

Briefing: Peer Cities and their Charters – Kirsten Crawford

- Status update of where things are versus any comprehensive review
- Looking outside state of Colorado, the way the cities are structured really depends on state and state laws, so we can't draw close analogies, but there are things that can be learned
- Reached out to my contacts in various cities
 - Colorado Springs
 - Formed under same constitutional measure as Denver – but they are not a city and county
 - If you're talking about analogies, the closest one is Colorado Springs and the way their law department is set up
 - Wynetta Massey City Attorney (Mark Smith assigned counsel for Council) for Colorado Springs, she oversees entire law department and assigns an attorney to city council, they also have history that is valuable to us
 - Meeting with them on Thursday to go over history of organizational changes
 - Around 2008/09 Colorado Springs went from council-manager to strong-mayor form of government
 - Colorado Springs is pulling documentation for Kirsten
 - In response to business community members pushing the change and there was tension between it being done via initiative or council referral
 - I don't understand it as going from strong-mayor back to a strong-council form of government, post 2012 they made a minor adjustment of their charter to add an administrator and the city auditor reports to council
 - International Municipal Lawyers Association
 - Called International Municipal Lawyers Association – Chuck Thompson, Executive Director
 - Has high visibility throughout a lot of jurisdictions, Kirsten attends the MLAW conference (Attorneys from the top 50 cities in the country)
 - Chuck told Kirsten that he's happy to be a resource for us, but we'd have to figure out how to schedule him by phone
 - He is familiar with jurisdictions that have had organizational changes
 - He mentioned Jacksonville, FL and Tulsa, OK
 - Jacksonville did a Blue Ribbon Task Force to study their Charter – 175 page document with an extraordinary amount of work and stakeholder outreach
 - Kirsten hasn't contacted Tulsa yet
 - Baltimore, MD
 - Kirsten went to NLC conference and met with Baltimore City Council President, Jack Young (now they Mayor), it is also a strong-mayor form of government
 - When he was Council President he made a structural change to move the council attorney into city council and report to city council
 - Talked to solicitor and attorney assigned to council as well
 - Solicitor was a former federal judge (critical of Baltimore police department)
 - His view is that in moving that City Attorney out of the City Attorney's Office and under City Council, they've siloed the attorney out and they don't do anything other than attend meetings, but that's just one point of view
 - Montgomery County, MD

- In DC area and more like a city structure, elected body and an elected county executive
- The main City Attorney handles all the county executive affairs and a separate attorney for council, Chuck said that the current city attorney works very well

Discussion on Peer Cities

- Flynn: What other cities are you going to look at? City/counties like Philadelphia or San Francisco
- Kirsten: Happy to look into them but perhaps have central staff look into those cities
- Flynn: Perhaps, staff could look into a record of when the Speer Charter was put together, what was the process used then?
- Kniech: It was a convention
- Flynn: It was very high level
- Kniech: There is a set of cities we look at for every policy comparison that we do, Seattle, Austin, San Jose, because of size-range.
- Ortega: We were initially looking at what cities have done recent changes, and I think we may have some of that already, that we pulled not long ago.
- Kniech: Lit review of people who've done law review articles on strong-mayor form of government, perhaps academic reviews as well
- Black: Are we looking at organization of legal representation? Or cities that have changed their organizational structure? Or both?
- Ortega: Some people want us to look into having our own legal representative on our staff. There are people looking at different structural changes for our city, and we don't know what those structural changes are just yet. We want councilmembers to submit these ideas and we've reached out to independent agencies.
- Kirsten: What I've done so far is tap into really valuable resources that are objective. I reached out to Colorado Springs because they are so analogous to us in so many
- Ortega: Some people are looking at changes that have been made in the somewhat recent past, that have made a strong-mayor form of government already stronger, and looking at whether those changes have been beneficial to the City.

Discussion on Charter Change Form

- Ortega: At last meeting we talked about what kind of deadline to put out there, and for the requests we have other people submitting to us (external agencies and community organizations) we've set up a form for individuals and organizations to submit to us. We will let you know about the online accessibility and form.
- The date we are looking at for other folks wanting to weigh in, so we can start reviewing those proposals, I'd like to group topics so we can look at issues holistically. I know some of us have been exploring different ideas we may want to bring forward. I want to know your thoughts about the form and the deadline and I'd like to explore what makes sense to have a soft deadline for council. Any request we will be doing, if you need research assistance from our central staff, we need to work with them to see what their availability is to fit it into their work schedule, which is why we want that soft deadline
- Black: I think it's important to have on the form the question, "what is the problem you are trying to solve?" "Is this the best way to solve that problem?"
- Flynn: Agreed. Important to note at this point, you're talking about grouping the various topics and how they might conflict with each other, someone on staff needs to be aware as things come in. That idea A may be negated by another idea.

