



**AGENDA FOR THE
ENGLEWOOD CITY COUNCIL
STUDY SESSION
TUESDAY, JULY 5, 2011**

I. Executive Session

At 6:00 p.m. in the City Council Conference Room, City Council will discuss a negotiations (Union) matter pursuant to C.R.S. 24-6-402-4(e).

II. Colorado Municipal League Conference Reports

At 6:30 p.m. in the Community Room, City Council Members will discuss their attendance at the Colorado Municipal League Conference, June 21-24, 2011 in Vail, Colorado.

III. City Manager's Choice

IV. City Attorney's Choice

Summary Report on CML 2011
Vail, CO June 21-24, 2011
Linda Olson, District 2 Council Member

Tuesday, June 21st

2-5 p.m. Pre-conf: Budgeting—Managing the Public Checkbook; Taught by Jeff Hansen, City of Golden's Finance Director

This pre-conference gave a very useful overview of the budgeting processes and best practices in the public realm. Good basic session that covered the following points in a comprehensive PowerPoint session (now available on the CML Conference website):

Basics of Government Accounting: Great overview of the processes used and acronyms

Funds: Defined various types and examples of each

1. Gov't: General, Special Revenues, Capital Projects, Permanent
2. Proprietary: Enterprise, Internal Service
3. Fiduciary: Trust, Agency, Pension

Discussed Reserve Philosophy of Golden and other cities

Council Process in the budget making:

1. Discuss what our general goals are? What direction are we going? What do we want to accomplish in lean years as well as strong years?
2. What Projects are important to the city in the coming year?
3. What Community Needs have arisen that we need to address?

Budget/Expense preparation should be done separately from Revenue Projections

Operating Budget should be based on what you KNOW you need NOT on CONTINGENCIES; Golden eliminated contingency budget planning in order to get their budget in line with reality and then have contingency lines that are not touched unless needed. No use it or lose it mentality.

Council Review Process:

Departments and Finance Staff create a balanced budget
Council Review

Public Input: Golden has a Citizen Budget Advisory Committee that meets regularly and has not limit on who can attend. Gives constant citizen feedback. They do NOT however do line item discussions. They talk about overall strategy and goals of each city dept. budget and fund.

Council's major job is to oversee city Budget: Should be getting Interim budget reports (Englewood is seen as very rigorous in this area with more information that most councils receive.)

Discussed types of Budget Processes:

Annual vs. Biennial (Golden does Biennial to save money, time)

Zerobased Budgeting: Starts from scratch each year (terrible waste of time)

Incremental Budgeting: Does not consider individual needs and priorities

Priority Driven Budget: Whose priorities win out each year?

Outcomes based Budgeting: Costs provided to achieve outcomes (Golden uses this as do most cities)

Best types to use?: Hansen suggests some kind of hybrid with Outcomes as the overlay.

Immediate Take-Away: Discuss at Budget meetings a more concerted discussion of our overall goals with the budget for the next year. Utilize the Comp. Plan more consciously. Pay attention to the narrative prepared by staff in outcomes. Question to pose: How do we handle contingencies within our budgeting?

Wednesday, June 22nd

10-11:45 a.m. Opening Session: Large Group

Intros: CML Welcomes; Mayor of Vail; CIRSA Sponsorship Welcome

Speaker: Mark Sanborn—National/international speaker; authored 8 books and newest is entitled You Don't Need a Title to be a Leader.

Intro Ideas Presented: Leadership is about shaping stories. Politics done right is a wonderful tool; done wrong it is a vexation to the spirit. Leaders tend to be good communicators. Leaders don't tell a better story, they make the story better; "Because of him or her, my story is better"; Leaders know the difference between activities and accomplishments.

Purpose of a government is to make a great people; remove the obstacles that impede it; Good leaders know people work with you, not for you.

According to Sanborn: 6 principles of what all leaders do:

- 1) Leaders take personal responsibility; Leaders are followed because they are competent, have character, and have connection (relationship)
- 2) Shared Focus: Focus: job of the leader is to create clear focus; W.I.N. What is Important Now?
- 3) Power with People: when you treat people like friends your attitude changes; give the benefit of the doubt;
- 4) Persuasive communication: ethical selling is helping people make a decision that is good for them; greatest problem today is that we do not have enough dialogue.]
- 5) Implementation quotient; you are not evaluated as a leader by what you hoped to do, but what you did; what will you do differently as a result of this conference?
- 6) Service: do it because it is the right thing to do.

