



## **Understanding Your City's Departments**

# Understanding Your City's Departments

## Introduction

Elected officials interact with all city departments and are responsible for making decisions that affect each of these departments. While it may not be necessary to have a detailed understanding of the functions and roles of your city's departments, a basic understanding of these functions in order to make more informed decisions is helpful.

The purpose of this section is to provide information about each city department by describing their basic responsibilities, primary functions and relationship with the council. Each article in this section will provide an introduction to the department. For a more comprehensive guide, please consult the reference pages at the end of this section for further reading.

## The City Manager

Most California cities maintain the council-manager form of government, with a city council elected by the people and charged with the basic responsibility of governing the community. Generally, a city manager is appointed by the council to manage the city's administrative responsibilities and day-to-day operations. In becoming an elected official in a city, it should be helpful to review the roles of city officials and examine the nature of their relationship to the city manager.

### Primary Functions of the City Manager

The city manager has two distinct, if overlapping, roles:

- 1) To provide direct staff assistance to the council as a whole and to its individual members.
- 2) To manage the city organization in the delivery of public services.

The elected official normally works on two kinds of matters -- daily constituent needs or specific complaints, and the longer-range issues of public policy, such as what services should be provided by the city government, at what level those services should be provided, and what direction the community should take in its future development. In order to deal effectively with either type of problem, the elected official requires staff assistance.

In a real sense, the entire city organization serves as staff to the elected officials, and the city manager, together with other members of the management team, see to it that the necessary assistance is provided. Perhaps the most common problem experienced is the constituent service problem, i.e., when a citizen contacts a council member with a complaint about city service. The council member then asks the manager (or an assigned staff assistant in a larger city) to investigate, or resolve the matter, with or without a report back to the council member.

On another level, the council relies on the manager and its staff for assistance in policy formulation. City staff can provide information the council needs to make a decision, staff can provide a recommendation of the best approach to take on a policy matter, or staff can provide assistance to the council in sorting out specific issues and aid in developing policy alternatives.

Individual members of the council should not expect the city manager to implement their ideas unless a majority of the council gives such direction. The city manager's role is to carry out council policy as established on a given issue by a majority of its members. A council member who is in the minority on some issue should endeavor to change his/her colleague's position rather than expecting the city manager to marshal the organization's resources in support of a policy decision that differs from the direction set by the council majority.

Regardless of the issue area, the city manager as a generalist assists the council in working with staff to facilitate the council's decision-making role. If the council is concerned with a land-use planning issue, the manager works with the city's planning staff to provide information and/or alternatives for the council; if the council is concerned about the level of police service, the manager works with the city's police services staff to do the same, and so forth. The city manager is directly responsible for the quality of all staff assistance provided to the council.

In addition to his or her role in providing direct staff assistance to the city council, the city manager is responsible for executing council policies. As the chief executive officer of the city, the manager must see to it that the services and programs the council has decided upon are effectively delivered. In this role, the manager supervises the work of the city's management team to make certain that the systems and procedures employed in the delivery of services are the most effective possible in relation to program objectives, and to make equally sure that the people within the city organization are working together as a team.

It is extremely important that the manager be well-qualified technically; know how to deliver city services in an efficient manner; know when the procedures in use could be strengthened or improved upon; and to suggest techniques or approaches which can work to achieve the objectives set by the council. But it is of at least equal importance that the manager knows how to get the most out of the people in the city organization; how to assist them in working well together; and how to realize the best performance of which each is capable.

A word about the city manager as a professional is useful at this point. The professional city manager has one basic commodity to sell, aside from technical knowledge about city service delivery systems and the management of people in organizations: integrity. The good manager must have the ability and, on occasion, the guts to present what he or she feels is best for the community even when this view may not be popular. His or her ability to always be thorough and forthcoming in providing information and alternatives to the council is the essence of professionalism. In group processes particularly, trust is vital to effectiveness.

### **Relations Between the City Council and the City's Management Staff**

The determining factor in assessing any relationship between people is the quality of communication between them. The perceptions and expectations that each person has of the other and of their relationship form the basis of the relationship. The completeness of communication (the transmission of information) is dependent upon this foundation, which underlies all human relations in any organization. It is equally applicable to relations between members of the management team, members of the city council, and between the city council and appointed staff. Each participant in the city organization, elected or appointed, must work at appreciating the many sets of relationships which exist and which must be accommodated in the process of setting and effecting city policy.

In a well-functioning city government, the city council and the city staff will demonstrate a genuine respect for each other and each other's roles. This does not necessarily mean

that everyone will agree. Rather, there is agreement about how to disagree. Public statements expressing lack of trust or personalized attacks reduces everyone's image, and creates a climate of protecting one's self and defensiveness. Council member concerns (individual or as a council) about the performance or integrity of staff appointed by the city manager can be very helpful to the city manager, if offered privately. None of the above is to suggest that public expression about the city manager or staff performance is always out of place, but that the time and place should be subject to the standards the city council sets for itself and done in a manner which minimizes personal attacks and maximizes getting the job done.

The relationship between the mayor and city manager is slightly different because of the unique role of that position. The mayor is the chief elected official of the city, whether directly elected as mayor or elected by a vote of the council. In this role, the mayor is responsible to provide policy leadership to the council, and to represent the council in public meetings. But the mayor should also be able to represent the council to the city manager in the day-to-day carrying out of the city's business. The mayor should facilitate the relationship between the management staff and the council by being a source of advice and counsel to which the manager can rely. To fulfill this role effectively the mayor must be able to fairly represent the view of the whole council, and the council must respect the mayor's role as its representative. A good working relationship between the mayor and the city manager is therefore essential.

Two important factors to consider in council and manager relations are the responsibilities the council has towards the city manager:

- Providing direction to the city staff
- Evaluating the performance of the city manager

### **Providing Direction to the City Staff**

The city council's ability to govern and make progress is very closely related to the council's ability to provide direction to the city manager and staff. Only when individual council member desires are "elevated" to a policy or program supported by all or at least a majority of the city council can one's own agenda be realized.

