointments of the sitting citizen members of the Alamosa Recreation Advisory Board and one City Staff Representative (Parks & Recreation Director), together with the Mayor (and the Mayor Pro-Tem, as an alternate). Board meets at least annually at a date, time and place as determined by the Board. Meetings of the Noxious Weed Advisory Board may take place such that they are coordinated with meetings of the Recreation Advisory Board, at the discretion of the Board. Staff contact – Parks & Recreation Director.

### **Personnel Board**

Six-year term. Board considers rules and regulations when requested and investigate conditions of employment when requested. Meetings held as needed. Staff contact – Human Resources Manager. Board members must be registered electors of the City.

### **Planning Commission**

Five-year term. Meetings held fourth Wednesdays except November and December at 6:00 p.m. in the City Council Chambers. The Planning Commission shall consist of five members appointed by the Council, one member chosen from among the residents of the four wards, and one member chosen at large. The members shall serve without compensation, shall hold no other municipal office, and shall have been residents of the City for at least two years prior to their appointment. Staff contact – Planning/Development Specialist.

Duties are periodically to prepare and submit to the Council for its approval a master plan for the physical development for the City, including the general location, character and extent of streets, bridges, parks, waterways, and other public ways, grounds and spaces together with the general location of public buildings and other public property, public utilities and the extent and location of any public housing projects and to recommend such modification of said plan from time to time as it deems necessary in the interest of the City's welfare and development.

- ◆ To advise the Council on zoning, subdivisions, major public and private projects, public works matters, City buildings, capital outlay budgeting and long range planning.
- ◆ To cooperate with school, county and any other planning and zoning boards and with the approval of the Council to enter into agreements to promote uniform planning and zoning within and outside the city limits.
- ◆ To exercise the authority vested in it by State Planning and Zoning Laws and by the City Charter, including the authority to act as the Zoning Board of Adjustment and to hear and determine appeals of actions taken by the zoning administrator.
- ◆ To perform such other duties and exercise such other powers as the Council may provide.

### **Recreation Advisory Board**

Three-year term. Meetings held second Tuesday bimonthly even months at 11:30 a.m. at the Alamosa Family Recreation Center. The Recreation Advisory Board shall consist of nine (9) members of whom six (6) are regularly appointed members and a member of City Council, all chosen by the City Council. The Mayor and City Manager shall be ex officio\* members of the Recreation Advisory Board. Staff contact- Parks and Recreation Director.

- ◆ Charged with advising administrative functions relating to the operation of City parks, recreational facilities and programs.
- ◆ Recommends policy regarding capital improvements and programming to staff.

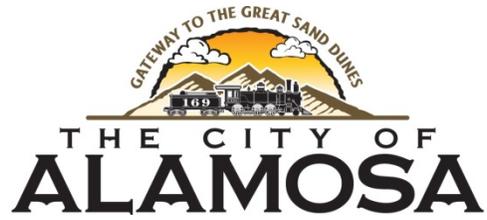
\*ex officio-by virtue of one's position or status. The position does vote and count towards quorum.

### **Tree Board**

Four-year term. Board consists of five members appointed by Council to staggered four year

terms. Meetings held every second Wednesday of the month at 12:00 p.m. at City Hall. Staff contact – Parks & Recreation Director.

- ◆ Provide advice to Council on issues surrounding the planting, care, maintenance, and replacement of trees on City-owned property and rights of way.
- ◆ Appear before Council annually to report on activities.



**ADVISORY BOARDS  
AND  
COMMISSIONS  
APPOINTMENT AND REMOVAL**

## **1. ADVISORY COMMITTEE ORDINANCE**

The ordinance governing advisory committees is set forth in Section 2-235 of the Code of Ordinances as follows:

### **Sec. 2-235. Authority to establish advisory committees**

Pursuant to Article XXII, Section 1, of the Charter of the City of Alamosa, the City Council is hereby authorized to establish such standing and ad-hoc advisory committees as it deems necessary to obtain citizen input on matters of public interest. The City Council shall by resolution establish such advisory committees as it deems necessary and shall specify each such committee established as either a standing committee or an ad-hoc committee as further defined below, and within any such resolution shall define the subject matter, responsibilities, and composition of each such advisory committee established.

## **2. Eligibility for Appointment Pursuant to Article II, Section 5 of the Charter of the City of Alamosa**

No person shall be eligible for appointment to office as a member of board or commission unless at the time of appointment the appointee is (1) a registered elector of the City, or (2) is a resident of Alamosa County and (A) owns property within the City, (B) owns a business located within the City, or (C) is employed full time within the City. Members of the planning commission and of the personnel board shall be registered electors of the City. If any office-holder for the City shall cease to be eligible for appointment at any time during his or her tenure in office, they shall be deemed to be vacant as of the date of ineligibility.