Immediate Take Away: Strive to work "with" all stakeholders, including citizens and city staff, rather than just "for." Create community dialogue on what matters.

Lunch

1-2:15 pm Workshop: Productive Partnerships—Councilmembers and Boardmembers Working Together; presented by Gary Suiter from The Mercer Group Inc. (management consulting firm)

Introduction included: Ideas to be covered are communication, deference, civility, communication competency, exparte

Communication:

Pay Attention To:

Others Communication Style and Preferences

Learning Style—Visual, Auditory, Kinetic (kinesthetic)

Differences in values (being an elected official is like being in a family...you don't pick 'em!)

Know your values and know those for whom you serve;

Know your own body language

Pay attention to your own reactions/tone of voice

Notice how we treat one another

Recognize there is a Process: It usually takes 2 years from idea phase to implementation of any idea for something to begin or change. Realize there is a process.

In order to reach your goal, you have to work with each other.

It's to your advantage to get along.

Logistical

Be consistent and transparent

Show deference to others on the Board/Council

Honor the meeting protocol (Littleton and Telluride have written protocol for treating one another)

Use Reflective Listening: Listen to hear not just to respond

Sounds like you're saying....

What I'm hearing from you is...

Respect: Earn it, don't demand it. (Especially if you're in a position of power)

Lack of Respect

Is visible to the public and the media

Becomes palpable to the staff and the organization

Reasons to Serve

To Serve the Common Good

Health, Safety and Welfare

Better the Community

Represent the People

Trust your Trustees (Council included)

A bit simplistic here but it generated quite a bit of discussion about how to proceed when trust has been broken and there are incommensurate views where some will never trust one another.

Seek common ground to build what trust is available.

Stay Focused upon the issue or process...not the person.

Demonstrate Respect: Take responsibility...you can be responsible for your own behavior, not others

Be Alert for Bad Behavior

Be polite; watch out for baggage

Stick to your meeting norms and protocol

Be firm, polite, and immediate when the Board's ground rules are violated

Know your Emotions: We are not just our behavior, we manage our emotions

Ex-Parte Communication

Councils and Boards have two primary roles:

- 1) Legislative Policy-Maker
 - a. Provide citizen's access

- b. Gather public input/feedback
- 2) Quasi-judicial
 - a. Council/Board members sit as a judge
 - b. Must consider all evidence
 - c. Could be disqualified if ex-parte communication occurred
 - d. Sometimes frustrating as you feel muzzled
 - e. All conversations should be deferred to the entire Council

Ways to act with civility and build trust:

- Be watchful of Conflicts of interest
 - Pecuniary (financial) interest
 - Disclosure is essential
 - Check with your attorney
 - Disagreement is not a conflict of interest, it is just a conflict.
- Perception is Reality: if it smells like fish, it is fishy. Stay away from it.
- Avoid acting individually, unless authorized by your Board/Council.
- Always be strategic
 - Know your purpose
 - Identify your issues
 - Set some goals/have an agenda
- Remember why you serve

Immediate Take-Away: Consider study session that helps us write up an informal meeting protocol for dealing with interruptions, disrespectful behavior, texting, etc. Consider looking at Littleton's and Telluride's.

2:45-4:15 p.m. The Answers are in the Room: Marketing your Community for Retail Development—Buxton, a development company; Joe Brown and Chip Rodgers

Good news: retail is expanding; late 2011 very good and into 2012 will be very good for retail expansion;

Past expansion questions were:

- Pre-great recession: "where to move, add, develop";
- 2007-2008: How, when, where to close, the retailers came to them asking them to score existing sites and figure out how, when where to close stores.
- Late 2010: Trending back to 2004-2006 of scoring new sites for expansion. Now there are many empty sites so investors are now looking for the best sites again.

Retail trending:

- Know the market in your area; do you know the real estate people and can you help them? Do you *know your businesses and what they need?*
- 1st Level Relationships: Work with those that are already there. Don't go outside of the first level of relationships you have with current retailers. Start here and then add.