Unfortunately, there are many forces at work making unity and a team approach difficult for a city council to achieve. This can be especially true in district cities in which individual council members view their district as a first priority. Consequently, many city councils have found it invaluable to occasionally come together in a facilitated team-building or goal setting workshop or to attend, as a group, similar sessions offered through the League. In any event, a city council-directed goals process resulting in a council-adopted goals statement can be very helpful in clarifying its priorities to the staff and community as a whole.

## **Evaluating the Performance of the City Manager**

Performance evaluations are communication devices. Without performance appraisals, something is lost in the communication process, and a loss in this area can ill be afforded by any of the participants in local government. Since the city manager has the greatest influence in carrying out council policies, one of the most important jobs a mayor or council member has is to provide clear direction and carefully monitor the manager's progress, giving praise or corrective measures as needed.

Performance appraisals are always a two-step process. First, the participants must discuss the expectations that exist against which performance will be measured. What are the standards, what are the principal values, and what are the objectives to be pursued? It is only after the council has determined with the city manager (or attorney, or clerk) the factors which will be assessed that the appointed official is in a position to really know what is most important to the council; and it is only then that the council is in a position to effectively evaluate performance, the second step in the process. An increasing number of city manager employment agreements make specific reference to a periodic evaluation of the city manager.

A good working relationship at the top of the city organization is clearly important. To realize this, the participants must begin with a good understanding of the roles and responsibilities of each other, and then must work at the job of communicating in order to keep it. Some cities have found it very helpful to hold or participate in workshops designed to develop more effective working relations among council members and between the council and staff.

When a functional understanding of each person's interests exists, and there is an atmosphere of trust and support, although not necessarily agreement, then conflict can be addressed in a mature way and reason can be the order of the day. Then locally elected leaders can more effectively serve the public interest and win the public's respect; this will make your difficult job a little easier and probably more fun.

## **The City Attorney**

The city attorney is a valuable resource to a mayor and city council. In order to facilitate effective communication between the city council and the city attorney, it is helpful to understand a city's options in obtaining legal services and what the city attorney's job entails.

This paper is designed to provide mayors and city council members with information to help facilitate a solid working relationship with their city attorney. The paper covers the primary functions of a city attorney, how a city may select a city attorney, the importance of communication, and a short discussion on the attorney-client relationship.

Effective communication between city officials and the city attorney is critical to the smooth operation of the city. Early and frequent communication about proposed city actions can save cities headaches and money in the long run.

### **Primary Functions of the City Attorney**

The city attorney has several functions, which can be categorized as follows and will be explained in further detail below:

- Serving as chief counsel to the city for both elected officials and staff
- Reviewing and drafting ordinances, resolutions, contracts, deeds, leases and other legal documents
- Representing the city in litigation as a defendant or a prosecutor.

### **Chief Counsel to the City/ Elected Officials and Staff**

As chief counsel, the city attorney typically attends all city council meetings to provide on-the-spot counsel and to have firsthand information on immediate and contemplated city actions. An important aspect of this job is to render opinions on specific legal issues. These opinions can either be formal (in writing) or informal (oral advice). The city attorney also may serve as the council's parliamentarian.

One of the primary functions of the city attorney is to provide legal advice on whether the city has the authority to engage in a given activity. Cities, of course, share sovereign power with the state and federal governments. There are policy areas in which the state and federal government have reserved authority exclusively to themselves, thereby "preempting" local action on an issue. There are other instances in which the state or federal law has imposed specific obligations on a city if it wants to take action. In either event, the city attorney's advice can prevent costly legal missteps.

In order to render an informed opinion on important legal questions, the city attorney must sometimes analyze several sets of statutes and hundreds of reported cases. The sheer volume of law affecting cities has increased greatly during the last decade.

Further complicating the city attorney's job is the fact that the law is not always clear in a given area. When this occurs, the city attorney must give his or her best judgment on the probable and possible legal consequences of a proposed course of action. The city attorney cannot, however, make the law clear when it is not and would disservice the city by creating a false sense of security in the face of real risk.

## **Reviewing and Drafting Legal Documents**

In addition to providing counsel to the city, the city attorney is also responsible for the drafting and/or review of important legal documents, such as ordinances or contracts.

## **Representing the City in Litigation**

In addition to advising the city on the legal implications of its actions, the city attorney in 10 cities prosecutes state law violations. Almost all city attorneys prosecute violations of city ordinances.

Even when a city has in-house legal staff, it may find it necessary to contract out some work. There will be times when the city's legal needs require the services of a specialist. Also, the city's legal requirements will have peaks and valleys; it may not make sense to hire full-time, long term staff to cover the "peaks." Finally litigation can be very consuming of both attorney and support staff time and may therefore be contracted out in all or part.

## **Hiring a City Attorney**

The voters elect a small number (eleven) of city attorneys in California. The remaining cities with appointed city attorneys obtain legal services in two basic ways. The city can hire one or more attorneys as full-time city staff (the "in-house" city attorney), or, the city may choose to hire a "contract" city attorney to provide legal services.

According to the League's records, about a fourth of California's cities have chosen to have full-time, in-house legal counsel. Numerous cities contract with attorneys in private practice who either represent several cities or represent other, non-municipal clients. Many smaller cities have chosen to receive legal services this way.

## **Communication Is a Two-Way Street**

Effective communication requires a joint effort on the part of the city attorney and city officials to make sure the city attorney is kept informed of the city's activities. This means that council members must sometimes take the initiative in communicating concerns to the city attorney; similarly, the city attorney must communicate concerns to the council as well. It is particularly helpful for a city attorney to receive a "heads up" if the council member knows in advance that a legal question may arise at a public meeting. By alerting the city attorney to the issue beforehand, the city attorney will be prepared to answer any questions that may arise during the meeting.



The city attorney is paid to give good and timely advice. If the city attorney is unable to give good and timely advice because of poor communications either to or from the attorney, neither the city nor the taxpayers are getting their money's worth. Worse yet, the city may have to spend more money on litigation and adverse judgments -- money which could be better spent on other public programs.

### **A Note About the Attorney-Client Relationship**

A client's communications with his or her attorney are protected by the attorney-client privilege, which protects the confidentiality of those communications. Allowances are made for this fact in the Brown Act, which authorizes the council to meet in closed (non-public) session to discuss pending litigation against the city.