- Ortega: Council is going to look at all of them, and then we will discuss which ones we feel we are most comfortable moving on to FINGOV and then that committee will determine it needs to be moved onto the full floor
- Kniech: I think the form is a fine idea for external partners. And council should try to meet the same deadline.
 - Logistical questions, staff capacity to do research is limited, I think we need to make sure that we agree on a reasonable number of requests for council members at least for an initial cut, I know that there is some concern about our capacity.
 - I know you mentioned wanting to meet twice a month, and now we have a couple of special committees that need to meet on Mondays so there's a lot of competition for Mondays. I would prefer that we don't meet again unless we have an idea that's ready to present.
 - Are we canceling August 26th?
- Ortega: We may have additional updates from Kirsten and the work she is doing on other cities, but by setting this date on the 30th we should have some
- Kniech: Are we prioritizing council requests over community requests?
- Ortega: When I saw community I mean employee organizations and external agencies, but I haven't seen anybody else's proposed requests, we know some people are thinking about proposed ideas.
- Kniech: I understand what you're saying, but there needs to be more clarity on a city council proposal that has been vetted by council staff, but for external organizations we need to have our external ideas to be vetted by our legislative counsel.
- Ortega: I was assuming as we get ideas that we would vet them through our legal counsel.
- Gilmore: Is this charter change request form only for council offices to submit something to submit something to legislative staff? Then when they do their research they get it to attorneys?
- Ortega: External partners need to do their own research that has been fleshed out, but then we would want counsel to look at it before we bring it forward. We don't have to move the idea forward, they can submit the change to the people with proposals.
- Gilmore: If it is an internal council request then we would fill out this form and send it to Emily. Then shouldn't this be referred to the city attorney *and* city staff?
- Kirsten: We will have to meet with central staff and check in on each topic to see if it would be a charter change issue or a code issue.
- Sandoval: My question is about the September 23rd process, for people to get this out to community members? This same form?
- Ortega: I'm only thinking of INC and our external partners as well as independent agencies (Clerk and Recorder, Auditor
- Sandoval: How did you come up with the September 23rd deadline?
- Ortega: We created a calendar that was backwards from November of next year, and the more we push it out the less time we have for the committee to flesh out this request.
- Sandoval: I'm concerned about Labor Day and school starting is not ample time for people to get the work done to submit a request...
- Ortega: For councilmembers it's a soft date
- Kniech: I saw this and I thought you presented this as a partner form...my thought was that we had to request the topic and research by September 23rd. This form is not how councilmembers request research, I think this is too onerous. I don't think it's fair...**council members should request research help by September 23rd.**

- Gilmore: A spreadsheet or tracking document that shows what research las are working on for their workflow, if it's not confidential, something that could be shared with CP Clark.
- Kniech: Just one for the first round?
- Gilmore: We might have an overabundance of topics, but then are we vetting them through this committee?
- Ortega: We are the first vetting part...

Operations of Committee

- Ortega: Would like to have a discussion on whether or not this will be televised at operations next Wednesday.
- Black: Should Legislative Analysts send out the calendar invitation for each council meeting or committee meeting?
- Emily: It had been discussed in a staff meeting with Legislative Staff that they would not send out individual invitations for each committee meeting.
- Black: Was council a part of this decision?
- Emily: No, but I think the reasoning behind it was that because we send out the Thursday calendars with all upcoming meetings that we wouldn't need to send out the committee calendar invitations. I think there was concern that it would blend into an aide's job. But we can talk about it again with Council President Clark in our next staff meeting.
- Kirsten: Yes, we'll talk to Council President Clark about it.

Public Engagement

- Ortega: Would like to schedule 15 minutes of public comment for each committee meeting as we get charter requests. Looking for your thoughts and input on public engagement, should we do a show on the road?
- Flynn: Depending on the scope and depth of changes I think we would make a decision then, if it is a specific scope we should go to every quadrant or district to get feedback on the issues as well. We need to archive these meetings.
- Black: I want to make sure there is a stakeholder process included in this.
- Ortega: Does anyone in the audience have any ideas they would like to share?
- PRAB: Do we have to have a sponsoring organization or councilmember to bring an idea forward?
- Ortega: This committee is going to listen to and vet the ideas, and it is my feeling that we will look at the requests...
- Flynn: Package on the ballot or single-subject, is it possible to put a package on the ballot?
- Kirsten: We'd have to be careful about what things do go together but most likely they would have to be separate.
- Flynn: So if we had some that had to be separated but one failed and one passed but it was incomplete...
- Ortega: Clerk's office has ideas but they are not ready to be brought forward. The Auditor has some ideas but will be doing the petition route.
- At this point in time we are looking at one request per entity so if the Clerk has something, we are now communicating to everyone who has signed our sign up sheet. We are going to let them know about the 23rd deadline.