- Incentive planning: Example—Roanoke, TX; town decided to become known as unique dining center for Texas and then incentivized various restaurateurs to come in and buy up under-used or closed buildings on Main Street and now they have 30 + establishments.
- Takes two years to come to a stage of success in new establishment
- If you are going to have a vision for retail, be sure to have a process that allows for it to succeed. If you develop a bad relationship with a business or a reputation, it gets communicated internationally through groups like Buxton. Also, if you have a good relationship the same can be true. You have a hard time getting away from the reputation that you develop.

Growth/Trends

Market Changes

- Smaller stores of chains are “in” such as Walmart opening 30,000 sq.ft. stores.
- Market has changed and retailers are downsizing in some areas.
- 2009 no malls built. Trend has continued.
- Open air and town centers of mixed use.
- Very few of town centers with mixed use do well. The residential side does not work. Work and play connections do not do well either.
- The Power Center: one anchor and several smaller stores and then infill, such as nail shops.
- Smaller stores can sit in neighborhoods. How do we get walkable neighborhoods?

Shopper Changes determine the market.

- We are bargain hunters now; hottest is outlets again. Nordstrom’s Rack is example.
- The mall is dead. Largest shopping malls use to be entertainment centers too. We do not use them the same way.
- We research online and are often ready to purchase something in particular and would prefer to drive right up to the place. Go, find, leave.
- Internet sales are expected to cap at 9-10% of purchases.

Development Considerations:

- Prove to the retailer that you have customers that can sustain their business. That is more important than incentives. Viable retailers need to be recruited, not just popular retailers that give a name but may not be successful.
- Wal-Mart and Target are category killers; The disposable income of residents goes up 30% when a Wal-Mart or Target comes in. They open the wallet. They are drivers and so they bring people into the area from the neighboring communities.
- Real Estate Investment Trusts: big pockets, lots of contacts; but they can bifurcate properties and even the segments within it such as the building, the heating/air-conditioning; hard to work with.

ICSC: International Council of Shopping Centers; Parker city council members go to this and recruit retailers. They have been going 3 years. 80% of every retail decision made in the U.S. is made in May at these meetings in Las Vegas.

Immediate Take-Away: Discuss having our Community Development director and perhaps 1 Council member attend the ICSC this next year. Do not pay for a booth, but rather go with a strategic plan for development based on our retail study and recruit businesses/developers.

Thursday June 23, 2011

10:15-11:45 a.m. Suburban zoning codes for redevelopment/infill—Greg Moberg, city planner from Grand Junction

Intro: Pot and the Roast story—why do we cut off the end of the pot roast? Because that allowed it to fit the pot. We tend to repeat the same things over and over without finding out why.

Code as law vs. code as guideline; can it be a guideline sometimes? Know when.

Chaos theory and planning...he thinks it has some helpful concepts to consider.

TTWWADI(Twadee)—that's the way we've always done it; This is #1 excuse used to keep programs, services and processes average or status quo.

"Counties are not in position to serve the kinds of uses and issues that are largely something cities should be addressing." Generated some discussion over this statement.

The New Normal: Some executives/leaders are waiting for things to return to "normal". Not going to happen. Constant change is the new normal. Need to see innovation and disciplined creativity as the way forward. (Scott Anthony from some management book....2008)

The Suburbs and Codes:

Most of the time codes are built for green fields and are from our historic transition from agriculture to suburban development.

Defined as: A predominantly low-density residential area located immediately outside of an urban area or a city and associated with it physically and socioeconomically; Usually has a density of between 6-12 units per acre

Gave a brief history of the suburbs; a few helpful thoughts/reminders:

Prior to 19th century the poorest lived in suburbs

Onset of 19th century suburban growth began and there was an inconsistent pattern and form of housing types

By 1920's planned, designed and developed suburbs began to appear

Levit town was an example

Growth facilitated by development of zoning laws, redlining and other innovations in transportation; the bedroom community emerged from the 40's on

After WWII FHA stimulated housing and ownership

Back in 70's the developers never thought people would want to get out of their cars or go biking (except for kids)...the health movement and outdoors culture was not envisioned with development

The Movement

1. Customers in cars
2. Abandonment of downtowns
3. Abandonment of corridors
4. Abandonment of malls
5. Retailers followed customers onto freeways
6. Shopping industry evolved clustered formats
7. Intersection focus
8. In between segments no longer advantageously located