One frequently asked question is precisely "who" is the city attorney's client. The answer determines to whom the attorney-client privilege applies. Although there is some debate on the issue, the basic answer is the city attorney's client is the city as a whole, acting through the city manager and city council. The city council therefore holds the attorney-client privilege, which means the city attorney's communications with staff members and individual members of the council cannot be kept confidential from the full city council.

From time to time a city official may wonder about the advice being given by the city attorney. It is tempting, of course, to seek a second or even third opinion. While such opinions have their place, it is best to include the city attorney in evaluating any such option.

The city attorney is the individual the city has hired (or the voters have hired) to advise the city on legal matters. The city attorney is most familiar with the laws bearing on the city's action, particularly local ordinances, internal procedures and any charter provisions. If the city is sued over a given action, it is the city attorney who will be responsible, in all likelihood, for defending the city in court.

In recognition of the perils associated with usurping the city attorney's role in advising a city on its legal matters, and on the limitations on an outsider's ability to give competent advice without access to the 'whole story', it has been long-standing League policy to forbid its staff from giving city officials legal advice on city matters.

## City Clerks

Government Code Section 36501 sets forth the governing officers of the city, one of which is the City Clerk. The City Clerk is the local official for elections, local legislation, the Public Records Act, the Political Reform Act, the Maddy Act (public noticing of commission appointments), and the Brown Act. Before the City Council takes any action (and after they take action), the City Clerk, in conjunction with the City Attorney, ensures that actions are in compliance with all federal, state and local statutes and regulations. The City Clerk serves as a liaison between the public and the City Council, and the City Clerk's office is generally the first place residents call when seeking help from City Hall.

Considered one of the oldest government professions, the City Clerk is an officer in a municipal corporation performing a variety of complex professional and managerial duties including the execution of tasks prescribed by the Government and Election Codes. In both General Law and Charter Cities, the City Clerk may be directly elected by the voters or appointed by the City Council or City Manager. Depending on the organizational structure, the City Clerk's position may range from a division or department director, or may carry the title of Assistant City Manager.

Responsible for the overall policy development, planning, fiscal management, administration and operations of the City Clerk Department, the City Clerk's duties may include management of programs and services including elections, citywide records management, Fair Political Practices Commission mandated filings, preparation of City Council agendas, minutes, resolutions, and ordinances, recording actions of City Council meetings, the administrative aspects of contract execution (such as ensuring that bonds and insurance documents are submitted and valid), and handling public records research requests.

The scope of a City Clerk's responsibilities can vary significantly among municipalities. However, certain core responsibilities remain and can be categorized into legislative, elections, records management, or administrative functions.

### **Legislative responsibilities –**

Each time the City Council takes action it is a legislative act whether it be by ordinance, resolution or minute action, the City Clerk must ensure that the action taken complies with federal, state, and local laws.

These legislative responsibilities include:

- Ensure compliance with the Brown Act (open meeting law)
- Ensure compliance with parliamentary procedures
- Coordinate, prepare, and distribute council agendas, minutes, actions, and records of the proceedings
- Coordinate, prepare, and direct posting, mailing, and publication of legally-required public hearing notices/publications (including City Council, committee, special

- agency, and authority meetings)
- Certify and attest to actions taken – (i.e. confirming that the document is the true and correct copy approved and that those executing the document on behalf of the city have the proper authority to do so)
- Codify and maintain municipal code; manage regular updates
- Provide technical and administrative assistance to City Council, special agency and authority meetings

### **Election responsibilities**

- Coordinate and conduct municipal elections including special elections, ballot measures, initiatives, referendums and recalls
- Serve as liaison to the County Recorder and Registrar of Voters.
- Serve as City's official filing officer for local campaigns; ensure compliance with Political Reform Act
- Manage receipt and processing of petitions relating to initiatives, recalls, and referendums, associated measures, analyses, arguments, and rebuttals
- Coordinate voter outreach campaigns and conduct voter registration

### **Records Management responsibilities**

- Maintain records in compliance with Public Records Act
- Responds to requests for public records in compliance with the Public Records Act, in consultation with the City Attorney
- Administer comprehensive citywide records management program which may include document imaging
- Manage processing, indexing, and maintenance of official City documents and records (ordinances, resolutions, and legislative actions)
- Protect vital records
- Coordinate and facilitate research (internal and external)
- Records disaster management

### **Administrative responsibilities**

- Oversee official bid openings, contract and insurance administration
- Process liability claims, summonses, and subpoenas
- Coordinate recruitment and selection processes for city committee, commission, and board members; ensure compliance with Maddy Act
- Administer and maintain oaths of office (public officials and employees)
- Plan, direct, organize, and coordinate activities of a municipal department, division, or major program
- Develop and implement goals and objectives, policies and procedures both citywide and departmentally, especially for City Clerks who are also department heads
- Provide leadership and direction with new program (and program changes) development and implementation
- Prepare and administer department budget

- Manage and supervise administrative, professional, technical, and support staff

In summary, the City Clerk is a vital link in the successful operation of the municipal corporation. The legislative responsibility charged to the City Clerk is critical to the decision-making process of the local legislative body. As the local Elections Official, the City Clerk remains neutral to ensure the integrity of the democratic process. The City Clerk's statutory responsibilities ensure the City's business is conducted in the best interest of the citizenry it serves. While the core responsibilities endure, the City Clerk's role continues to evolve while remaining responsive to the changing needs of the citizenry, elected officials, and technology.

## **The Finance Department**

A city's finance department represents a unified, integrated financial center with responsibility for financial matters affecting all departments and activities of the city. Historically, this was not the case: rather the finance function was fragmented in several independent city directors, with responsibility for some activities retained by individual operating departments. The idea of centralizing the finance functions of auditor, treasurer, controller, purchasing agent, tax collector, etc., has won increasing favor and has allowed for more professionalism and accountability. You can, however, still find organizations that have various financial functions assigned to different departments.

Cities in California have broad authority to establish a finance department and assign appropriate functions. The financial duties assigned by the state statutes to the city clerk may be transferred to the director of finance at the discretion of the city council, and the duties of the city treasurer may be transferred from an elected treasurer to an appointed officer if approved by the electorate.

