

Board – Staff Governance in Local Government

Making the Most of Your Public Agency

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1

Presentation Objectives

- Understanding the elected-staff relationship
- Awareness of limitations and opportunities
- Strategies for achieving your goals

2

About Me

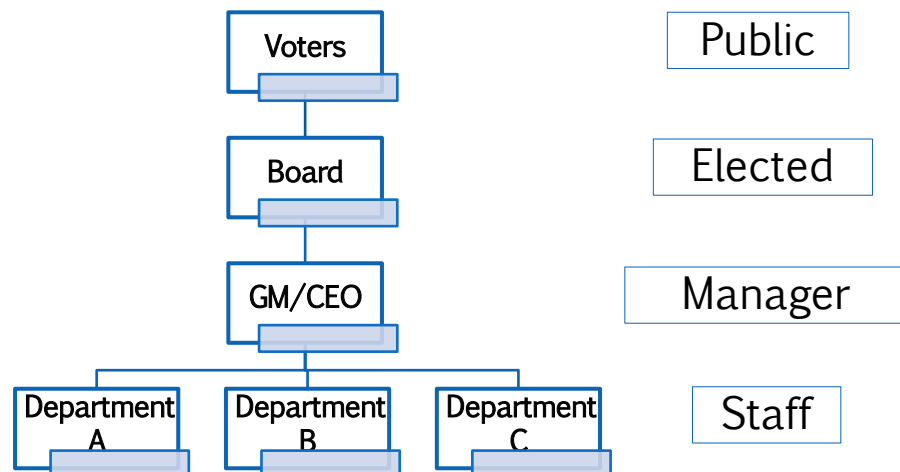
- Over 30 years of senior management in public agencies
 - 12 years with Tualatin Valley Water District
 - Including 6 years as CEO of TVWD
 - 22 years with Portland Water Bureau
- Service in elected & appointed positions on boards & councils
 - Local Government: Oak Lodge Water Services District Board of Directors
 - Business Oregon: Oregon Infrastructure Finance Authority Board & Audit Committee
 - Professional Associations: 3 different associations – over \$10 million annual budgets
- Part-time management consultant to special districts

... “the good, the bad and the ugly” of Board–staff governance

Ideas, comments and recommendations are my own

3

Relationship of Electeds and Staff - It Seems So Easy -



4

Relationship of Electeds and Staff - It Quickly Becomes Complicated -

- Nature of Organization
 - Counties, Cities, Special Districts, School Districts, Commissions
- Nature of Position
 - Council vs board vs commission
 - Chair vs mayor vs board president
 - Directly elected vs appointed
- Form of Election
 - At large vs wards or districts
- Charter Requirements, Rules and Philosophy
 - Strong mayor vs weak mayor
 - Directive vs Carver School of Governance

5

Relationship of Electeds and Staff - Some Overarching Concepts -

- Your authority comes from the voters
- You represent the Public ... not just yourself
- Decisions, direction and policy are made by the Board ... not individual Board members
- Board has one employee; the general manager/CEO
- Board and Board members must operate within a legal framework and fiscal obligations

6

Relationship of Electeds and Staff - Why We Get Confused -

- Organizations with unique governance frameworks
 - Charter authority of Chair, Commission, Board, Mayor, Commissioners, Council
- Differences in authority of positions
 - Chair vs Commission / Mayor vs Council / Board President vs Board Members
- Individual motivations
 - “I am just trying to help” (or “... save us some money” or “... offer my expertise”)
 - “I was elected to make changes”
 - “This organization is out of control”
- Encouraged by the staff
 - “A staff member (or the manager) suggested I look into this”
- “We’ve always done it this way”

7

Limitations & Opportunities - Understanding the Legal Framework (1/2) -

- Federal & State Laws and Administrative Rules
 - Public Meetings
 - Public Records
 - Ethics
 - Employment (FLSA, FMLA, OFLA, EEO ...)
 - Workplace Safety (OSHA ...)
 - Budget Law
 - Industry-specific regulations & permits

8

Limitations & Opportunities - Understanding the Legal Framework (2/2) -

- Fiscal Obligations
 - Bond Covenants
 - Insurance
 - Existing Contracts
 - GASB and GAAP
- Labor Agreements
 - Collective Bargaining
 - Employment Contract(s)

9

Limitations & Opportunities - Understanding the Organization -

- Organization's Charter Requirements
- Bond Covenants and Loan Terms
- Insurance Requirements (GL and D&O policies)
- Board Policies, Rules of Procedure, Meeting Schedule
- Budget – available funding, projects and priorities
- Industry Standards and Best Practices
- Organization's Vision, Mission and Values
- Organizational Culture

10

Strategies for Achieving Your Goals - Making the Most of Your Position -

- Get Up to Speed
 - Study, learn and understand the organization
 - Serve in appointed positions (budget committee, planning commission)
 - Hold orientations for new members (with staff and other board members)
- Clarify Roles and Responsibilities
 - Policy versus day-to-day operational responsibilities
- Have a Plan
 - Board goals and priorities (may or may not align with individual goals)
- Look for Partnerships and Alliances
 - With other Board Members
 - With the Manager (leverage knowledge of industry and organization)

11

Strategies for Achieving Your Goals - Making the Most of Your Organization -

- Cultivate an Environment of Accountability
 - Accountability of Board, Board members, manager and staff
 - Board commitment to “one employee” model to preserve accountability
- Conduct Public Outreach and Engagement
 - Comprehensive communication strategy (objectives, process, outcomes)
 - Two-way communication (what you want, what the public wants)
- Consider Partnerships and Alliances
 - Partnering with other agencies and organizations
- Make Investments
 - New member orientation; take the time to get grounded
 - Ongoing training; improve Board, manager, staff and relationships

12

Strategies for Achieving Your Goals - Before Things Go Horribly Wrong -

- Practice Preventative Maintenance
 - Invest in Board members, staff and relationships
 - Make organizational commitment to communication & accountability
- Catch it Before the Wheels Come Off
 - Look and listen for warning signs
 - Communicate (ask questions and listen)
 - Have an action plan (include the Board and Manager)
- Seek Professional Assistance
 - Industry Associations: AOC, LOC, SDAO, others
 - Consultants and attorneys

13

Wrap Up - Make the Most of Your Opportunity -

- Decisions, direction and policy are made by Board ... not individuals
- Board and Board Members operate within legal & fiscal bounds
- Board has one employee; the general manager/CEO
- Take the time to get oriented – understand organization, roles & duties
- Develop strategic alliances – with Board members and outside groups
- Practice preventative maintenance – invest in Board members & staff
- Maintain a commitment to accountability – by Board members & staff
- Communicate, communicate, communicate – with Board, CEO, citizens

14