9. More and more driving required

The consequences

- Community decreased
- Fragmentation
- Tensions: Economic, Schools, Transportation, Utilities pitted against one another
- Quality of life decreased
- Social life challenged
- Sustainability questionable

Change

- We are Cannibalizing businesses when we grow without thought/strategy
- Discussed the shift in housing and who buys...more singles buying homes and want smaller;
- Two Booms: Boomers (retiring) and Millennials are 48% single
- Pig in the Python shows the convergence of the two generations that are both booms and it will happen in 2015
- Library/bookstore: challenged with new technologies
- Restaurant or café
- Retail area within walking distance
- Green elements such as mandatory recycling,
- Transportation centered

Paradigm Shift and the New Normal: What to do?

Consider Standards vs. Guidelines

Deconstruct in order to reconstruct

Use by Right vs. Use by Review

Administrative Approvals rather than elected official approvals

Mixed use vs. multiple use—Mixed use is vertical (residential above); Multiple is side-by-side

Do not recreate the code to force development...

Deconstruct and Reconstruct: Each community is different....each one has their own ways they need to do this.

Review and update Codes, Manuals, Processing, Organization

- What is working, what isn't
- Suburban model/infill/sustainability
 - Suburban vs. infill
 - Greenfields vs. Grayfields vs. Dark buildings
 - Guidelines vs. flexibility
- Parking standards were developed in the 70's and they have not changed today; they were based on the worst cases such as Christmas shopping days and then add 20%. As a result we have overbuilt parking asphalt—cut parking standards by 20%, you just don't need it
- Landscaping, Access, Setbacks all need revising for current needs/practices of the day
- Use by Right vs. Use by review

Comprehensive Plan/Zoning Map

- Comprehensive Plan sets vision of future
- Zoning Map implements Comprehensive Plan: their (Grand Junction) codes are mapped against the comp plan so it is easy to see the connections—know the comp plan

Immediate Take-Away: How can we make sure the Comp Plan is reflected in current zoning? What might we do as council to make sure we are up to speed (knowledgeable) on the applications of the Comp Plan? Could we read/discuss a section for 10 minutes at outset of each Study Session to make sure we are on target?

12- 1:45 p.m. Luncheon: Governor Hickenlooper Guest Speaker

Spoke of the Bottom Up Economic initiative they just completed and the work done to engage all communities in this process. He noted the Envision Utah project that Utah went through to do long range planning. Suggested we all look at the process as that is some of what he did with their bottom-up initiative. Governor spoke strongly about his stance to keep control local and to also find ways for collaboration to develop economies of scales. He reiterated his support of collaboration, regional cooperation and a desire to work together for common goals, scales of economy and statewide health.

Immediate Take-Away—Questions it raised for me: What avenue/communication did Englewood have in this process? Did our Economic Development/Community Development staff have notice of this and give any input into this?

1:45 p.m.: Informal meeting with staff from Colorado Water Conservation Board (CWCB):

Council Member Bob McCaslin and I met with a grant writer from the Colorado Water Conservation Board (CWCB) who helped explain the current state of Englewood's water conservation plan and possibilities for grants to both update our plan and to finalize our residential water meter compliance. This is the organization that Ryan Laird (citizen) has been contacting for information in his concern for Englewood's compliance issues. This was a very helpful meeting and I will bring some of the information we gleaned forward to Council and the Water and Sewer Board. Englewood's current water conservation plan is posted, and like some other municipalities would benefit from updating. We viewed other city plans and heard from CWCB that we are not too late in revising ours. Funds are also available in matching grant form to finish out the residential water meter state requirements. Other cities have applied to CWCB to help with this as well as the revising and updating the water conservation plan. Pueblo is one other city of note that is not yet in full compliance with meters either. They have applied for a CSCB grant to assist with their completion. CWCB wants to us in any way feasible. Very collaborative style.

2-3:15 The Answers are in the Room Session: Transit Oriented Development: Session was led by Todd Wenskowski from RNL Design senior urban designer.

This session was only a question/answer session with various projects being discussed by communities. Probably the most helpful part of this was hearing that other communities along the FastTracks program have made mistakes, are still creating policies and developments to capitalize on the assets of transportation and are seeing that this is all a process. Englewood was recognized as the first to learn from in important ways. Leader also proclaimed that Denver Metro's FasTracks is the most ambitious and watched transit project going on in the nation now. We have much to be proud of in the progress made even in the face of serious economic challenges.