## **3. Recruitment**

The City's annual recruitment process begins in April and appointments are made in June. However, applications are continually accepted for service.

## **4. Manner of Appointment**

Members are appointed by majority vote of the City Council after interviews of interested applicants are conducted. Where there are more applicants than opening, members are appointed by Council assigning order of preference, with those with the highest preference being appointed.

Appointments to a City Advisory Board shall be by ballot and shall only be effective when appointed by a majority of Council present at a meeting for which a quorum has been declared. In no circumstances, will a board member be seated who has had less than three councilors vote for their appointment.

- a. All ballots shall include a "none of the above" option for the Council. The candidates and none of the above line shall be referenced as "council options" below.

- i. When appointing for one vacancy with two candidates the candidate receiving votes from a majority of the Council present shall be appointed.
  - 1. In the event the “none of the above” line receives a majority of the vote, then no candidate shall be appointed.
  - 2. If multiple candidates exist for a single vacancy then the voting may occur in rounds.
  - 3. If after the initial vote, none of the Council options shall have received a majority vote, then a second round shall occur.
  - 4. In the instances of multiple candidates, the top two vote getters from the Council options shall proceed to the next round. This shall continue until a candidate is selected or Council directs staff to re-advertise the opening.
- ii. When multiple vacancies occur with multiple candidates, then Council shall proceed as listed above with the understanding that no candidate shall be appointed who has not received a majority vote from the City Council.
- b. Order of Appointments
  - i. When appointing both a regular position and an alternative, the regular position should be selected first as a separate ballot. The Council can then work to appoint an alternate, or not, from the remaining candidates through subsequent votes.
  - ii. When making appointments of varying length, the longest term shall be voted first with the shortest term voted last as separate actions of the Council.
- c. Once all ballots have been counted, Council will affirm those votes by a voice motion ratifying the selection done by ballot.

## 5. Removal

A board member may be removed by Council action, or by abandonment of the position. The information below outlines when and under what circumstances this will occur.

- a. Removal: A majority of the City Council may remove any appointed advisory board member at any time for good and sufficient cause. Cause shall include, but is not limited to, violations of the conflict of interest policy of the City; any violation of any applicable law, regulation or policy; neglect of duty; and actions that reflect poorly upon the City.
- b. Abandonment of the Position – a position shall be considered abandoned if the board member has more than three unexcused absences in 12 months or misses half of the meetings held within 12 months excused or not.
  - i. The following shall constitute grounds for an excused absence:
    - 1. Serious illness or injury
    - 2. Maternity/paternity leave
    - 3. Serious family emergencies
    - 4. Religious observances
    - 5. Jury duty
    - 6. Work conflicts outside of normal duties such as required training or emergencies

7. The affected board or commission may also excuse absences in cases where they make a finding that an unusual hardship justifies excusing an absence or absences.
  - ii. Excused absences shall only be approved if a member of the board or commission calls the Secretary for each board or commission twenty- four (24) hours before the meeting to explain the absence, except as those absences the reason for which does not arise at least twenty- four (24) hours ahead of time, or absences which arise under circumstances which make it impossible for a board or commission member to give advance notice.
  - iii. The Secretary for each board and commission shall record attendance in the official minutes of the advisory board and indicate if an absence is excused.
  - iv. The Secretary for each advisory board shall monitor attendance requirements for non-compliance. Upon notification of such non-compliance, the City Clerk shall submit a report to the City Council for appropriate action.
  - v. At the request of any member of the City Council, the City Clerk shall agendize consideration of removal of any board or commission member who has not met the attendance requirement established by the City
  - vi. All applicants for membership of a board or commission shall be notified prior to City Council appointment regarding time requirements for serving and the policy regarding removal.
  - vii. Candidates whose schedules will preclude them from serving on their desired board shall not be appointed with caveats that boards change their times to accommodate them. Boards may change their times and places of meeting in conjunction with the City Clerk, but shall not be compelled to do so.

### **Multiple board memberships**

Any person may serve on more than one City board or commission at a time, so long as doing so does not create scheduling conflicts. Any current board or commission member desiring to apply to another board or commission, must submit an appropriate application form for that board or commission.

### **Organization**

Each City board or commission shall annually elect one of its members as chairman, another as

vice-chairman, and another as secretary, plus such other officers as they deem necessary, to serve a term of one (1) year. The names of the new officers shall be reported to the City Council within thirty (30) days after the election.

### **Quorum**

A majority of the sitting members of the board or commission shall constitute a quorum for the transaction of business.

