

**Blue Ribbon Commission – Phase II (BRC II)**  
**Meeting Summary**  
**June 11, 2009**

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Members Present: Susan Graf, Tom Hagerty, Suzanne Jones, Michelle Krezek, Beth Pommer, Dorothy Rupert and Rich Wobbekind

Members Absent: Dan King, Michael Leccese

Staff Present: Jane Brautigam, Bob Eiche, Paul Fetherston, Jerry Gordon, Lynnette Beck, Mo Rait, Eileen Gomez, Kathy McGuire, Linda Rad, Jim Reasor, Lynne Reynolds, Krissy Kaplan, Judge Linda Cooke

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Public Participation

- none.

Welcome by Deputy Manager, Paul Fetherston

- Paul discussed the new schedule for department presentations (currently on the internet and will be e-mailed to BRC II members)

City Attorney's Office Presentation

Specific questions/ follow-up items from the presentation included:

- How much of City Attorney time is spent supporting various city funds?
- What is the hourly rate for City Attorney services?
- How much is typically spent on outside counsel?

Jerry Gordon presented information on the City Attorney's Office department and the following was highlighted:

- Difficult to break services into essential, desirable and discretionary; for example, support to departments is desirable but departments, such as Community Planning, must receive legal advice. Have a memorandum of understanding with Boulder Housing Partners for city to provide legal and HR services for no charge.
- How could we reduce the amount of legal services provided? The more programs/services, boards/commissions, etc. , the more legal services are needed; CAO is an overhead function for these services.
- Difficult to find good measures for the CAO; exploring the idea of negotiating service standards with each department
- Alternative legal means, such as the restorative justice programs offered by CU for students, are more cost effective for the city
- The use of outside lawyers is approved by the CAO for specific limited circumstances using criteria to demonstrate need; outside legal services are paid for by the applicable fund

- How are legal services monitored so that they are appropriately used? One of the approaches used to control the use of legal services has been to have departments write the agenda memo while the City Attorney writes the ordinances.
- Strive to hit a balance in terms of charging appropriately for legal services but also want staff to use them when necessary.

### Municipal Court Presentation

There were no specific questions/ follow-up items arising from the presentation

Lynne Reynolds and Linda Cooke presented information on the City Attorney's Office department and the following was highlighted:

- Violations received from a variety of entities including CU, State and County.
- Overview of year-by-year comparisons of total tickets, filings and court revenue.
- Restorative justice program has resulted in decreased municipal costs; reduced recidivism also reduces court costs.
- Municipal court extensively uses interns – 38 hours/week on average (equivalent to one FTE).
- City does not handle theft (no city ordinance), domestic abuse, or liquor licensing cases, youth violations are generally moved to the county court.
- Photo enforcement is a joint effort between Transportation, Police and Court
- Court recently implemented a No-Proof-of-Insurance (NPOI) ordinance. This allows traffic violations associated with NPOI to be handled by municipal court rather than the county court.
- The city has two probation officers who ensure compliance, tracking, handle 500 cases each, including monitoring CU non-restorative cases
- What will be the impact of moving MIP cases to Municipal Court? Need to have some type of diversion coordination; is this duplication with county? Generally not – the county handles cases involving youth under 18; city will handle older youth/young adults; may require some monitoring\
- Does the county compensate city for cases that are directed to the city? Seems to be a balance – city does not handle some types of cases; county does not handle other types of cases
- Does city work with CU law school? Yes, CAO has contract with law school to work on homeless issues

### Human Resources

There were no specific questions/ follow-up items arising from the presentation.

Linda Rad and Eileen Gomez presented information on the City Attorney's Office department and the following was highlighted:

- HR costs are fully cost allocated to city departments
- Many HR functions are necessitated by legal requirements (e.g., FLSA, EOC, HIPPA)
- Hiring is somewhat de-centralized; after job posting, resumes are screened by depts.
- HR striving to get employees to use self-service applications such as the internet, and on-line forms
- Working to balance competitive benefits with recruiting and employee retention
- Succession planning is critical to the long-term health of the city.
- City has good tools to support performance measurement/evaluation, including goal setting, meetings throughout the year and measuring progress.
- City management would like to move away from GSI culture for non-public safety employees. A compensation study is underway to review city practices, including whether we can measure success adequately. The merit ranges may not adequately distinguish high performers from average or below average performers. Need to look at performance measurement, merit success and supervisor training together in order to have a successful employee measurement program.
- Are there typical metrics for number of employees for each HR FTE? typically 85 employees to 1 HR staff person; Boulder is similar; if payroll is removed (since it is somewhat atypical to house in HR), the ratio is approximately 100:1
- Does Boulder provide cost-of-living raises? Depends on marketplace comparisons and employee group – Police officers and fire fighters typically receive cost-of-living raises since most are not eligible for merit salary increases
- Time to fill positions (77 days) is based on normal conditions – i.e., no hiring freeze
- Does MSEC provide benchmarks on time-off policies, holidays?
- City sick time policies appear generous at 14 days; however, city does not offer short-term disability. The city is moving towards implementing a short-term disability policy and integrating with Wellness programs
- Does the city have employee unions? Three employee associations – Police, Fire and Boulder Municipal Employee Association. Management/non-Union do not belong to an employee association or union.
- Could Mgmt/non-Union employees unionize? At this point, no interest has emerged in this direction.
- Do we require employees to take mandatory vacations similar to banks in private industry? No, city policy exists but employees are encouraged to take vacation time
- What is a healthy amount of employee turnover? A range around 10% per year seems to be appropriate. The city is usually close to this number.
- Training budgets are managed in departmental budgets, not in a citywide HR account