

# ***Equity, Diversity, and Inclusion Task Force***

## ***Meeting Agenda***

**May 20, 2021  
Electronic Meeting  
9:00 AM**

*This meeting will be held electronically. Residents interested in listening to the meeting or making public comments can join in one of two ways:*

- 1) *You can call in to +1 408 638 0968 or 833 548 0282 (Toll Free), Webinar ID # 872 2996 3572.*
- 2) *You can log in via your computer. Please visit the Task Force website here to link to the meeting: [www.louisvilleco.gov/editaskforce](http://www.louisvilleco.gov/editaskforce).*

*Anyone may also email comments to the Task Force prior to the meeting at [gravescivicsolutions@gmail.com](mailto:gravescivicsolutions@gmail.com).*

- 9:00 a.m. Welcome and Introductions**  
Anthony E. Graves, Principal GRAVES CIVIC SOLUTIONS (Facilitator)  
Emily Shamsid-Deen, Principal, ESD Consulting (Facilitator)
- 9:10 a.m. Zoom Etiquette and Pronouns**  
Anthony E. Graves, Principal GRAVES CIVIC SOLUTIONS (He/Him)  
Emily Shamsid-Deen, Principal, ESD Consulting (She/Her)
- 9:15 a.m. Appreciation from the City of Louisville**  
The Honorable Ashley Stolzmann, Mayor of the City of Louisville  
The Honorable Kyle Brown, Louisville City Council  
The Honorable Chris Leh, Louisville City Council
- 9:25 a.m. Overview of the Colorado Open Records Act, Ethics Disclosures, Public Meeting Reminder and Media Engagement**  
Kathleen Kelly, Louisville City Attorney
- 9:40 a.m. Overview of City Council Approved EDI Task Force Resolution and Scope of Work for Louisville's EDI Agenda**  
Megan Davis, Deputy City Manager

- 9:50 a.m.      Group Agreements and Brave Space Poem**  
Emily Shamsid-Deen, Principal, ESD Consulting
- 10:00 a.m.      Working Session/Break-Outs: Brainstorm Potential Focus Group Topics**  
Anthony E. Graves, Principal GRAVES CIVIC SOLUTIONS  
Emily Shamsid-Deen, Principal, ESD Consulting
- 10:20 a.m.      Debrief and Vote on Suggested Focus Group Priorities**  
Anthony E. Graves, Principal GRAVES CIVIC SOLUTIONS  
Emily Shamsid-Deen, Principal, ESD Consulting
- 10:25 a.m.      Public Comment (comments limited to 3 minutes each)**  
Anthony E. Graves, Principal GRAVES CIVIC SOLUTIONS
- 10:30 a.m.      Adjourn**

May 17, 2021

Louisville EDI Task Force Members,

On behalf of the City of Louisville, it is my pleasure to welcome you to the Louisville Equity, Diversity, and Inclusion (EDI) Task Force. You have been appointed by the Louisville City Council to serve on the 11 member EDI Task Force through December of 2021 where you will provide advisory recommendations to the City Council with respect to community issues affecting Black, Indigenous, and People of Color (BIPOC), and other marginalized communities.

The City of Louisville has selected a skilled consulting team to lead this effort and facilitate the work of the task force; channeling your voices and organizing community feedback for consideration and action by the Louisville City Council. Anthony E. Graves of GRAVES CIVIC SOLUTIONS and Emily Shamsid-Deen of ESD Consulting, will be your primary points of contact going forward through the end of your work in December 2021 and will be your liaisons to the City Council. You can reach Anthony and Emily at [gravescivicsolutions@gmail.com](mailto:gravescivicsolutions@gmail.com).

You will also be supported by members of our staff including City Manager Heather Balsler and Deputy City Manager Megan Davis. A list of all parties appointed to the task force and those selected to advise and support your work are listed below.

Louisville EDI Task Force Members:

- Barr, Stephanie
- Commins, Nancy
- Duke, Y'Anique
- Estevez, Francisco
- Follmar, Jojo
- Gee, Grace
- Hashim, Hazleena
- Heins, Devanand
- Reeves, Ronald
- Terada, Lyanne
- Yu, Lu

Consulting Team:

- Anthony E. Graves, Principal, GRAVES CIVIC SOLUTIONS

749 Main Street | Louisville CO 80027  
303.335.4536 (phone) | 303.335.4550 (fax)  
[www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)

- Emily Shamsid-Deen, Principal, ESD Consulting
- Supporting Interns:
  - Lester Shih
  - Grace Stoughton
  - Monica Lubin

Louisville Supporting Staff:

- City Manager Heather Balsler
- Deputy City Manager Davis

Finally, if you are contacted by media or receive requests for an official statement from the Louisville EDI Task Force, you can direct those inquiries to our City Manager Heather Balsler at [heatherb@louisvilleco.gov](mailto:heatherb@louisvilleco.gov).

Thank you for volunteering your time and talents to support the EDI Task Force. Your insight and commitment will be essential in exploring ways to create a more equitable, inclusive, and accessible city for Black, Indigenous, and People of Color (BIPOC) and other marginalized communities.

Sincerely,

Ashley Stolzmann  
Mayor

## **Overview of the Equity, Diversity, and Inclusion (EDI) Task Force**

A core value of the City of Louisville is Respect, which means treating all people with care and consideration. The City strives to create an anti-racist, inclusive environment that is welcoming to all members of the community.

### **History of the EDI Task Force**

In June 2020, the Louisville City Council expressed strong interest in addressing community concerns about issues of equity, diversity, and inclusion (“EDI”), and organized listening sessions that were held in August and September with the assistance of a consultant for the City Council to gain initial input from members of the community. These community conversations demonstrated that there is interest on the part of Louisville residents and others to address EDI issues.

City Council found there is a need for a community-based effort to move from introducing hard conversations about EDI issues to having courageous conversations about which issues are most important and what the City can and should do to address them based on fuller information about the concerns, ideas, and expectations of the community, especially residents who are Black, Indigenous, people of color or other racially diverse business owners, workers, and consumers.

### **Charter of EDI Task Force**

On January 19, 2021, City Council established an Equity, Diversity, and Inclusion Task Force to provide advisory recommendations to the City Council with respect to community issues affecting Black, Indigenous, people of color, and people with other diverse backgrounds.

The Equity, Diversity, and Inclusion Task Force will consist of 11 members that include City residents and nonresidents, homeowners and renters, business owners, Black, Indigenous, or other racially diverse business owners located within or outside the City, employees from various industry sectors within the City, community activists and leaders, and youth and those who work with youth. The Task Force membership will represent diverse backgrounds and experiences, including race, gender, age, nationality, religion, economic and other diverse perspectives. Historically marginalized and underrepresented groups are especially vital for this community discussion.

### **Goal of EDI Task Force**

749 Main Street | Louisville CO 80027  
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The Task Force shall identify areas of concern about EDI issues, prioritize the most crucial ones the City can affect through its policy choices and offerings, and establish goals, objectives, and suggestions for addressing the identified issues.

### **Responsibilities**

1. Set topics for focus groups to gather community input on the BIPOC experience in Louisville and other marginalized communities
2. Based on community feedback, identify what EDI issues are most important to address to make Louisville a more welcoming place for people of any race, background, gender identity, nationality, religion, or economic status to live, visit, shop, use City services, and/or work; such as land use, transportation, and business-related issues (e.g., attraction, development, and retention of racially diverse business owners; procurement; and patronage of Louisville businesses), etc.
3. Develop discrete written short-term and long-term recommendations to identify the following, focusing on community aspects of EDI versus the internal organizational operations of the City:
  - a. The four to five most important areas of concern about EDI the City Council should address.
  - b. The goals and objectives the City Council should seek to achieve in each of these areas of concern.
  - c. Some short-term and long-term tactics or approaches the City Council should consider in meeting these goals and objectives.
  - d. Identify opportunities for community enrichment, engagement, and education.
  - e. Provide monthly updates to the City Council as to the Task Force's activities and planned next steps.

The City understands a commitment to equity, diversity and inclusion will require a long-term, focused effort and is receptive to expertise and knowledge in the implementation of the Task Force and its goals as defined above.

### **EDI Task Force Requirements**

1. Attend regularly scheduled meetings virtually
2. Maintain a respectful and professional decorum at all times
3. Obtain feedback from the community

### **EDI Task Force Meetings & General Timeline**

The Task Force will commence in May 2021 and has been authorized by City Council through December 2021. Members will be expected to serve for the duration of the Task Force.

Meetings will be held once a month, starting in May through December 2021.

For the foreseeable future, the Task Force will meet online through Zoom meetings. The City will accommodate any Task Force members who do not have technology for online meetings. A detailed meeting schedule is included in the onboarding packet.

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## Diversity, Equity, and Inclusion Definitions: Building Shared Language

**Diversity:** The presence of differences that may include national origin, race, ethnicity, languages, cultures, age, religion, class, gender, sexual orientation, disability. Often applied to populations that have been-and remain- underrepresented among practitioners in the field and marginalized in the broader society.

**Equity:** Is promoting justice, impartiality, and fairness within the procedures, processes, and distribution of resources by institutions or systems. Tackling equity issues requires an understanding of root causes of outcome disparities within our society.

**Inclusion:** Is an outcome to ensure those that are diverse feel and/or are welcomed. Inclusion outcomes are met when you, your institution, and your program are truly inviting to all. To the degree to which diverse individuals are able to participate fully in the decision-making processes and development opportunities within an organization or group.

**Antiracism:** The process of actively identifying and opposing racism. Antiracism is about understanding that to create change for racial equity, people have to take an active stance to combat racism. The goal is to challenge racism and actively change the policies, behaviors, and beliefs that perpetuate racist ideas and actions.