In recent years, many cities have expanded the role of the finance department to an administrative services function encompassing other general administrative functions. In those instances, often the position of accounting officer or controller exists for purposes of carrying out the duties found elsewhere under the direction of a finance director.

### **Primary Functions of the Finance Department**

The basic duties of the finance department can be summarized as follows:

- Preparation of the city budget and other financial planning documents
- Maintenance of all financial records in conformity with generally accepted accounting principles and in compliance with state and federal laws and preparation of the Comprehensive Annual Financial Report (CAFR)
- Providing financial information to the city council, city manager and other city officials on a timely and meaningful basis
- Revenue collection, tax collection and purchasing

### **Preparation of the City Budget and Other Documents**

The budget should be viewed as one of the principal documents by which city policies are carried out. In order for the budget to accurately reflect the desires and the priorities of the council and the community, there must be agreement -- prior to the development and adoption of a budget -- on what service, and on what levels the city wants to and/or should provide. Then, based on those adopted policies and priorities, the council can give staff the basic guidance necessary to prepare the budget for council consideration.

In most cities, the finance department prepares the city budget under the direction of the city manager. The budget document ties together financial information and financial decisions. Together, they're a financial expression of the services your local government provides based on established priorities. Preparing the budget in the same department that maintains the accounting records increases accountability and accuracy.

An historical document, the budget reflects services your government has provided for many years. As a planning document, it sets spending and service priorities for the coming year and in some cases two years. The budget is usually considered to be the city's single most important policy execution document. After it is adopted, it becomes law; however it is subject to amendment if conditions or priorities change. Changes in the budget may be executed by either the governing body or as designated by the governing body. Revenue and expenditure estimates in the budget are a yardstick against which actual revenues and expenditures are measured. Estimated beginning and ending fund balances, reflecting the results of the revenue and expenditure estimates are also an important element of the budget. The budget becomes the city's strategic plan for the future, both for operation and maintenance and capital improvements.

The finance director must be an integral participant in budget preparation and control. The depth of involvement and responsibilities will vary from city to city. At the very least, the finance director will be responsible for furnishing previous expenditure records, revenue projections, and fund balance estimates. It should further be the director's responsibility to constantly review budget procedures and make any needed improvements. The finance department should issue regular financial statements during the course of the budget year so city officials can monitor budget implementation and compliance. The finance director typically prepares a midyear report to the council regarding the status of city finances. The midyear report takes on increasing importance if the entity is operating on a multiyear budget program. It is also especially critical when the economy is not as strong as normal.

The finance director must constantly review and study current revenue policies and trends. The director must be alert to recognize the need for new revenue or the necessity to adjust revenue estimates to meet changing conditions and to report the findings and recommendations to the appropriate authorities for their action. The finance director is responsible for the preparation and interpretation of financial data for short and long term plans and programs. The director should be prepared, when necessary, to accept the responsibility for determining the most appropriate method of borrowing funds and must insure that debt schedules are met, that surplus funds are properly invested, that reserves are maintained at appropriate levels, and that the fiscal credit of the municipality is maintained at the highest possible level.

There is an emerging trend to link the budget to performance and to organizational goals and objectives. Accountability is becoming understandably more important as competition and demands for resources increase.

The Government Finance Officers Association (GFOA) of the United States and Canada grants a certificate of achievement for excellence in budgeting to those cities that prepare

a budget in accordance with certain standards. The California Society of Municipal Finance Officers also offers a certificate program for budget documents that meet a certain standard. These certificates are generally included in the front of the budget document.

### **Maintenance of all Financial Records**

The finance department is required to maintain certain financial records and to prepare financial reports. Although the statutory duties may vary in individual cases, there must be a complete set of accounting records for all functions and activities performed by the governmental unit, with responsibility for such records and accountability lodged with the finance director. These records must reflect compliance with legal requirements.

### **Providing Financial Information to the City Council, City Manager, and City Staff**

The city's comprehensive annual financial report (CAFR) is the best resource for making sure the revenues, expenditures, bonds, and grants you've authorized during the budget process were collected and spent the way they were intended. It can also provide a basis for future decisions. The CAFR serves as a public document that tracks the performance of individual funds. Seek the assistance of the finance director when reading the report to insure that you are getting the clearest picture of the financial condition for your city.

Although financial reports can vary from city to city, there is a standard format and most city financial reports should contain the following:

- Asset, Liability and Fund Balance Information.
- Information on the basic expenditure and revenue categories you've authorized by law; financial reports comparing actual revenues and expenditures against estimates adopted in the budget.
- Information on revenues and expenditures organized into several different funds. This is because government dollars are often earmarked for one specific use and cannot be used for another. Most of the "bulk" in the CAFR occurs because statements are included for every fund. But the type of information included for each fund is essentially the same.

Financial statements cannot tell you everything about your city's financial condition. Much of the information can only suggest additional questions. For example, you probably won't be able to tell from your annual report whether local pension funds are adequately funded. In addition, your financial report is not the best source for determining the real cost of city programs and services (i.e., some previous year's expenses which have been promised but not paid yet may be included in current year totals).

Financial reports can also be misleading. Depending on whether revenues and expenses are recorded when they are anticipated and owed or when they are actually received and paid, the financial position of your municipality or of particular funds may look better or worse than is actually the case. Transfers between funds can also be complicated. So be careful about jumping to conclusions too quickly.

The Governmental Accounting Standards Board sets standards for financial reporting. GASB's Pronouncement 34 will significantly change the reporting model over the next few years with goal of making the report clearer and more useful. The Government Finance Officers Association (GFOA) of the United States and Canada grants a certificate of achievement for excellence in financial reporting to those cities that prepare a CAFR in accordance with these standards. The California Society of Municipal Finance Officer (CSMFO) also offers a certificate program for excellence in financial reporting. These certificates for the preceding year are generally included in the front of the CAFR.

If you find anything in your local government's financial report that causes concern, ASK. You may have spotted a problem. And if the report only LOOKS like you have a problem, you will be that much surer that your municipality is in good financial condition.

The traditional financial audit is an examination of the governmental unit's accounting records and underlying financial systems and internal control. The objective is to verify that all financial transactions have been properly handled and recorded in compliance with legal restrictions and generally accepted accounting principles so that the statements produced from the records accurately represent the public finances with which you have been entrusted.