Questions were not plentiful in this session and it ended 20 minutes early. It did allow for some discussion around parking which others have had difficulty with as well. No silver bullets in the room.

3:30-4:45 The Answers are in the Room session: The Municipality of 2050—Creating Blueprints of Change; Another discussion format facilitated by Dennis Hazlett, Johnson Controls Inc. account executive

Main Ideas Discussed:

The City in 2050 (book) informed much of his perspective on this session; each of us will receive a copy

Communities vote with their feet when it comes to what they value or desire.

How can cities be shaped to meet the needs while empowering the future generations to meet the needs?

- Flexibility
- Choice
- Livability
- Urgency

2050 population will reach 9 billion; US will be 311 million with a birth every 8th second and a death every 13th and a new immigrant every 42nd second. The pace of the growth of the US is on the same level as that of China and Bangladesh. The Y generation will be in their 60's. What are their values and needs that will be played out at that time?

The youngest baby boomer will be 80 years old at this point, they will make up 20% of population, and may have another 20 years of life yet? What is the city doing to address the needs of future generation?

74% is white now and in 2050 it will be 47%; the major population will be from Asia, not Hispanic.

What advice are we hearing today that we are not taking ourselves? How can that be applied into the future?

Dialogue ensued about how to actually get young as well as old to engage in long term planning and thinking about their future and the kind of development that is needed

Notable Idea: Ft. Collins has a Futures Committee that works with all of the other boards and commissions on what the challenges are in the future of their spheres of decision making and suggests ways that planning may need to occur.

Friday, June 24th

Final All CML Session: Mary Kelly, PhD: Productive Leaders presents: Master Your World....Leadership Techniques for Greater Productivity

Lessons of Leadership From her Writings: Largely based on the notions of training dogs

First Three Leadership Lessons

What to do?

1. Treats--Reward Good Behavior: Because you get what you reward (wow, how simplistic can you get?)

- a. Easy to forget to do it
- b. You are busy
- c. Have clear expectations
- d. Reinforce your policies
- e. Otherwise, people waste time=unnecessary, costly, and wasteful

What can you do to reward employees? Family? Friends?

Make sure rewards recognize a specific action, does not come at the expense of others, is meaningful for that person.

2. No Treats--Don't Reward Bad Behavior

- a. If you don't tell an employee that they are not doing something right, you are hurting them
 - i. They can't save their job because they don't know better
 - ii. You are failing them by letting them become useless
- b. Don't condone bad behavior by ignoring it
 - i. You are not being "mean" by correct
 - ii. Feedback doesn't have to be critical
 - iii. Different people need different corrections
 - iv. Fair is not "the same"
 - v. React promptly and appropriately

3. Consistency--Be Consistent—because you get what you reward

- a. There is no sometimes in a dog's life
- b. If it was ok yesterday, it should be ok today
- c. Be clear about policy changes (more in Rule #10)

4. Help People Succeed

- a. When times are tough it is natural to cut services
- b. Don't skimp on training that adds value and educates your employees
- c. If people answering phones are not trained, why have them there at all?
 - i. Training makes us respond in ways that we may not instinctively do; you get what you train
- d. Pit Bull versus Chihuahua: gives example of the training and how they

Ethics: Why bother if you don't have ethics? Not worth it.

5. Provide the Right Tools

- a. The right tools...
 - i. People need the right tools in addition to the right knowledge in order to perform in a superlative manner
 - ii. Purple colored paperclips
 - iii. How do you figure this out? ASK!
 - 1. Some people might need different things.
 - 2. I work best with productivity pads and good pens
 - iv. What do you use all the time that helps you do your job better?

6. Do the Right Thing

- a. Huh? Depends on who you ask!
- b. Restaurant service—what do you expect? Ask the questions.