### Levels of Racism:

- **Personal Racism:** The racism that lies within an individual and includes people's private beliefs and biases about race and racism, influenced by our culture. EX: Prejudice against other races, internalized privilege, white entitlement mindset, etc.
- **Interpersonal Racism:** The bias that occurs when individuals interact with others and their personal racial beliefs affect their public interactions. EX: Calling BIPOC individuals racial slurs, racially based violence, etc.
- **Institutional Racism:** The racism that occurs within institutions and systems of power. Refers to the unfair policies and discriminatory practices of particular institutions (school, workplaces, etc.) that routinely produce racially inequitable outcomes for

people of color and advantages for white people. EX: Jim Crow Laws, Indian Removal Act of 1830, Chinese Exclusion Act of 1882, etc.

- **Structural Racism:** The racial bias among institutions and across society. Involves the cumulative and compounding effects of an array of societal factors, including the history, culture, ideology, and interactions of institutions and policies that systematically privilege white people and disadvantage BIPOC people. EX: Segregation of communities of color from access to opportunities, difficulties for BIPOC people to secure career and education, unequal treatment in the criminal justice system, etc.
- **Systemic Racism:** Racism that is expressed in policies, procedures, and processes across economic, social, and political institutions that discriminate, oppress, exclude, harm people of color. EX: Lack of access to food and housing, increased chance of being incarcerated, increased exposure to hazardous living conditions, etc.

**Gender Pronouns:** A gender pronoun is the pronoun that a person chooses for themselves. They are the pronouns to be used when referring to that person in sentences and conversation. It is important that people refer to others by their specific pronouns in order to show respect to the individual while also promoting an inclusive environment.

- Use of Pronouns: Gender pronouns can look like but are not limited to:
  - he/him/his (masculine pronouns)
  - she/her/hers (feminine pronouns)
  - they/them/theirs (neutral pronouns)
  - ze/zir/zirs (neutral pronouns)
  - ze/hir/hirs (neutral pronouns)

#### References:

- <https://dei.extension.org/>
- <https://www.verywellmind.com/what-is-anti-racism-5071426>
- <https://www.urban.org/features/structural-racism-america>
- <https://theconversation.com/explainer-what-is-systemic-racism-and-institutional-racism-131152>
- <https://www.cacgrants.org/assets/ce/Documents/2019/FourLevelsOfRacism.pdf>
- <https://www1.nyc.gov/assets/hra/downloads/pdf/services/lgbtqi/Gender%20Pronouns%20final%20draft%2010.23.17.pdf>



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## Preparing for EDI Task Force Meetings

There will be a tight agenda for each of the EDI Task Force meetings so it's important that all members arrive on time and are ready to engage. We hope these tips below will help you prepare so we can make the most out of our time together. **Please plan to log in 5 minutes before the start time to ensure that your connection is good and you're ready to start promptly at 9am.**

### HOUSEKEEPING ITEMS

- ZOOM:** An invitation will be sent out to you a few days prior.
- NAME:** Once you are logged in, please update your name to whatever name you prefer being called by and add your pronouns. You can do this by clicking on the three dots in the top right corner of your video screen.
- WIFI:** Please ensure you have sufficient access to Wi-Fi. See the accommodations and accessibility handout if you need access to the internet.
- OFFICE:** Please find a quiet space where you can work undisturbed, although we understand that this is not always possible or realistic.
- BEVERAGE:** Meeting agendas will be full and there will be no time for formal breaks. Please be sure to have any beverages and/or snacks prepared ahead of time so you can participate. If you would like to have a snack delivered to you for meetings, please complete the accommodations and accessibility form.
- PHONES:** Please turn your phone on vibrate and engage for urgent matters only.

### MEETING PREPARATION

- VIDEO:** Grab headphones and be prepared to be on video, if possible. You can always turn on the virtual background option as well. You can find more info [HERE](#) on how to add a virtual background. **We respect your privacy and comfort level with being on camera.** However, building relationships with each other is an important element to this work and if we cannot yet be together in person, being together on video is our next best option.
- PRE-WORK:** Please come prepared and ready to engage in meaningful discussion. This includes doing any pre-reading, reviewing of documents, etc. before the meetings.

## **TIMELY COMMUNICATION**

The EDI Task Force has a tight timeline to complete its goal. This requires everyone involved to respond to emails and requests in a timely manner. GRAVES CIVIC SOLUTIONS and ESD Consulting commit to responding to all Task Force members inquiries within 48 hours.

## Louisville EDI Task Force: Meeting Schedule

### **DRAFT\_5\_13\_21**

Please note that this may be subject to change.

<b>Thursday, May 20<sup>th</sup></b> <b>@ 9:00 a.m. – 10:30 a.m.</b> Via Zoom	<b>1<sup>st</sup> EDI Task Force Meeting</b> Orientation, introductions, Task Force agreements
<b>Wednesday, June 23<sup>rd</sup></b> <b>@ 9:00 a.m. – 10:30 a.m.</b> Via Zoom	<b>2<sup>nd</sup> EDI Task Force Meeting</b> Identify focus group topics & possible participants
<b>Thursday, July 15<sup>th</sup></b> <b>@ 9:00 a.m. – 12:00 p.m.</b> (Consulting Team Activity: No Task Force Meeting)	<b>Focus Groups, Round 1</b>
<b>Tuesday, July 20<sup>th</sup></b> <b>@ 9:00 a.m. – 12:00 p.m., 1:00 p.m. – 3:00 p.m.</b> (Consulting Team Activity: No Task Force Meeting)	<b>Focus Groups, Round 2</b>
<b>Thursday, July 29<sup>th</sup></b> <b>@ 9:00 a.m. – 10:30 a.m.</b> Via Zoom	<b>3<sup>rd</sup> EDI Task Force Meeting</b> High-level review of focus group themes
<b>Thursday, August 19<sup>th</sup></b> <b>@ 9:00 a.m. – 10:30 a.m.</b> Via Zoom	<b>4<sup>th</sup> EDI Task Force Meeting</b> Review report Summary, rank priorities
<b>Thursday, September 23<sup>rd</sup></b> <b>@ 9:00 a.m. – 10:30 a.m.</b> Via Zoom	<b>5<sup>th</sup> EDI Task Force Meeting</b> Review draft City Council report for feedback
<b>Thursday, October 28<sup>th</sup></b> <b>@ 9:00 a.m. – 10:30 a.m.</b> Via Zoom	<b>6<sup>th</sup> EDI Task Force Meeting</b> Present Council Presentation and final report for approval
<b>Monday, November 1<sup>st</sup></b> <b>@ 6:00 p.m. – 9:00 p.m.</b> Via Zoom	<b>Present Report to Louisville City Council</b>

## **What You Should Know About Serving on a City Task Force**

Serving on a City designated committee has a unique set of rules that must be adhered to help build public trust and accountability. Below are a few key rules you should be aware of as you begin your tenure as a member of the EDI Task Force. During the first Task Force meeting, we will be joined by the City Attorney who will explain these rules in more depth and Task Force members will have an opportunity to ask questions for clarification.

- If more than 2 members of the task force decide to meet “to discuss task force business” that is considered an official meeting and it has to be noticed and open to the public. You should not meet privately with more than 2 members of the task force outside of the official scheduled meetings to discuss the business of the task force.
- Email is considered an official meeting if more than 2 members are having a conversation. Members should only communicate through the Consulting team (GRAVES CIVIC SOLUTION and ESD Consulting, via the email address [gravescivicsolutions@gmail.com](mailto:gravescivicsolutions@gmail.com)). Note: Under the Colorado Open Records Act (CORA) all email correspondence pertaining to the EDI Task Force could potentially be made public or be cited by the media.
- If you send an email related to the EDI Task Force, assume it is public.
- The Task Force cannot have substantive discussion of anything that is NOT on the agenda. Further, items cannot be added to the agenda at the meeting. The Consulting Team must craft the meeting agendas in advance of each meeting.
- The agenda and meeting packet must be posted to the City of Louisville’s website at least 72 hours in advance of any meeting.
- Public comment must be allowed at each task force meeting. Public comment can be limited to three minutes per person.



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### **Louisville EDI Task Force: Participation/ Accessibility Requests**

It is a priority for the City of Louisville to provide necessary accommodations that will allow EDI Task Force members to fully participate in all Task Force meetings. We recognize the historic and systemic barriers that exist for marginalized communities to participate fully in voluntary efforts like this and we are committed to providing the resources necessary to ensure your full participation. Please complete the accommodation form below (all services are FREE of charge):

**Name:** \_\_\_\_\_ **Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

***To fully participate in Task Force meetings, I need the following (check all that apply):***

- American Sign Language (ASL) Translation
  
- Interpretation in a language other than English. Language: \_\_\_\_\_
  
- Internet hot spot (Accessible at the Louisville Recreation Center)
  
- Wheelchair Access or Wheelchair Accessible Tables (If using the recreation center)
  
- Accommodation of my service animal (If using the recreation center)
  
- Assistive Listening Device
  
- Laptop or web accessible device to use the internet
  
- Closed captions on Zoom during the meeting
  
- Childcare (Accessible at the Louisville Recreation Center)  
If you need childcare, please list the number of children and their ages below:  
\_\_\_\_\_
  
- Snacks or Food Support During Meetings (If you check this box, the City of Louisville will contact you to arrange delivery of snacks or a meal during the meeting.)
  