## **Revenue Collection and Purchasing**

The handling and accounting of cash and the investment of surplus funds is occasionally the responsibility of some officials other than the finance director. In many cities, however, the treasury function is included within the finance department. In other cities the city treasurer and city finance department are independent from each other. Regardless of whether the collection, custody and disbursement of municipal funds are the direct responsibility of the finance director or some other director, there should be no compromise in the centralization of responsibility and control.

The finance director should see that all city revenues are collected in a timely and orderly way. This function includes supervision of local tax collections, such as business license taxes; coordination with county, state and federal officers through whom local revenues flow; and the collection of fees for services and regulatory functions.

If enterprise activities such as water, wastewater, electricity, transit, etc., are the responsibility of the city, then the finance director must act as the chief financial officer for these activities as well. In addition to the responsibilities outlined above, billing, collections and rate setting may also be performed by the finance department.



## **Council and Finance Department Relations**

The shock of current reality and the forecasts of "hard times ahead" have pushed financial issues, and finance personnel, from the wings to the center of the stage along side the city council and the city manager. With finances, rather than programs and services, now a principal worry of municipal policy makers, there is renewed interest in the concept of finance departments, an interest which had diminished during the long years of economic expansion and relatively constantly growing revenues.

With restrictions on the supply of financial resources, cities are coming to grips with the need to assess and control the demand for services. In the past, "free" or under-priced governmental services have induced over consumption and hampered an assessment of real need or demand. The proper price incentives and disincentives can help reduce the need for government services or regulations.

To support proper pricing decisions and to move toward financial sustainability, city councils will need to know the actual costs of city programs and activities. This will require the introduction of more sophisticated accounting systems that can identify all the costs of a given program, including direct and indirect costs.

The heightened need for precision in financial decisions will create a demand for more accurate forecasts of revenues and expenditures. It is expected that finance departments will be required to have a significantly increased commitment to these activities.

Since Proposition 13 has limited the use of general obligation bonds to finance capital improvements, and since redevelopment financing and other capital financing tools have been jeopardized, considerable creative energy will be required of city councils and their finance staffs to provide for the construction of needed capital projects.

City councils and other public policy officials are becoming more aware of the unintended effects of their financial decisions. In the future, you and your colleagues on the council will work with the finance department and city manager to identify the inadvertent incentives and disincentives which your finance policies have on private decisions such as whether to rent or buy a home, where to live, where to work, where to locate a commercial or industrial plant, how to commute, how to invest, etc. You will ask the finance department to provide information that will help answer the question: Do our fiscal policies support community goals?

The demand for more timely financial information, additional information resources and improved financial management systems will necessitate the use of the latest available technology in data processing. Even most small cities now have computerized financial systems.

The recent focus through Statewide initiatives (Proposition 1A on the November 2004 ballot) on local government finance has heightened the awareness and knowledge of the public about local finance issues. City officials should expect citizens, investors and

other governments to demand more and better information concerning the city's financial condition in the future.

Due to the need to address the important issues above, the staffs of city finance departments can be expected to grow, probably in absolute numbers and certainly in professionalism. This is likely to be in contrast to other city departments that probably will not grow in an era of controlled demand and limited resources.

## The Fire Department<sup>1</sup>

In decades past, fire departments occupied themselves with attempting to save lives and protect property by utilizing their resources to suppress fires. During recent decades, the fire service began to understand the value of utilizing strategies to prevent fires before they occur.

Today, participants in the progressive and modern fire service have expanded their roles, mission, and resources to three additional areas:

- “All risk” hazard protection and mitigation
- Provision of emergency medical services
- Establishing community based fire protection strategies

The “all risk” strategy is particularly significant in California where our citizens live with the constant threat of earthquakes, floods, terrorist attacks, tornadoes, major hazardous materials releases, environmental disasters and nuclear accidents. Implementation of this strategy has necessitated that the fire service concentrate its efforts to institute readiness strategies for disaster preparedness.

Providing emergency medical services (EMS) is now the most significant way that today’s fire departments expend their time, energy, and resources. Two thirds of all responses in cities involve providing service for those in need of medical attention. Firefighters devote extensive training hours in the areas of advanced first-aid, emergency medical technician (EMT), use of automatic defibrillators (EMT-D), and paramedic training (EMT-P). Firefighters save more lives by providing prompt, thorough, and efficient medical service than they do by rescuing residents from building fires.

Providing community based fire protection will occupy the fire service in the coming decade. Studies indicate that when citizens were asked whom they trust in the government, more than 75 percent responded that they trust the fire department. This concept attempts to utilize the community’s high level of trust in the fire fighting profession, and attempts to make firefighters community ambassadors as a launch point for substantive community outreach programs. Some examples are using the fire department and fire stations to:

- To hold community events and community meetings
  - To conduct health fairs and blood pressure screening
  - To hold CPR, first aid, baby sitter safety classes
  - As a safe haven for children who are victims of abuse and violent crimes
  - To educate the community on topics such as smoke detectors, fire extinguishers, and home safety
  - To hold neighborhood disaster preparedness programs to teach self-sufficiency to citizens in preparation for catastrophic events
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- To assist elderly citizens with vision and hearing programs

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\* Written by Gerald A. Simon, Fire Chief, City of Santa Clara.

- To instruct the community on the dangers associated with security bars in their homes
- Collection sites for toys, food and supplies for community need programs
- For counseling, mentoring, and functioning as role models for the youth in the community

These are the strategies that fire departments will employ to enhance the service delivery into the next millennium and beyond.

## Law and Authority

State law is silent concerning the authority of charter cities to provide fire protection. However, Section 38600 of the Government Code provides that the legislative body of a city may provide for fire protection and prevention, and Section 38611 of the Government Code makes it mandatory that a city organized under general law shall establish a fire department. The specific local authorization under which a fire department functions is established by the charter of the city council itself. In addition to local laws and ordinances, fire department operations also are affected by numerous types of federal and state intergovernmental regulations and mandates. It is common for fire departments to enter into agreements, such as mutual and automatic aid, and joint powers agreements. These agreements assist individual fire departments to provide the highest possible level of service to the citizens. Fire departments are strengthened tremendously by knowing that these agreements with their neighboring jurisdictions enhance service levels on a routine basis, and allow for a significant influx of needed resources during abnormal or catastrophic events. Mutual aid training is a great way to strengthen a disaster preparedness program and to develop “good neighbor” habits across jurisdictional boundaries.