- c. What is your right thing? Develop your top goals for your business and personal life
 - 7. Do the Right Thing at the Right Time
 - a. Mistakes happen:
 - i. Right intentions are grand, but the timing needs to be correct, too
 - ii. House flooded-40 psi water pouring into house
 - 1. Call center's response: *I'm in Connecticut*
 - iii. More than willing to help during the day—but not when needed?
 - b. Correct mistakes well: Apologize and do the right thing
 - 8. Serve With a Cheerful Heart
 - a. Leaders know the difference between problems and inconveniences
 - i. Inconvenience is being struck in the middle seat
 - ii. Problem is what happens when people need you because of a life threatening situation
 - 9. Don't Jerk the Leash
 - 10. Communicate:
 - a. Who here feels as though they get GOOD information at work?
 - b. What do you do with dumb emails?
 - c. What do you do with consistent dumb emails? She says to ignore them or delete them!
You can tell she never ran for office! She works for the military.
- Communication is the #1 way we get things done

Immediate Take-Away: Reflect as a council on the problems vs. inconveniences; focus on the real problems; This could be difficult because we each view them differently.



Memorandum

City Manager's Office

TO: Mayor Woodward and Members of City Council
FROM: Gary Sears, City Manager
DATE: June 30, 2011
SUBJECT: Colorado Municipal League Conference Report

The following is a brief report regarding various activities and issues that were of interest during my attendance at last week's Colorado Municipal League Conference in Vail. Clearly, the best activity was the networking in meeting colleagues and professionals from across the State, who had an interest in many of Englewood's activities, and also shared their approach to solving problems in municipal government.

Some of my activities included:

1. The opportunity to attend a luncheon sponsored by the City's Worker's Compensation and Loss Control insurance agency, CIRSA, where Englewood received a plaque "For the Outstanding Accomplishment of a Successful Loss Control Program in 2010," along with several other communities in Colorado. This plaque represented thousands of dollars which we saved due to our commitment to safety and loss control in each of the City departments, and the extraordinary work of Joan Weber (the City's Loss Control professional) in the City's HR department. In addition, a nationally recognized economist from the Sage Group (Aniban Basu) was at the luncheon to discuss the status of the U.S. and Colorado economy. While he was generally optimistic about the future of the U.S. economy he noted the lack of housing construction and lower housing values continue to slow the recovery in Colorado and the rest of the nation. Based upon his research, however, he believes that the slow improvements to our economy as we have experienced in the last year, will continue to support municipal sales tax revenues.
2. On Wednesday, June 22, 2011, I attended the opening session by Mark Sanborn and I thought the program was excellent and motivating. His theories and first-hand experiences about how "anyone, anywhere, can make a difference," was very accurate about our community and City organization. I thought his comments were interesting and inspiring, especially as they related to local government.
3. One of the best sessions I had an opportunity to attend was regarding "Federal Health Care: What Municipalities Need to Know," on Thursday, by William Lindsay, Denver Metro Chamber of Commerce President. While there have been many lawsuits regarding the nationally adopted new Health Insurance program and many States are attempting to "opt"

out of the national health care plan, our City, by 2014 will have to provide a great deal of information about our health care users, alternative plans, costs of coverage etc. to the federal government. This information will include information about our health care plan, participants, number of individual and family members enrolled in the plan, whether or not the costs exceed \$10,200 per individual or \$27, 200 for a family (with tax implications). The fact that the bill was approved without a “severability” clause, meaning the whole plan would have to be reviewed and readopted by Congress rather than altering and adopting parts of the plan, will make the requirements and implementation of the plan very problematic in the next several years. Clearly, the City will have to begin “gearing up” for the implementation and impact of such a national plan in 2011 and 2012.

4. Governor John Hickenlooper also provided a “blue print” for his State-wide agenda for the next several years at the luncheon on Thursday, June 23rd. One of the key components of his plan is to reduce “mandates” to local governments. Because of the impact of regulatory requirements to communities (such as water control), it will be interesting to see how he begins to implement this type of legislation, and whether or not some of the existing mandates can be changed or altered.
5. Finally, as Past President of the Colorado Municipal League, and Colorado Municipal Management Association, I have been working with other professionals in the State to find ways to support and develop training opportunities for managers, city professionals, and “emerging managers,” at the City Management luncheon on Friday. At the luncheon we discussed the creation of several committees to help managers look for ways to improve personnel and budgetary issues, meet development challenges and work through various ethical dilemmas that we face as municipal managers.

Overall, I thought the Conference had many excellent speakers and programs. I not only gained a great deal of knowledge from the sessions, but also had an opportunity to grow as a result of networking with other professionals or elected officials at the conference.