- Other accommodations needed: \_\_\_\_\_

## **Louisville EDI Task Force: Group Agreements**

1. Make space/ Take space
2. Avoid generalizations, speak from the “I” perspective
3. Listen to Understand, not respond (Active Listening)
4. One person, one mic
5. Respect lived experience
6. Be ok with discomfort
7. Honor intent, Own impact
8. Respect Confidentiality



## AN INVITATION TO BRAVE SPACE



Together we will create *brave space*  
Because there is no such thing as a “safe space” —  
We exist in the real world  
We all carry scars and we have all caused wounds.  
In this space  
We seek to turn down the volume of the outside world,  
We amplify voices that fight to be heard elsewhere,  
We call each other to more truth and love  
We have the right to start somewhere and continue to grow.  
We have the responsibility to examine what we think we  
know.  
We will not be perfect.  
This space will not be perfect.  
It will not always be what we wish it to be  
But  
It will be *our brave space together,*  
*and*  
*We will work on it side by side.*

by Micky ScottBey Jones

## Louisville EDI Task Force: CONSULTING TEAM BIOS



**Anthony E. Graves, Principal, GRAVES CIVIC SOLUTIONS**  
(He/Him)

Anthony E. Graves is a public affairs, economic development, and DEI consultant with more than 20 years of experience creating strategies to help organizations enhance their relationships with critical stakeholders, build a positive community brand, and advance diversity, equity, and inclusion. An exceptional facilitator, Anthony has been recognized across numerous sectors for his ability to bring diverse audiences together to resolve complicated issues and create systems to foster equity.

Anthony acts as a conduit between local governments, communities, the non-profit and private sectors, and special interest groups. He is regularly sought after to provide counsel on public engagement and equity strategies for global events like Denver's bids for the 2026/2030 Winter Olympic and Paralympic Games, and the 2026 World Cup. During his seven-year term as a mayoral-appointed executive in the City and County of Denver, Anthony was part of the team that helped to preside over the city during an unprecedented period of growth and economic expansion prior to the Coronavirus pandemic. As a former city leader in a large municipal government, he has worked with every function of city government from public works and parks, to the police and arts and culture organizations.

Anthony also managed external affairs for economic development for Denver and supported the Mayor's Race and Social Justice Initiative that led city-wide diversity, equity and inclusion planning for over 13,000 employees across all city agencies. Under this initiative, he led the economic equity agenda for the city – where he created an Equity Diversity Inclusion (EDI) team that managed programming, training, employee engagement, supplier diversity, key performance indicators and change management for the economic development agency. Anthony received formal training on Diversity, Equity, and Inclusion through the Government Alliance on Racial Equity (GARE). GARE's training prioritizes an understanding of the history of institutional and structural racism in the U.S. and empowers city leaders to affect personal and systemic change. Anthony also has extensive experience working on broader human rights issues and policies that affect all communities, including women, the GLBTQ+ community, seniors, the disability community, immigrants, refugees, and people experiencing homelessness.

A life-long-learner, Anthony earned an MBA in International Business from the Daniels College of Business at the University of Denver, a BA in History from DePauw University in Greencastle, IN and a Certificate in Economic Development from the Oklahoma University Economic Development Institute (OU EDI).





**Emily Shamsid-Deen, ESD Consulting**  
(She/Her)

Emily is the Owner and Principal of ESD Consulting, which provides facilitation and consultation services to help organizations create equity-based, values driven change through transformational leadership practices. ESD Consulting focuses on racial equity training and consultation services and organizational development which includes strategic planning, leadership coaching, meeting facilitation, and professional development training.

Emily brings over 17 years of experience in nonprofit management and has worked in the areas of leadership development, advocacy, nonprofit capacity building, domestic violence, disease prevention, and community engagement. In all these roles, diversity, equity, and inclusion were at the center of her approach and analysis. Emily's career has been spent committed to—and has primarily worked with—disfranchised and marginalized communities. Emily also taught as an Adjunct Faculty member at the University of Denver in the Graduate School of Social Work teaching social welfare policy analysis and practice. Regardless of her role, Emily approaches all her work with a social justice framework.

Emily has helped develop and manage complex programs including a statewide nonpartisan voter registration drive for nonprofits and a statewide progressive leadership development program for individuals committed to advancing social justice issues. Emily has also been part of an Integration Team for the merger of two national nonprofits; she helped create a new organizational culture, opened new lines of communication, assessed programmatic alignment, and created new systems to help staff with the adjustment.

Emily is known for dynamic and thoughtful facilitation from strategic planning to racial equity. Emily has overseen training programs for numerous organizations and has experience training a diverse range of communities and organizational stakeholders from community members, and nonprofit staff to board members. Emily designs her trainings to engage different learning styles and leans on methods of adult learning theory to create an interactive experience that honors knowledge in the room and leverages opportunities for growth. Emily holds a Bachelor of Arts degree in Political Science and Black Studies and a Master's Degree in Nonprofit Management with a Certificate in Program Development & Evaluation.



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## ***Electronic Meeting Best Practices***

The City of Louisville understands public participation is an essential element of our representative form of government. In this time of Covid-19 and our need for electronic meetings, staff is providing these best practices to promote effective participation from City officials, advisory board members, staff, and members of the public.

The following principals should be the guidance for electronic meetings:

- All electronic meetings will be open to the public and provide the ability for interested members to BOTH hear the discussion clearly and give public comments at the appropriate time.
- If at any point the Council/board chair or staff determines an electronic meeting is failing to be transparent due to technical issues, the meeting should be ended and postponed to a time when those issues can be resolved.
- All notice requirements in the City's Charter and State statute still apply for electronic meetings.

### ***General Meeting Process***

- The City is using Zoom Webinar for electronic meetings.
- Council/board members and staff will be "Panelists" with full control of their electronic actions and screens; members of the public are listed as "Attendees" and will be unmuted to speak during designated public comment times.
- Staff will host the meeting for the Council/board and in that role can mute and unmute public attendees for public comments. Staff will also record the meeting.
- Council/board members should give themselves plenty of time to log in and make sure all of their hardware is working appropriately.
- Council/board members should test both their video and audio capabilities prior to their first electronic meeting. If you have technical problems, please contact your staff liaison who will put you in touch with IT for additional help.

### **Immediately Prior to the Meeting**

- Staff will provide a screen to put up prior to the meeting describing how the meeting will run



## **ELECTRONIC MEETING PROCEDURES**

### **WELCOME TO THE MEETING**

- All Board members will be on video
- Board members and staff will be asked to click “raise hand” when they wish to speak.
- The Chair will call on individuals to speak.
- Board members and staff are asked to keep their microphones muted until called upon.
- Members of the public will be muted during presentations and Board discussion

### **PUBLIC PARTICIPATION**

- The public may join the meeting from a computer or dial-in by phone. All public members are muted upon entry
- To make a comment during public comment segments
  - *By computer: click the “raise hand” icon.* It is in the control panel at the bottom of the zoom screen (you may have to hover over that area to see it)
  - *By phone: hit \*9 to “raise your hand”*
- The Chair will call on those with raised hands individually. You will be unmuted when called upon.
- Speakers are limited to three minutes.

- Items on the agenda should not be discussed before the meeting starts.
- Council/board members should remember the public is listening at all times (including prior to the meeting and after the meeting); please speak appropriately.

### **During the meeting**

- Council/board members should leave their video on during the meeting.
- Council/board members should keep themselves muted until they are called upon by the Chair.
- Members should use the “raise hand” button when they wish to speak and wait for the Chair to call on them.
- An on screen timer should be used for public comments so to be consistent for all speakers.
- The Council/board will take a roll call vote for all items on the agenda.

- At the start of the meeting the Chair will read a script describing how the public may participate:

*Thank you for all joining the DATE Louisville \_\_\_\_\_ Meeting. I am Chair \_\_\_\_\_ . Because of COVID 19, this meeting is being held electronically and is being recorded.*

*All Attendees will show up in the Attendee panel for us to see. Attendees are muted unless called upon to speak during public comments.*

*To request permission to speak, an Attendee must raise their hand by clicking on the "Raise Hand" button at the bottom of the screen. Attendees calling in may enter \*9 on your phone and a raised hand will appear on your behalf.*

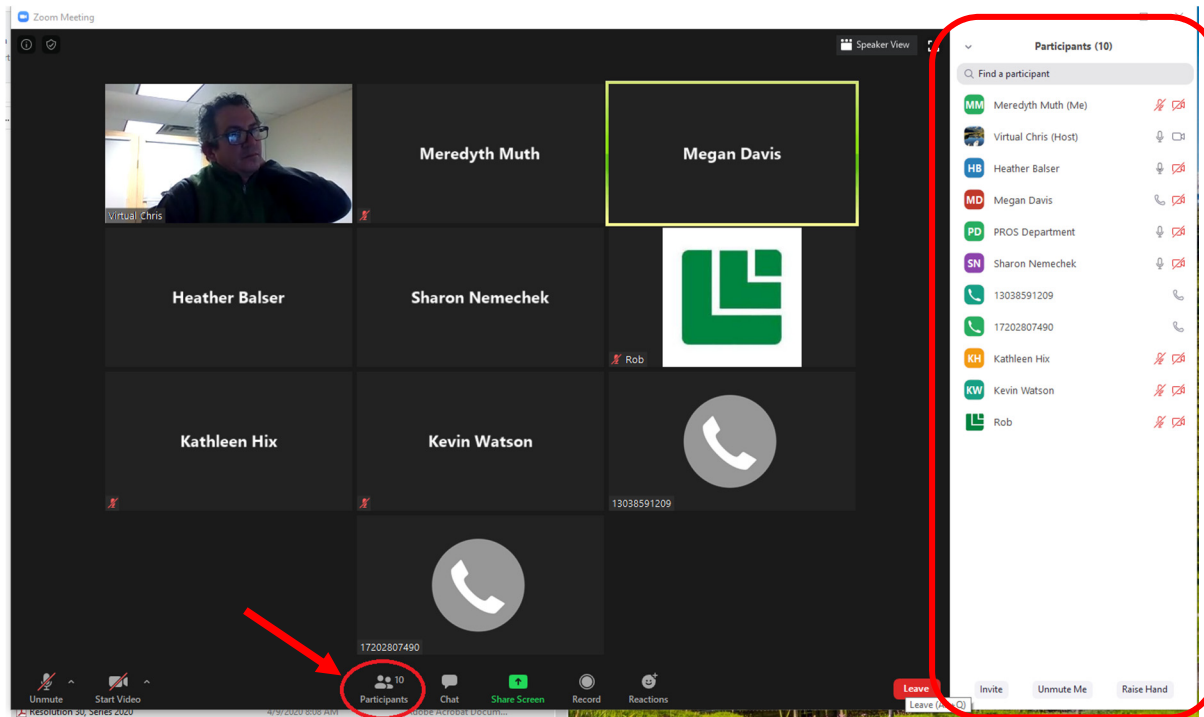
*When I acknowledge a member of the public and you have been unmuted please first state your name and address and then you will have three minutes to speak. If you wish to speak on another topic you will need to raise your hand again.*