## Diverse Roles and Functions of the Fire Department

Many fire departments are organized into a structure which has practical application from an administrative and operational perspective. The modern fire service is highly structured with a well-defined chain of command. The use of the incident command system (ICS) and the advent of the standardized emergency management system (SEMS) have allowed fire departments to become proficient in structuring complicated tasks and managing incidents effectively.

Effective structuring has helped produce fire department organizations that are able to provide a number of diverse functions and roles. These include:

### Fire Suppression

#### Reducing the hostile spread of fire

Inspections of local businesses  
Emergency medical response  
Disaster preparedness (All-risk)  
Calls for general service to citizens  
Response to wildland/urban interface emergencies

### Fire Prevention

Public education  
Code enforcement  
Building plan review  
Fire cause determination  
Building safety inspections  
Home inspections  
Weed abatement

### **Fire Training**

Training to enhance emergency skills  
Safety training and awareness  
Injury prevention strategies  
Physical fitness training  
Technology implementation – computers and  
Computer-Aided-Dispatch systems  
Regional training activities  
Joint Fire Academies to train recruits

### **Administrative Support Services**

Human resources  
Budget analysis/preparation  
City Attorney liaison  
Clerical support services  
Governmental relations  
Duplicating and document preparation  
Facilities maintenance  
Apparatus maintenance

### **Hazardous Materials**

Training hazardous materials responders  
Public education and consultation  
Emergency Response Team (ERT) industrial training  
Environmental crimes and disasters  
Use, handling, storage and disposal of  
hazardous materials  
Air, water and underground protection.

### **Rescue Specialties**

Confined space rescue  
Urban search and rescue (USAR)  
High angle rescue  
Swift water rescue

### **Volunteer Firefighters**

Fire suppression services  
Emergency medical training  
Community service events

### **Emergency Medical Services**

Training emergency medical responders  
EMT, EMT-D, EMT-P training  
Community CPR training  
Baby sitter safety programs  
Continuing education training  
Mass casualty planning and training  
Ambulance transportation

### **Public Relations Unit**

Media relations  
School, church, community programs  
Public broadcasting on our channels  
Community training/public education  
Disaster preparedness

### **Communication –911**

Public Safety Answering Point (PSAP) calls to  
911  
Emergency medical dispatch  
Priority dispatching and call triage

These activities represent some of the roles, functions and activities for today's fire service. Of course the degree to which they exist depend upon the size of the agency and resources available to fund these services and activities.

## **Fire Department Policy Development Items and Programs**

The essence of the work that fire departments perform tends to be largely operational in nature and function. Since the operational nature is predominant, it is important that policy development occur at some level of the municipal structure. Policy development, in its most productive form, is a collaborative effort between the mayor and council members, the city manager and the fire chief. In that regard, there are a number of documents prepared by the fire chief and the city manager with which mayors and members of council may be involved. They include:

- Fire Department Mission Statement
- Operational Goals and Objectives Statements
- Standard Operating Procedures and Directives
- Department Budget
- Local Fire Prevention Codes Ordinances
- Mutual Aid Agreements
- Automatic Aid Agreements
- Fire Master Plan for Establishing or Maintaining Levels of Service
- Permit Streamlining Process
- Building Plan Applications
- Site Plan Applications
- Fire Sprinkler Applications
- Permits for Community Events
- Hazardous Materials Business Plans
- Hazardous Materials Law and Ordinances
- Weed Abatement Procedure
- Specifications for Fire Stations
- Bid Specifications for Apparatus and Equipment
- Memoranda of Understanding with Labor Groups
- Contracts processed through the agency attorney

As examples:

- The permit streamlining process is a collaborative effort between many different departments. In order to expedite the plan review and permits to serve our customers in private industry, the fire department must also interact with the planning, building, and electric departments and with the engineering division.
- To administer a non-point source program, the fire department may need to interact with the street department, the water department, a regional environmental agency, and the office of the city attorney.
- To implement efficient and effective disaster planning activities and administration of the Emergency Operations Center (EOC), fire departments must cooperate with the police department, public works, public information specialists, and all city department personnel involved in emergency operations strategies.

To optimize service delivery, it is crucial that an effective line of communication be developed between the mayor, city council, the city manager, and the fire chief.

### **Council and Fire Department Relations**

Like all other municipal departments, the fire department is not an isolated organization within a city structure. What other departments do within a community dramatically affects the capability of the fire department to accomplish its purposes. Accordingly, the

fire department should have input into the policy making process to assure that other municipal operations don't adversely affect the fire service, and conversely, that the fire service does not adversely affect other municipal operations.

While the broad policies guiding the department are established by the council, specific operating policies are established by city management and fire department administration for the day-to-day functioning of the department. In this regard, care must be taken to be sure of the compatibility of all these policies.

The fire department budget, which is the principal operating plan developed under general council policies, can provide elected officials with considerable information regarding the services provided.

There are a variety of factors that elected officials can consider in monitoring the efficiency and effectiveness of the fire department. Some indicators of performance might include:

- *Fire loss statistics*, which affect insurance rates paid by the community.
- *Response time statistics*, which create the floor (base level) of service as compared to the ceiling (maximum level) of service to be provided.
- *Fire prevention inspection*, which assist in monitoring the success of hazard reduction in the community.
- *Disaster plans*, also known as multi-hazard functional risk plans which demonstrates the community's ability to meet the challenge of catastrophic risk.
- *Training statistics*, which illustrate how much skill training is given, and in what areas this training is focused.
- *Educational assessments* can illustrate the importance of advanced education and college training in upgrading the professionalism of the department.
- *Hazardous materials inventories*, which can assist in determining threat and/or risk of a significant hazardous materials release or environmental incident.
- *Injury statistics*, which can indicate the effectiveness of physical fitness as an established cultural value in the department.
- *Citizen complaint reports*, which can be an indicator of customer service as a cultural organizational value and citizen satisfaction with service delivery.
  
- *Community service activity report*, which can assist in identifying how involved the department is in providing "community based fire protection".