### **Majority votes**

All decisions or actions of any board or commission shall be made by a majority vote of all the members present at a meeting where a quorum exists.

### **Staff support**

The City Manager shall appoint a City employee to serve as staff liaison for each board or commission.

### **Compensation**

All members of boards or commissions shall serve without compensation, but may be reimbursed actual expenses upon the prior approval of the City Manager.

### **Rules of procedure**

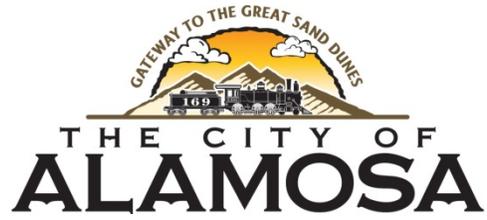
Each board or commission may adopt such rules of procedure as it deems necessary for the conduct of its business, procedure and the faithful performance of its duties. Such rules shall not be inconsistent with state or federal law, nor with any provision contained in the City Code or City Charter.

### **Advisory capacity**

Except as otherwise required by law, each board or commission enumerated herein shall act solely as an advisory group to the City Council and City Manager regarding the betterment of administrative operations within its field and as to any specific problems referred to it by ordinance, resolution, motion or by the City Manager.

### **Formation of not-for-profit corporations**

No board or commission of this City shall form any not-for-profit corporation for any purpose whatsoever without prior approval of the City Council.



**COLORADO  
SUNSHINE LAW**

## **COLORADO SUNSHINE LAW**

Colorado Revised Statutes §24-6-401 states that it is the public policy of the State of Colorado that meetings, records, votes, actions, and deliberations of public governmental bodies be open to the public. The Open Meetings Law commonly referred to as the “Sunshine Law”, is found in Sections 24-6-401 to 24-6-402 of the Colorado Revised Statutes. It is to be liberally construed to promote the public policy of open and public discussion, debate and decision making.

### **GENERAL PROVISIONS**

All “public governmental bodies” are subject to the provisions of the Sunshine Law. As that term is defined in the statutes, it includes city councils, advisory boards and commissions, and any committee appointed by or at the direction of any of these entities and which is authorized to report to any of these entities. Hence, even though boards and commissions may only be “advisory”, those boards and commissions, as well as any committees or subcommittees formed under them, are subject to the requirements of the Sunshine Law.

**Any time three or more members** of a board commission (or any type of local governmental body), or a quorum, whichever is less, meet in order to discuss public business, such a meeting must comply with the Sunshine Law. That number could be as few as two people, depending on the circumstances. Whenever there is any question as to whether compliance is required, contact your staff liaison.

A “public meeting” subject to this statute is any meeting of the public governmental body at which public business is discussed, decided or public policy formulated. This includes not only meetings that occur in person, but also those that occur telephonically or electronically, and even the electronic polling of votes of members who are not physically present, or the circulation of “round robin” emails. The term “public meeting” also includes conference calls, video chats, internet conferences and internet message boards. It does not include chance meetings or social gatherings when there is no intent to discuss or actual discussion of public business.

When a meeting of a public governmental body is held, minutes of that meeting must be taken, and shall be open to the public for inspection and duplication. Those minutes must include the subjects that were discussed as well as a record of which members were present and of all votes that were taken at the meeting. No votes may be taken by secret ballot.

All meetings at which three or more or a quorum of the public body are present are open to the public. There are limited circumstances in which a public body may decide to exclude the public and meet in executive session. The decision to go into executive session may be made by a vote of two thirds of the members present, and must strictly comply with the requirements of statute, including identification of the subject matter of the executive session and specific citation to the statutory provision authorizing the executive session. Any time a committee desires to meet in executive session, it **MUST** first discuss that meeting and the appropriate procedures with the City Attorney.

When any message relating to public business is sent by electronic means (such as e-mail) by

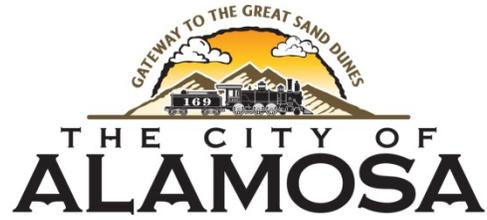
one member of a public body to other members of the public body, that email is a public record, and is open to inspection by any member of the public, subject to limited exceptions. Copies of all such emails must be sent to the staff contact person for the particular advisory committee so that proper record of all such communications is kept. Advisory board members should make arrangements with their staff contact to determine where those messages should be sent.