*Thank you for following these directions and maintaining meeting decorum.*

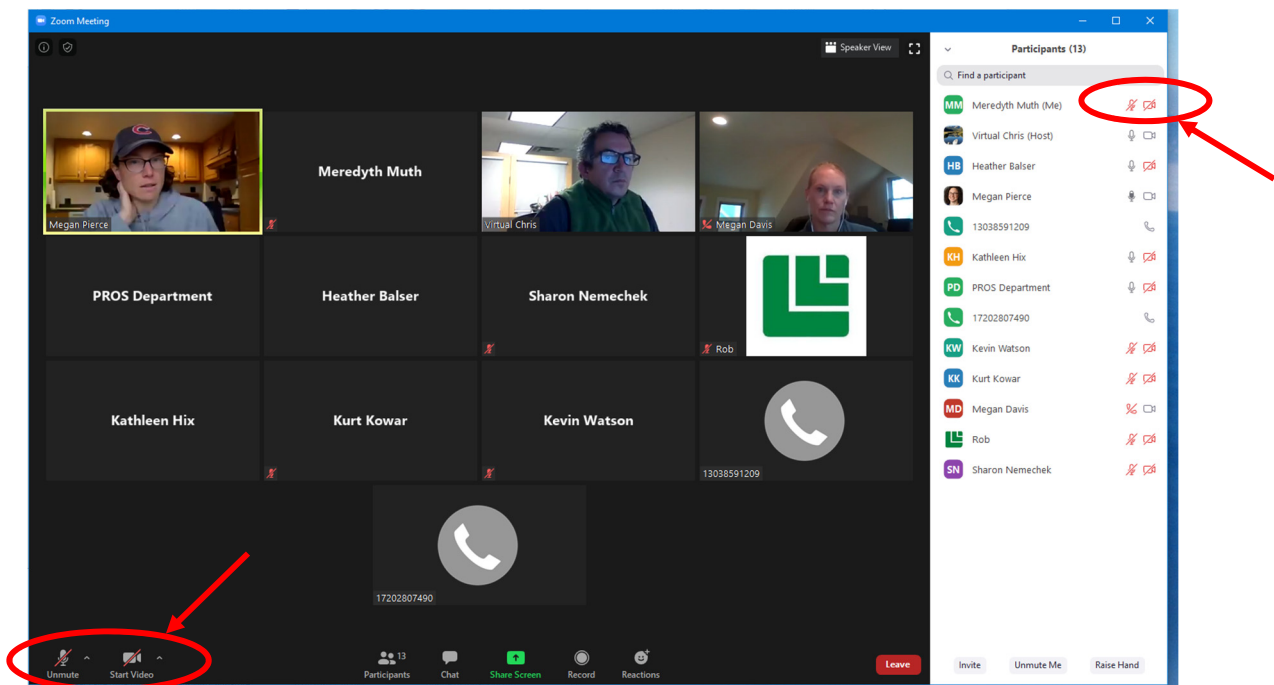
## HOW DO I NAVIGATE IN ZOOM?

**MEETING CONTROLS** – The meeting controls will show up when you hover over them at the bottom of the Zoom screen with your mouse. Alternatively, you can press ALT to show and hide meeting controls.

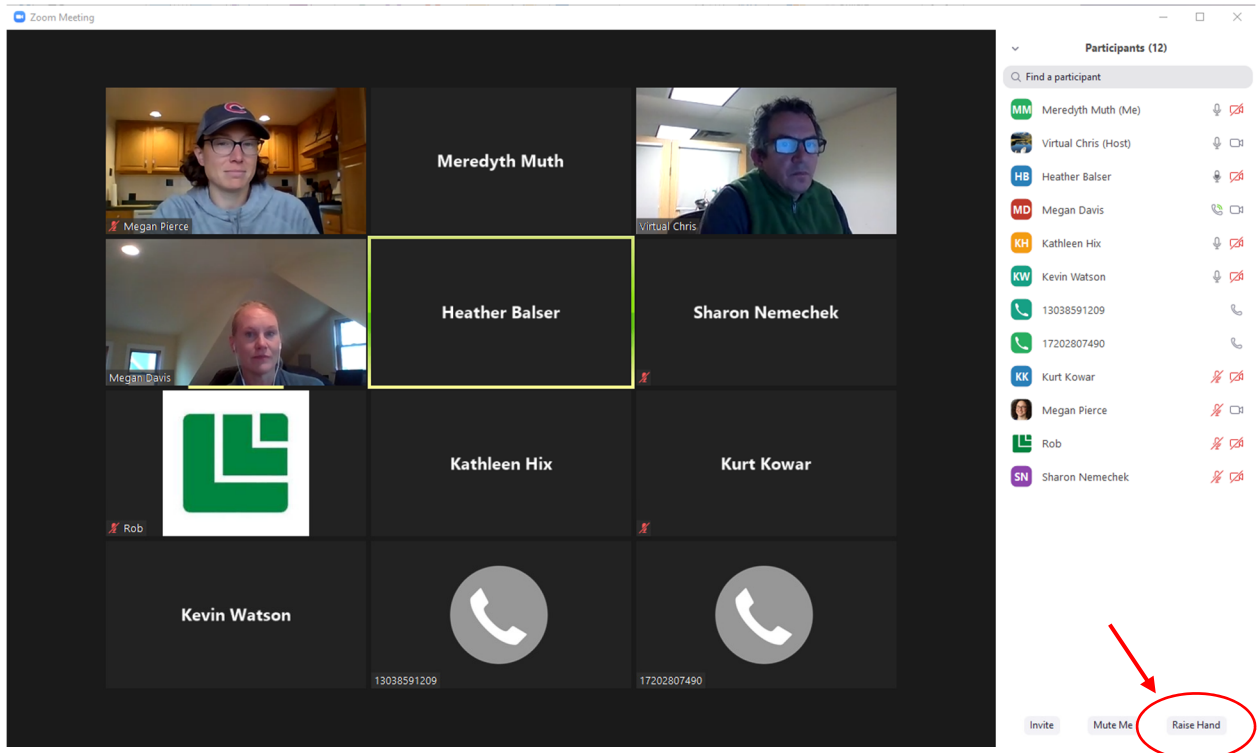
**PARTICIPANT PANEL** – The Participant panel will show you who is in the meeting. To turn it on, click on the Participants button at the bottom of your screen.



**MUTE/UNMUTE AND VIDEO ON/OFF** – You can choose mute/unmute and video on/off on the lower left of the Zoom screen or by your name in the Participant panel.



**HOW DO I “RAISE MY HAND?”** – The raise hand button is on the bottom of the Participant Panel.

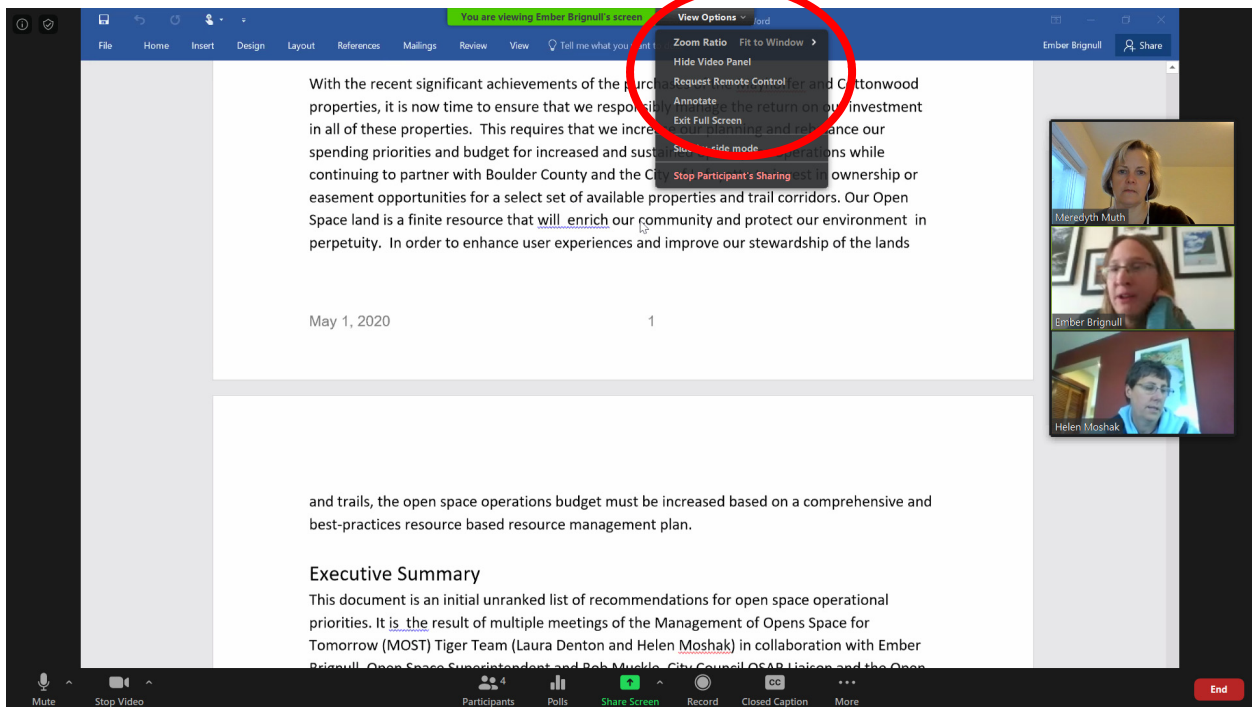


will appear next to your name and the button will change to Lower Hand.