## **Other Factors**

In order for elected officials to better understand the operations of their fire department, they must consider some of the factors and peculiarities that affect the ability of the department to deliver its service. Among these items are the various federal and state laws and agreements governing operations, the geographical area served by the department and its numerous characteristics, both natural and made by humans, the water distribution system serving the department, staffing levels, the degree of fire

prevention effort, the relationship between the fire department and other municipal departments, the relationship between the fire department and the community, the type and condition of equipment utilized by the department, and various safety and personnel factors bearing on the day-to-day operations of the department and the training and education of fire personnel.

In this age when all public services are coming under increasing scrutiny, elected officials must be alert to changes in public attitude, technology, new legal requirements, community needs and social trends in order to assure that municipal services are delivered effectively and efficiently. This is certainly true in the area of fire services.

Although the public may seem to favor funding public safety services (fire, police, and 911) while cutting back in other areas, fire departments will likely be faced with increasing fiscal pressures. This may come about because of demands for expanded services in the face of both decreasing and devaluing dollars; mandates by the federal or state government affecting fire services; pressures from labor groups; and new building or business presenting new or expanded hazards or service areas for fire departments.

Some items with which elected officials will be dealing in the future:

- Enactment of stricter fire prevention codes requiring the installation of automatic fire suppression equipment and fire detection devices
- Hazardous materials remediation plans to assure that there is less environmental impact caused by those who use, handle, store and dispose of hazardous materials
- Increased pressure from industry to respond to their need to perform services better, faster, cheaper
- Community demands to “re-invent” government to provide more and varied services but pay less taxes to cover the cost of the service

There are numerous arrangements fire department administration and elected officials may wish to consider in order to improve department service and efficiency. Among these items are:

- Review of joint power agreements, mutual aid agreements, and automatic aid agreements to assure that they are of maximum benefit to all concerned
- Review of emergency medical services to be sure they are being effectively provided by qualified personnel and that their costs are being adequately covered
- Ways to provide value added service to the community, such as “community based fire protection”
- Implementation of a streamlining process to review all building plans to improve the efficiency of the process for our industrial customers
- Review of the “all-risk” multi-hazard functional plan to assure disaster readiness
- Drill community-wide to practice and exercise disaster readiness
- Public education programs; with an emphasis on youth and the elderly
- Customer service programs for internal and external customers



- Review of response times to all areas served
- Review of department mission, goals, operational plans
- Adoption of a fire master plan to provide optimum prevention, suppression capabilities
- Review of state and federal legislation in the field of hazardous materials to assure local compliance and minimization of environmental risk
- Use of civilians in place of sworn personnel
- Consolidation of related services being provided

A review of these elements with the city manager or the city administrator, and the fire chief or fire administrator on a regular basis will be of considerable assistance to you in assessing the value they hold in the community. This knowledge can be particularly important during periods of uncertain revenue streams, competition for shrinking federal and state dollars, recession, inflation, or unexpected downturns in local economies.

Many cities fund fire, police, and 911 services at high levels. During a period of financial hardship and economic downturn what would you, as a council, do to the budgets of each department throughout the city? Would fire, police, and 911 services take their fair share of budget cuts? The answer may lie in whether or not the fire department provides “value added services” to the community such as all risk mitigation, and emergency and community based fire protection—services that extend far beyond the traditional paradigm of saving life and property.

## The Planning and Community Development Department<sup>2</sup>

A City's Planning or Community Development Department is typically responsible for the planning and building inspection functions. Many cities have reorganized to combine several functions under the title of Community Development. In most Cities this combination is simply Planning and Building, while in other cities it can encompass Planning, Building, Code Enforcement, Economic Development (Redevelopment) and even Public Works and/or Engineering are sometimes placed under the mantra of Community Development. The level or complexity of the combination depends largely on the size of the City and its staff work load. Again, the most common combination of functions is Planning and Building. These two city services are very interrelated.

The principal authority to carry out planning and building functions is based in an assortment of federal, state and local laws. Police power is the legal basis for all land use regulation. Various sections of the state Government Code contain most of the enabling authority to review and condition development including subdivisions of land.

The principal function of the Planning Department or Division is the administration of the General Plan review development or use applications.

- General Plan preparation and update
- Zoning Map and Ordinance preparation and update
- Enforce and implement the California Environmental Quality Act (CEQA)
- Conduct Planning related code enforcement
- Process development applications
- Provide public information
- Act as the staff liaison to both the Planning Commission and City Council

The primary functions of the Building Department or Division are issuance of building permits and conducting construction inspections.

- Issuance of Building permits and plan checks
- Performing building inspections and occupancy permits
- Conduct building related code enforcement
- Abating dangerous buildings
- Providing public information
- Act as staff liaison to the Board of Appeals and City Council

A variety of public agencies, as well as, homeowners and developers, regularly request information about land use, zoning, construction requirements, building permits, demographics and design and development standards. Dissemination of information is a central aspect of the department and a substantial percentage of time is devoted to responding to public information requests.

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<sup>2</sup> Revised by Thomas Sullivan, AICP, Community Development Director, Saratoga

## **The General Plan**

The General Plan is the most important planning document of the City. All other planning documents must be consistent with the General Plan. It is the document that provides the information about existing conditions and future desires. The General Plan consists of seven mandated elements: Land Use, Transportation, Housing, Open Space, Conservation Safety and Noise. There can also be any number of optional elements, for example: Community Design, Parks and Recreation, growth Management or Agriculture. The individual elements that make up the General Plan must be consistent with each other. Some Cities write the General Plan as a single document with chapters and other cities write their General Plans one element at a time. The Governor's Office of Planning and Research (OPR) provides guidelines for the preparation of all mandated elements except Housing. The State Department of Housing and Community Development (HCD) publishes those guidelines and reviews and certify the draft Housing Elements.

## **Zoning**

Zoning is the most common implementation ordinance of the General Plan. The Zoning Ordinance is a set of rules that carry out the intent of the General Plan. It basically is the division of the city into different land use classifications and the application of different regulations in each. Each of the zoning classifications must be consistent with the General Plan. The Zoning Ordinance deals with issues from density, floor area ratios (FAR), lot size, length and width to the length of RV's you can or cannot park at your home. The regulations cannot be ambiguous. The public often thinks that zoning is land use planning, when it is only a small portion of what makes up land use planning.