### **NOTICE REQUIREMENTS**

The Sunshine Law establishes specific requirements for providing notice of meetings to the public. Under the statute, the notice must include the time, date, place, and specific agenda, and must be given in a manner so as to reasonably apprise the public of that information. Typically, the staff contact for your board will take care of posting these notices. The official designated posting place is located outside City Hall. Each meeting shall be held at a place reasonably accessible to the public and of sufficient size to accommodate the anticipated attendance by members of the public and at a time reasonably convenient to the public. Efforts must be made to permit access to the handicapped or disabled. Twenty-four (24) hours' notice, exclusive of weekends and holidays, is required.

### **VIOLATIONS**

Any citizen of the state may bring an action to enforce the Sunshine Law. The court may act by injunction to prohibit a threatened violation. If a violation occurred, the court may void the action taken by the governmental body. Further, if the court finds the law was violated, the City will be subject to payment of court costs and reasonable attorney fees. When in doubt as to any of the provisions of the Sunshine Law, you should discuss the matter with your staff liaison and ask for an opinion from the City Attorney.



# **CONFLICTS OF INTEREST LAW**

## CONFLICTS OF INTEREST

Conflicts of interest arise where there may be a conflict between the public duty of a private citizen and his or her own private interest. This is a more obvious issue for administrative boards, who can take final actions affecting citizen's property interests, than for advisory boards, but exists in both contexts. Conflicts of interest are governed by state statute. The following statute is applicable to Alamosa's advisory and administrative boards and commissions:

### §24-18-108.5. Rules of conduct for members of boards and commissions

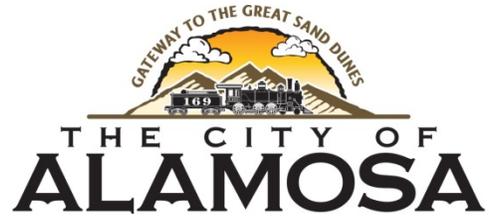
1. Proof beyond a reasonable doubt of commission of any act enumerated in this section is proof that the actor has breached his fiduciary duty.
2. A member of a board, commission, council, or committee who receives no compensation other than a per diem allowance or necessary and reasonable expenses shall not perform an official act which may have a direct economic benefit on a business or other undertaking in which such member has a direct or substantial financial interest.

Financial interest is further defined by statute at §24-18-102(4):

“Financial interest” means a substantial interest held by an individual which is:

- a. An ownership interest in a business;
- b. A creditor interest in an insolvent business;
- c. An employment or a prospective employment for which negotiations have begun;
- d. An ownership interest in real or personal property;
- e. Loan or any other debtor interest; or
- f. A directorship or ownership in a business.

Instances where board or committee members have direct financial interests, as defined in C.R.S. §24-18-102(4) provide clear conflicts of interest, and members will disclose nature of their financial interest and shall be excused from and refrain from voting or participating in the discussion of such issues. If any member has questions or concerns about the existence of a potential conflict of interest, such member should contact the City Attorney.



# **TIPS ON PARLIAMENTARY PROCEDURE**

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Parliamentary procedure is used to facilitate open and constructive deliberation in group situations. Robert's Rules of Order are often referenced for parliamentary procedures, but are too cumbersome and detailed for use in small bodies. Below are some guidelines on parliamentary procedure that may be used for board or commission meetings.

### **1. Principles of Parliamentary Procedure**

- a. The majority rules.
- b. Members have equal rights to speak and vote.
- c. Only one matter should be discussed at any one time.
- d. A courteous atmosphere must prevail.

### **2. Qualifications of Presiding Officer**

- a. Should be fair, impartial, and firm.
- b. Should be able to supply information as to the status of a motion.
- c. Is selected by majority vote of the board to a term of one year.

### **3. Secretary and the minutes**

The secretary is the record keeper unless a staff liaison is keeping the minutes for the Board.

The minutes should at least show:

- a. Time and place of meeting
- b. Name of presiding officer
- c. Names of those present
- d. A record of all business transacted with names of movers and seconders
- e. Other items that should go into the permanent record
- f. Time of adjournment
- g. Secretary's signature

### **4. Typical Order of business**

- a. Call to order
- b. Reading of the minutes - correction and approval
- c. Officers' reports
- d. Standing committees reports
- e. Special committees reports
- f. Unfinished business
- g. New business
- h. Special programs
- i. Adjournment

### **5. Quorum**

No business can be transacted unless more than one half the sitting members of the board, known as a quorum, is present.

### **6. Motions**

Business of a group is transacted through motions. To get a main motion before the group:

- a. The member addresses the chair
- b. The chair recognizes the member
- c. The member states his motion
- d. Another member seconds the motion
- e. The chair states the motion
- f. The chair opens the floor for discussion of the motion.
- g. The chair puts the motion to a vote of the board.