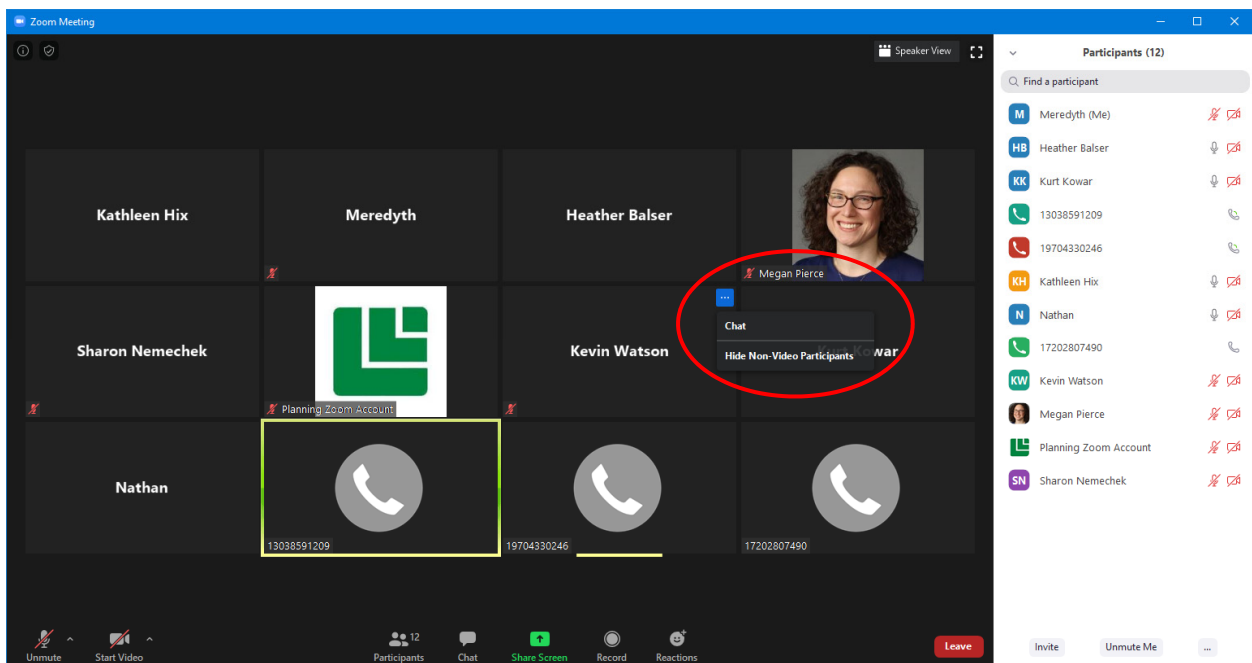


## HOW CAN I SEE THE PARTICIPANT PANEL WHILE SOMEONE IS SHARING THEIR SCREEN?

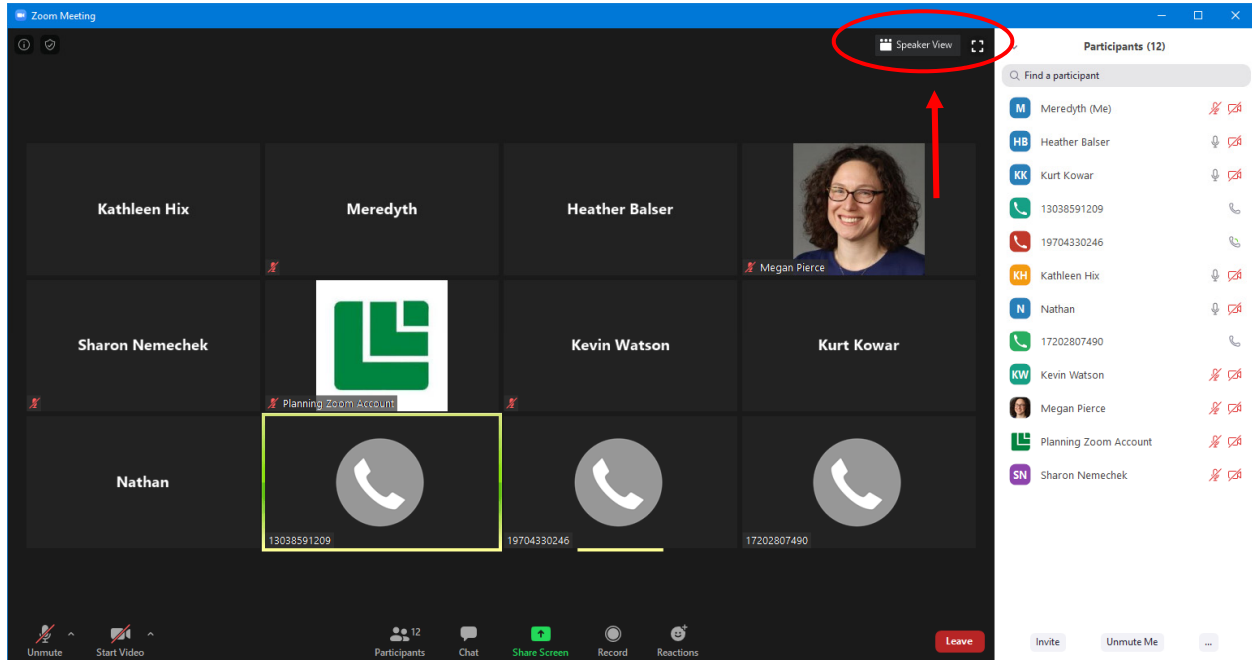
Click on the Participants button at the bottom of the Zoom panel and a separate Participants panel will be opened. Or, you can click 'View Options' at the top of your screen and click "Exit Full Screen" to return to a side by side panel view.




**CAN I HIDE NON VIDEO PARTICIPANTS?** – You can hide those not participating by video by hovering over the ellipses in the upper right part of the name box and selecting that option.

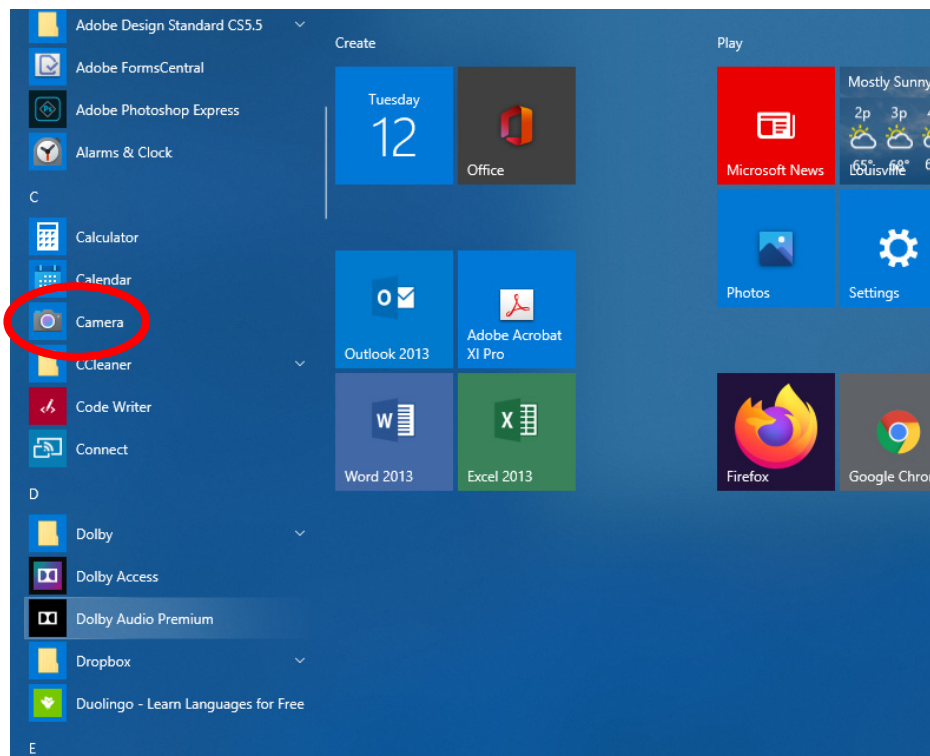


**CAN I SWITCH FROM SPEAKER VIEW TO GALLERY VIEW?** – Click on the text in the upper right of the black screen to toggle back and forth in those views.



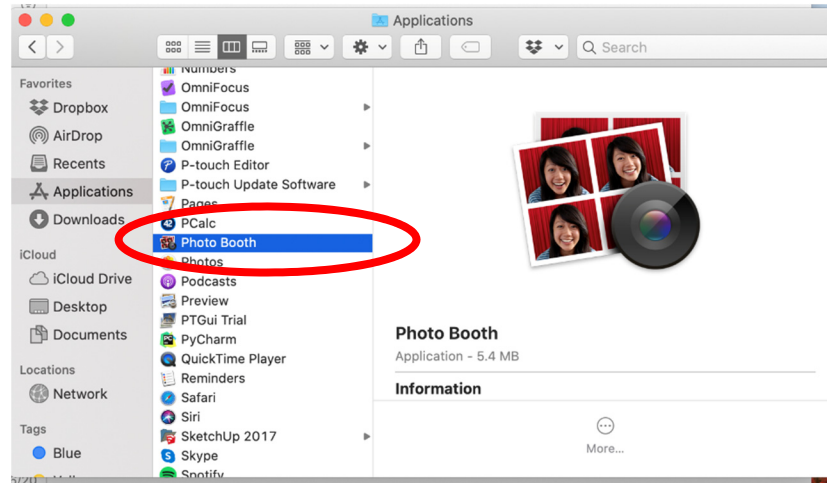
**HOW DO I TEST MY CAMERA?** YOU MAY NEED TO SPECIFICALLY ALLOW ZOOM TO ACCESS YOUR CAMERA AND MICROPHONE. Zoom may ask you for access when you open the app. For more detailed information based on your specific computer, please contact your staff liaison who can get you help from the IT Department.

For Windows: Click the  Start button in the lower left corner and look for the Camera app.





For Mac OS: Click the Finder button and go to Applications. Click on the Photo Booth App.



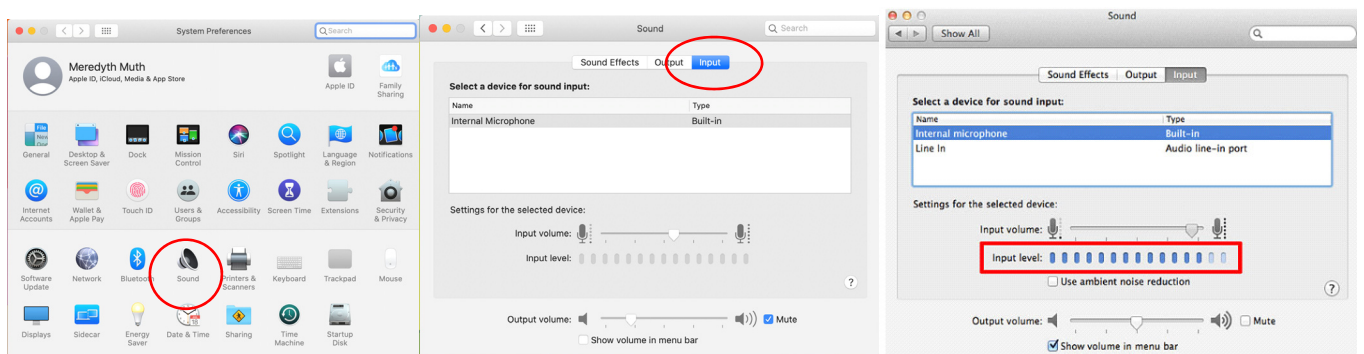
## HOW DO I TEST MY MICROPHONE?

For Windows: Click the Start button in the lower left corner and go to settings.

To test a microphone that has already been installed:

1. Make sure your microphone is connected to your PC.
2. Select Start > Settings > System > Sound.
3. In Sound settings, go to Input > Test your microphone and look for the blue bar that rises and falls as you speak into your microphone. If the bar is moving, your microphone is working properly.
4. If you aren't seeing the bar move, select Troubleshoot to fix your microphone.

For Mac OS: Click the Apple in the upper left corner and pick System Preferences. Click the Sound icon and make choose input.



**TROUBLESHOOTING DURING A MEETING** – What do I do if my video/audio freezes; What do I do if I have a poor Wi-Fi connection; What if I am the only one who can't hear other people?

These are all likely to be very specific to your computer and your internet set up, but a couple of things to try would be:

- Check your internet/Wi-Fi connection
- Utilize phone audio, turn off the audio on your computer and call in on your phone for the audio
- Restart/re-login
- Turn off video momentarily to see if the audio improves
- We hear Zoom does not interact well with some VPN systems. You might try turning off your VPN or using a computer not attached to the VPN.

# City of Louisville

## Open Government & Ethics Pamphlet

### 2021



City Clerk's Office  
749 Main Street  
Louisville CO 80027

[www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)  
303.335.4536

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## Participation in Government

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

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

#### City Council Meetings:

- Regular meetings are generally held on the first and third Tuesdays of each month at 6:00 PM in the City Council Chambers, located on the second floor of City Hall, 749 Main Street;
- Study sessions are generally held on the second and fourth Tuesdays of each month at 6:00 PM in the Library Meeting Room, located on the first floor of the Library, 951 Spruce Street;
- Regular meetings are broadcast live on Comcast Cable Channel 8 and are available on demand on the City's website the morning following the meeting;
- Special meetings may be held occasionally on specific topics. Agendas are posted a minimum of 48 hours prior to the meeting;
- Under specific circumstances the Council may meet electronically; public participation is available via computer or phone for electronic meetings.

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

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

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

- Louisville Public Library Reference Area, 951 Spruce Street,
- City Clerk's Office, City Hall, 749 Main Street,
- City website at [www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)

You may receive eNotifications of City Council news as well as meeting agendas and summaries of City Council actions by registering for eNotifications on the City's web site at [www.LouisvilleCO.gov](http://www.LouisvilleCO.gov).

Meeting minutes of all regular and special meetings are available in the City Clerk's office and on the City's website ([www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)) once they are approved.

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

### Communicating Directly with the Mayor and City Council Members

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

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

### Mayor or City Council Elections

City Council members are elected from three Wards within the City and serve staggered four-year terms. There are two Council representatives from each ward. The mayor is elected at-large and serves a four-year term. City Council elections are held in November of odd-numbered years. For information about City elections, including running for City Council, please contact the City Clerk's Office, City Hall, 749 Main Street, or call 303.335.4536.

### Serving as an Appointed Member on a City Board or Commission

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

- Board of Adjustment
- Building Code Board of Appeals
- Cultural Council
- Historic Preservation Commission
- Historical Commission
- Library Board of Trustees
- Local Licensing Authority
- Open Space Advisory Board
- Parks & Public Landscaping Advisory Board

- Planning Commission
- Recreation Advisory Board
- Revitalization Commission
- Sustainability Advisory Board
- Youth Advisory Board

Information about boards, as well as meeting agendas and schedules for each board, is available on the City’s web-site ([www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)).

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

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

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

- Louisville Public Library Reference Area, 951 Spruce Street,
- City Clerk’s Office, City Hall, 749 Main Street
- City web site at [www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)

### **Planning Commission**

The Planning Commission evaluates land use proposals against zoning laws and holds public hearings as outlined in City codes. Following a public hearing, the Commission makes a recommendation of approval or denial to the City Council for all land use proposals.

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

### **Open Government Training**

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

## **Open Meetings**

The City follows the Colorado Open Meetings Law (“Sunshine Law”) as well as additional open meetings requirements found in the City’s Home Rule Charter. These rules and practices apply to the City Council and ap-

pointed Boards and Commissions (referred to as a “public bodies” for ease of reference). Important open meetings rules and practices include the following:

### **Regular Meetings**

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

All meetings of public bodies must be held in public buildings and public facilities accessible to all members of the public. Meetings may be held electronically under specific circumstances.

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

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

### **Study Sessions**

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

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

## **Executive Sessions**

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

### **Timing and Procedures**

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

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

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

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

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

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

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

### **Authorized Topics**

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

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

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

## **Ethics**

**E**thics are the foundation of good government. Louisville has adopted its own Code of Ethics, which is found in the City Charter and which applies to elected officials, public body members, and employees. The Louisville Code of Ethics applies in addition to any higher standards

in state law. Louisville's position on ethics is perhaps best summarized in the following statement taken from the City Charter:

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

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

### **Conflicts of Interest**

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

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

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

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

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

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

### **Contracts**

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

### **Gifts and Nepotism**

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

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

### **Other Ethics Rules of Interest**

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

### **Disclosure, Enforcement, and Advisory Opinions**

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

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

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

Citizens are encouraged to contact the City Clerk’s Office with any questions about the City’s Code of Ethics or to request a copy. A copy of the Code is also available at the City’s website ([www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)).



## Other Laws on Citizen Participation in Government

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

### Initiative and Referendum

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

### Public Hearings

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

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

liquor licenses. Anyone may provide comments during these hearings.

### Public Records

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

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

Many records, particularly those related to agenda items for City Council and current Board and Commission meetings, are available directly on the City's website ([www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)). In addition to posting agenda-related material, the City maintains a communication file (email) for the City Council which is available on the City's website ([www.LouisvilleCO.gov](http://www.LouisvilleCO.gov)).

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

Citizens are encouraged to review the City's website ([www.LouisvilleCo.gov](http://www.LouisvilleCo.gov)) for information, and to contact the City with any questions regarding City records.

## Public Involvement Policy

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

### Guiding Principles for Public Involvement

Inclusive not Exclusive - Everyone's participation is welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.

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

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

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

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

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

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

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

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

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

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

### **Roles and Responsibilities - City Council**

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

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

### **Roles and Responsibilities - City Staff and Advisory Boards**

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

- ensuring that decisions and recommendations reflect the needs and desires of the community as a

whole;

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

### **All Participants**

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

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

*Updated December 2020*

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

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

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

## ARTICLE 5

### ETHICS

#### **Section 5-6. Code of Ethics - Declaration of Purpose.**

- (a) Sections 5-6 through 5-17 shall be known as the Code of Ethics.
- (b) Those entrusted with positions in the City government must commit to adhering to the letter and spirit of the Code of Ethics. Only when the people are confident that those in positions of public responsibility are committed to high levels of ethical and moral conduct, will they have faith that their government is acting for the good of the public. This faith in the motives of officers, public body members, and employees is critical for a harmonious and trusting relationship between the City government and the people it serves.
- (c) While it is critical that persons holding positions in the City government follow both the letter and spirit of the Code of Ethics, it is equally important that they strive to avoid situations that may create public perceptions of violations of the Code of Ethics. Perceptions of such violations can have the same negative impacts on public trust as actual violations.
- (d) The Code of Ethics is intended to foster public trust by defining the parameters of honest government and by prohibiting the use of public office for private gain.
- (e) To the extent matters addressed in the Code of Ethics are also addressed in state or federal law, it is the intent of the Code of Ethics that the more restrictive provisions shall control.

#### **Section 5-7. Code of Ethics - Definitions.**

For purposes of the Code of Ethics only, the following words shall have the following meanings:

- (a) "Business entity" means:
- (1) Any corporation whether for profit or nonprofit, governmental entity, business, trust, limited liability company, partnership, association, or other legal entity; and
  - (2) Any other form of business, sole proprietorship, firm, or venture, carried on for profit.
- (b) "Contract" means any arrangement or agreement pursuant to which any material, service, or other thing of value is to be furnished for a valuable consideration or is to be sold or transferred.
- (c) "Domestic partnership" means an exclusive committed relationship between two (2) unmarried adult persons who are unrelated by blood, maintain a mutual residence, and share basic living expenses.

(d) "Interest" means a pecuniary, property, or commercial benefit, or any other benefit the primary significance of which is economic gain or the avoidance of economic loss, but does not include:

(1) Any matter in which a similar benefit is conferred to all persons or property similarly situated nor does it include the ownership or control of shares of stock; or

(2) Any beneficial interest in shares of stock, the aggregate amount of which constitutes one (1) percent or less of the shares of stock of the business entity then outstanding.

(e) "Official action" means any legislative, administrative, or quasi-judicial act of any officer, public body member, or employee, or of the City Council or any public body of the City.

(f) "Public body" means any board or commission, or any task force or committee, except any task force or committee for which the City Council determines, in the resolution establishing it, that Sections 5-6 through 5-17, or such portions thereof as selected by the Council, shall not apply because the public interest would be served by the participation of persons who would otherwise have an interest in the matters to be addressed by the task force or committee.

(g) "Relative" means any person related to an officer, public body member, or employee by blood, marriage, or domestic partnership, in any of the following degrees: parents, spouse, children, brothers, sisters, parents-in-law, nephews, nieces, aunts, uncles, first cousins, grandparents, grandchildren, and children-in-law. A separation between spouses shall not be deemed to terminate relationships described herein.

**Section 5-8. Code of Ethics - Related persons and entities; duration of interest.**

(a) An interest of the following persons and entities shall be deemed to constitute an interest of the officer, public body member, or employee for purposes of the requirements of Section 5-9 and Section 5-10:

(1) Any relative of the officer, public body member, or employee; or

(2) Any business entity in which the officer, public body member, or employee is an officer, director, employee, partner, principal, member, or owner (other than stockholder);

(3) Any business entity in which the officer, public body member, or employee owns or controls shares of stock, or any beneficial interest in shares of stock, the aggregate amount of which constitutes more than one (1) percent of the shares of stock of the business entity then outstanding; or

(4) Any business entity in which the officer is an officer, director, employee, partner, principal, member, or owner (other than stockholder), where the business entity is seeking to advance its financial benefit through an official action of the City, if the officer would be directly or indirectly involved in making the decision.

(b) For purposes of the Code of Ethics, participation in a stock mutual fund shall not be considered an interest in any business entity in which the mutual fund owns or controls shares of stock.

(c) For purposes of the Code of Ethics, the parties to a domestic partnership shall be treated as the equivalent of spouses, and the domestic partnership shall be treated as the equivalent of marriage.

(d) For purposes of the Code of Ethics, an officer shall be deemed to continue to have an interest in a business entity for a period of one (1) year after the officer's actual interest has ceased.

### **Section 5-9. Code of Ethics - Standards.**

(a) The following requirements shall constitute reasonable standards and guidelines for the ethical conduct of officers, public body members, and employees.

(b) No officer, public body member, or employee who has the power or duty to perform, or has any influence over, an official action related to a contract, shall:

(1) Have or acquire an interest in a contract between a business entity and the City, unless the City's procedures applicable to the solicitation and acceptance of such contract are followed and unless the officer, public body member, or employee has complied with the provisions of Section 5-10;

(2) Have an interest in any business entity which is a party to the contract with the City, unless the officer, public body member, or employee has complied with the provisions of Section 5-10;

(3) Represent or appear before the City Council, any public body, or any other officer, public body member, or employee, on behalf of any business entity which is a party to the contract with the City;

(4) Have solicited or accepted present or future employment with any business entity which is a party to a contract with the City, if the offer or acceptance of such employment is related to or results from any official action performed by the officer, public body member, or employee with regard to the contract; or

(5) Solicit, accept, or be granted a present or future gift, favor, discount, service or thing of value from or for any person involved in the contract. Nothing in this paragraph shall prohibit any officer, public body member, or employee from accepting an occasional nonpecuniary gift of fifteen dollars (\$15.00) or less in value, or from accepting an award, publicly presented, in recognition of public service. However, no officer, public

body member, or employee shall accept a nonpecuniary gift of any value if the gift is or may be in any way associated with a contract that is or may be one for which the officer, public body member, or employee has the power or duty to perform an official action.

(c) No officer, public body member, or employee shall be directly responsible for the hiring, appointment, retention, or supervision of, or influence or attempt to influence the hiring, appointment, supervision, or retention by the City of, any relative of the officer, public body member, or employee.

(d) No officer, public body member, or employee shall influence or attempt to influence the compensation, benefits, or other terms and conditions of City office or City employment applicable to a relative of the officer, public body member, or employee.

(e) No relative of an officer, public body member, or employee shall be hired as an employee unless the City's personnel procedures applicable to such employment have been followed.

(f) No officer, public body member, or employee shall use for personal or private gain, or for any other personal or private purposes, any information which is not available to the public and which is obtained by reason of his or her position with the City, or disclose any such information except as required by law or for City purposes.

(g) No employee shall engage in or accept any employment or service, other than employment by the City, if such employment or service reasonably would tend to impair the employee's independence of judgment in the performance of the employee's duties. This restriction shall not be construed to prohibit any other restrictions or prohibitions on outside employment applicable to an employee.

(h) Neither the City Manager, nor any employee who is the head of a City department, shall be appointed to serve as a member of a public body.

(i) No officer, public body member, or employee shall request or direct the use of an employee's working time for the City, and no employee shall use his or her working time for the City, for personal or private purposes.

(j) No officer, public body member, or employee shall request, direct, or permit the personal or private use of any City vehicle or City equipment except in the same manner and under the same circumstances applicable to any person who is not an officer, public body member, or employee, unless such use will substantially benefit the City.

(k) No officer, public body member, or employee shall request, or grant to any person, any special consideration, treatment, or advantage beyond that which is available to every other person in similar circumstances or need.

(l) No officer, public body member, or employee shall, at any time within two (2) years after termination from the City:

(1) Appear on behalf of the officer's, public body member's, or employee's interest, or on behalf of the interest of any other person, before the City Council, any public body, or department of the City, in relation to any matter concerning which the officer, public body member, or employee performed an official act; or

(2) Represent the interest of the officer, public body member, or employee, or of any other person, in any other matter before the City Council, any public body, or department of the City, without disclosing to the City the officer's, public body member's, or employee's prior relationship to the City and present relationship to the interest.

(m) Except as provided in Subsection (n), no officer, public body member, or employee shall appear before the City Council or any public body on behalf of any business entity.

(n) A member of a public body may appear on behalf of a business entity before the City Council or before a public body other than the public body of which he or she is a member, so long as the appearance does not concern any matter that has or may come before the public body of which he or she is a member.

(o) Nothing in the Code of Ethics shall preclude an officer, public body member, or employee from appearing before the City Council, any public body, or any other officer, public body member, or employee on behalf of any person which is not a business entity, so long as the appearance does not concern the officer's, public body member's, or employee's interest.

(p) No officer or public body member shall offer or promise to give his or her vote or influence in favor of or against any proposed official action in consideration or upon condition that any other officer, public body member, will promise or assent to give his or her vote or influence in favor of or against any other proposed official action.

(q) No officer shall become a City employee at any time during the term of office, or for two (2) years after leaving office.

(r) No officer shall acquire or seek to acquire any real estate or interest therein if the officer knows, or reasonably should know, that the Council is evaluating, proposing, or pursuing the acquisition of such real estate or interest therein. The officer's knowledge shall be presumed if the minutes or other record of any Council meeting or study session reflect any discussion of the same, or if the officer was present at any executive session at which the same was discussed. The prohibitions of this subsection shall continue to apply until after the Council has abandoned any effort to acquire such real estate or interest therein, and such abandonment has been reflected in the minutes or other record of a Council meeting.

**Section 5-10. Code of Ethics - Disclosure of Interest; Non-Participation in Discussion or Action.**

(a) The procedures of this section shall be followed by:



(1) Each officer who has an interest in, or whose interest would be affected by, any proposed official action before the City Council; and

(2) Each public body member who has an interest in, or whose interest would be affected by, any proposed official action before the public body of which the person is a member.

(b) Each officer or public body member, when required to follow this section, shall:

(1) Immediately and publicly disclose the nature and extent of the interest;

(2) Not participate in any discussion or decision concerning the proposed action; and

(3) Leave the room where the discussion or decision is taking place during the time the proposed action is being discussed and the decision is being made.

(c) With respect to any official action in which an officer, public body member, or employee has an interest, the officer, public body member, or employee shall not:

(1) Participate in any discussion with the City Council, any public body, or any other employee, concerning such an action to be taken by the City Council, the public body, or the other employee; or

(2) Attempt to influence publicly or privately, the City Council, any public body, or any other employee, in connection with an official action described in Paragraph (1).

(d) With respect to any official action that would affect the interest of a competitor of a business entity in which an officer, public body member, or employee has an interest, the officer, public body member, or employee shall not:

(1) Participate in any discussion with the City Council, any public body, or any other employee, concerning such an action to be taken by the City Council, the public body, or the other employee; or

(2) Attempt to influence publicly or privately, the City Council, any public body, or any other employee, in connection with an official action described in Paragraph (1).

**Section 5-11. Code of Ethics - Filing of Financial Disclosure Statement.**

(a) Within three (3) working days after a person has filed a nomination petition or write-in affidavit of intent for the office of Mayor or Councilmember, and within five (5) working days after a person has been appointed to fill a vacancy in such office, the person shall complete, sign, and file with the City Clerk a disclosure statement that contains:

(1) The person's employer and occupation and the nature of any income in excess of one thousand dollars (\$1,000.00) per year per source, including without limitation, capital gains whether or not taxable, dividends, interest, wages, salaries, rents, and profits;

(2) The name, location, and nature of activities of any business entity with holdings of real or personal property or with business dealings in Boulder County, in which the person has any interest, and the nature of the interest;

(3) The location of any real property within Boulder County in which the person has an interest or, if the person has a controlling interest in an entity or enterprise disclosed pursuant to Paragraph (2), in which the controlled entity or enterprise has any interest and the nature of such interest;

(4) A sworn or verified statement signed by the person, under penalty of perjury, stating that to the best of the person's knowledge, information, and belief, the person has provided, accurately and completely, all of the information required by the disclosure form in compliance with the Code of Ethics. The statement shall contain:

(A) An acknowledgment that, for the purposes of Sections 5-9 and 5-10, the person is deemed to have an interest in his or her own financial affairs, and in that of the person's spouse and other relatives as specified in the Code of Ethics; and

(B) An acknowledgment that, for the purposes of Sections 5-9 and 5-10, the person understands that he or she must disclose such an interest pursuant to Section 5-10 and comply with the non-participation provisions thereof, and that it is a violation of the Code of Ethics to fail to file the statement within the time required herein; and

(C) Such additional information as the person making the disclosure desires.

(b) Except as specifically provided herein, the form and content of the disclosure statement referred to in Subsection (a) shall be established by resolution of the City Council.

(c) Notwithstanding any other provision of this section, no candidate, officer, or public body member shall be required to disclose any confidential relationship protected by law.

(d) By no later than September 10 of each year, each officer shall file an amended disclosure statement with the City Clerk, or notify the City Clerk in writing that the officer has no change of financial condition regarding the disclosed items since the previously filed disclosure statement.

## **Section 5-12. Code of Ethics - Enforcement.**

(a) The provisions of Sections 5-9 through 5-11 shall be enforced as follows:

(1) The City Prosecutor shall have the primary responsibility for administration of said provisions.

(2) Any person who believes that an officer, public body member, or employee has violated any of said provisions and wishes to initiate proceedings on such alleged violations shall file a written complaint with the City Prosecutor. The complaint shall state in detail the facts of the alleged violation, shall specify the section or sections of the Code of Ethics alleged to have been violated, and shall contain a sworn or verified statement signed by the complainant and stating under penalty of perjury that the information in the complaint is true and accurate, and that the complaint is filed in good faith and not out of malice or any other improper motive or purpose. Any complaint which does not contain such a signed statement shall be returned forthwith to the complainant without action.

(3) If the complaint is made against an officer or public body member, within ten (10) days after receipt of the complaint the City Prosecutor shall forward a copy of the complaint to the officer or public body member against whom the complaint is made, and to an advisory judge referred to in Section 5-13. The City Prosecutor shall request the advisory judge to appoint a qualified disinterested attorney to serve as special prosecutor. If, within ten (10) days after the request, the advisory judge has not appointed a special prosecutor, the City's municipal judge shall appoint a qualified disinterested attorney to serve as special prosecutor. The reasonable expenses and fees of an advisory judge making such an appointment and of the attorney serving as special prosecutor shall be paid by the City. The attorney recommended or appointed pursuant to this paragraph shall serve as special prosecutor for purposes of investigation and action on the complaint, and shall take such actions concerning the complaint as are consistent with the Code of Ethics, the Colorado municipal court rules of procedure, and the prosecutor's ethical responsibilities. Before completing the investigation, the special prosecutor shall provide the officer or public body member against whom the complaint is made an opportunity to provide information concerning the complaint.

(4) If the complaint is against an employee, the City Prosecutor shall investigate the complaint and shall take such actions concerning the complaint as are consistent with the Code of Ethics, the Colorado municipal court rules of procedure, and the prosecutor's ethical responsibilities. Within ten (10) days after receipt of the complaint the City Prosecutor shall forward a copy of the complaint to the employee against whom the complaint is made and, before completing the investigation, shall provide the employee an opportunity to provide information concerning the complaint.

(b) A person commits false reporting of a complaint under this section if:

(1) The person makes a complaint of a violation under Sections 5-9 through 5-11 or knowingly causes the transmission of a complaint to the City Prosecutor of such a violation when the person knows that the violation did not occur; or

(2) The person makes a complaint or knowingly causes the transmission of a complaint to the City Prosecutor pretending to furnish information relating to a violation of Sections 5-9 through 5-11 when the person knows that he or she has no such information or knows that the information is false.

(c) A person who is convicted of false reporting of a complaint under this section shall be punished as provided in Section 16-7 of this Charter.

### **Section 5-13. Code of Ethics - Advisory Opinions.**

(a) The municipal judge shall maintain the consent of one (1) or more judges of municipalities other than the City, to provide advisory opinions with respect to the applicability of Sections 5-9 through 5-11. The names of such advisory judges shall be provided to the City Council, the City Manager, and the City Attorney. The reasonable expenses and fees of an advisory judge providing such an opinion shall be paid by the City.

(b) If any officer, public body member, or employee is uncertain as to the applicability of Sections 5-9 through 5-11 to a particular situation, or as to the definition of terms used in said sections, the officer, public body member, or employee may apply in writing to the City Council, Mayor, or City Manager for an opinion from an advisory judge pursuant to this section, and the City Council, Mayor, or City Manager may submit an application to the advisory judge for procurement of an opinion. Any officer or public body member may apply directly to an advisory judge for an opinion. The application shall state in detail the applicable facts and the section or sections of the Code of Ethics concerning which the opinion is requested.

(c) Any person who requests and acts in accordance with an advisory opinion issued pursuant to this section shall not be subject to any penalties for such action under the Code of Ethics, unless material facts were omitted or misstated in the request for the advisory opinion.

(d) An opinion rendered by an advisory judge pursuant to this section shall be disclosed to the public by posting, unless the advisory judge who issued the opinion determines it in the best interest of the City to delay such posting, in which case the opinion shall be posted as soon as the judge determines that the best interest of the City will no longer be harmed by public disclosure of the opinion.

### **Section 5-14. Code of Ethics - Violations - Penalties.**

An officer, public body member, or employee who is convicted of a violation of any of the provisions of Sections 5-9 through 5-11 shall be punished as provided in Section 16-7 of this Charter.

### **Section 5-15. Code of Ethics - Violations - Voiding of Contract.**

Any contract which was the subject of any official action of the City in which there was or is an interest prohibited by the Code of Ethics shall be voidable at the option of the City, if legally permitted. Where the City Attorney determines that the public interest may best be served by not voiding such contract, it may be enforced and an action or proceeding may be brought against any officer, public body member, or employee in violation of the provisions of the Code of Ethics for damages in an amount not to exceed twice the damages suffered by the City or twice the profit or gain realized by the officer, public body member, or employee, whichever is greater.

### **Section 5-16. Code of Ethics - Violations - Injunction.**

The City Prosecutor shall have the power, where a violation of the provisions of the Code of Ethics is threatened or has occurred, to bring a civil action or proceeding at law or in equity for a judgment enjoining any violation of the provisions of the Code of Ethics.

### **Section 5-17. Code of Ethics - Distribution.**

The City Clerk shall cause a copy of the Code of Ethics, and any forms required for compliance with the Code of Ethics, to be distributed to each officer, public body member, and employee of the City within twenty (20) days after the adoption of the Charter, and to each officer, public body member, and employee elected, appointed, or hired thereafter, before entering into any duties with the City, and to each candidate for elective office at the time the candidate obtains a nomination petition. In addition, the City Clerk shall cause a copy of any amendment to the Code of Ethics to be distributed to each officer, public body member, and employee of the City within twenty (20) days after the enactment of the amendment.

### **Section 5-18. Notices and Agendas.**

(a) Any meeting of a public body shall be preceded by the posting of a notice of and agenda for the meeting. Except as provided in Section 4-2, the notice and agenda shall be posted, and published on the City's website, no less than 72 hours before the meeting.

(b) The agenda for any non-emergency meeting of a public body shall contain an itemized list of all subjects on which substantive discussions are reasonably expected or which may be the subject of formal action.

(c) No public body shall engage in substantive discussions relating to, or take formal action on, any subject at a non-emergency meeting when that subject was not listed in the agenda for that meeting and is not substantially related to any subject listed in the agenda, provided, however, that the City Council may engage in substantive discussions and take formal action on a matter of public business not on the agenda, upon a finding by the presiding officer that such discussions or action will promote the general welfare of the City, it is important that the matter be acted upon before the next

formal City Council meeting, and it would be injurious to the City to await action on the matter until the next formal City Council meeting.

(d) For purposes of this Section, a subject is not substantially related to a subject listed in the agenda when a person reading the agenda before the meeting would not have reasonably expected that the subject would be substantively discussed or formally acted upon at the meeting.

(e) At any non-emergency meeting of a public body, any member of the public who in good faith believes that a meeting is proceeding in violation of subsection (c) of this Section shall be entitled to submit a brief written objection to the official presiding over the meeting; the written objection shall specify the ground for the objection. The presiding official shall exercise his or her discretion in determining whether the meeting is in compliance with this Section, and shall conduct the meeting in accordance with that determination. The written objection shall be retained permanently in the records of the City. The City may adopt laws or regulations, consistent with this Section, to prevent the abuse of this subsection (e). (Entire Section Added by Initiative Approved 11/02/04).