## **Specific Plans**

After a City has a General Plan adopted, the City Council can direct that a series of Specific Plans be prepared to provide for the systematic implementation of the General Plan. The Government Code provides some very detailed guidance about Specific Plans. While Cities can and do prepare these plans, often Cities require developers to prepare them. As the name infers, these plans are very specific. They provide design guidance for infrastructure and ultimate land use. They can even provide detailed architectural treatments.

## **Design Guidelines**

Not all Cities have design guidelines. Some Cities have several designated areas where differing design requirements are set forth. Design guidelines are used to protect areas that have historical architectural themes. They are used to ensure developments follow a desired architectural design theme. Occasionally, Cities offer incentives to obtain the desired architectural look. Design guidelines are used to either protect existing quality design or to help create the quality desired.

## **Subdivisions**

The primary purpose of the Subdivision Map Act is to encourage orderly community development, to ensure that areas within the development that are dedicated to the public will be properly improved by the subdivider, and to protect the public from fraud and exploitation. The Subdivision Map Act, working in conjunction with the City's Zoning Ordinance, guides and controls to a large part the development of the City. A minor subdivision or parcel map is a map that divides a single parcel into four or fewer lots. A major subdivision is a map that divides a parcel into five or more lots.

## **California Environmental Quality Act (CEQA)**

The California Environmental Quality Act (CEQA) requires that both private and public projects be analyzed for their potential impacts to the environment. An Environmental Impact Report is an informational document intended to assist City officials in making decisions regarding a proposed project. Following the precise process laid out in the CEQA Guidelines is very important. While the EIR may be the heart of CEQA, most reviews end in the adoption of a Negative Declaration of Environmental Impact. In other words, the proposed project does not have any environmental impacts that are not known and cannot be mitigated through project redesign.

## **Code Enforcement**

This is a necessary function for the Planning and Building Departments. Cities are authorized to prosecute violations in order to enforce building and/or zoning codes. Most cities prefer compliance to code requirements to the prosecution of property owners. In most cases, a discussion of the issues usually leads to compliance.

## **The Public Hearing Process**

The Government Code sets out particular requirements to be followed in order to conduct a public hearing. It also provides guidance on what types of activities or applications require formal public hearing. Typically, if a public hearing is to be conducted, proper notice must be given. The public hearing notice must be given in at least two forms; advertised in a newspaper of general circulation and posting of the project site and/or a mailing of the public hearing notice to all property owners of record within 300 feet of the project site. Some cities also have three regular locations where postings are made.

Public hearings must be conducted to consider adopting or amending general plans, zoning ordinances, to consider granting use permits and for tentative tract map review.

## **The role of the Community Development Department**

The Community Development Staff guides and advises the City Council, Planning Commission and other City Departments with regard to the physical development of the City. The Planning Staff provides the labor and expertise to maintain the City's General Plan, Zoning Map and Ordinance. The staff also provides for the day-to-day

implementation of the City's land use policies.

The Community Development Staff provides the liaison with the business community, simplifying permitting, working to streamline the development process and providing communications between the real estate profession, developers, merchants, property owners and residents.

## **The Police Department<sup>3</sup>**

The police department has the primary responsibility of providing for the maintenance of social order within carefully prescribed ethical, legal, and constitutional restrictions. Its objective is the prevention of crime, detection and investigation of criminal conduct, and the apprehension of violators.

As a general matter, in the city council-city manager form of government, the chief of police is appointed and supervised by the city manager. This is used to establish a single executive officer to implement and administer the city council's policies. This varies, however, and some city councils appoint all department heads, including the chief of police. Under this form of government, the chief of police reports directly to the city council, however, many of the routine day-to-day police department issues are coordinated by the city administrator. In this way, more routine matters are handled by an administrator and the city council has a more direct relationship with the chief of police.

In a charter city the relationship of the police department to the council is determined by the charter.

### **Primary Functions of the Police Department**

The police department's responsibilities can be grouped under the following general categories:

- The prevention of crime
- Apprehension of offenders and recovery of property
- Performing miscellaneous services

### **The Prevention of Crime**

Crime prevention is a top priority for all city officials, and this task makes up a good portion of what city police departments do. In most instances, crime prevention comes in the form of patrol cars, but increasingly, police departments are utilizing prevention and outreach programs to target specific groups, such as youth.

For example, a recently emerging trend has been the establishment of counseling units within municipal police agencies designed to handle juvenile offenders. The rationale behind funding such units is to reduce recidivism at an early age, and thus reduce the future need for expensive police and criminal justice services. Other programs are aimed at educating youth about gang and drug activity to deter such behavior.

Emerging as a philosophy of policing are the concepts of Community Oriented Policing (COP) and Problem Oriented Policing (POP). Community Oriented Policing is a

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<sup>3</sup> Revised by Richard M. Tefank, Chief of Police, Buena Park.

philosophy of a police department being accessible to the public and working together in a partnership to identify and implement crime prevention strategies. Problem Oriented Policing is the philosophy of utilizing the community to identify problems and then working in conjunction with the police department to develop strategies to eliminate or solve the issue confronting the community and quality of life.

Crime prevention is one of the more visible aspects of what police departments do. However, the success of such programs should not be the only indicator of department performance. Public perception and citizen satisfaction with other police services should also be considered.

### **Apprehension of Offenders and Recovery of Property**

An essential component of the duties of a police department is the apprehension of offenders and recovery of property. Included in these functions are responses to calls, the investigation of crimes, and assistance to victims and witnesses and filing criminal cases to a prosecutorial agency. These tasks can be an indicator of the police department's performance, response time to calls, number of cases cleared by arrests, and number of criminal cases filed. These components can also be used to evaluate performance.

### **Performing Miscellaneous Services**

Some additional, but typical police responsibilities include parking control, animal control, applicant fingerprinting, commercial and residential security inspections, delivery of city mail to council and commissions, public speaking programs, and school crossing guard responsibilities. In some cities public safety departments have been formed combining police and fire services in an effort to increase personnel utilization. Police departments are often called upon, in conjunction with other departments, to enforce such things as code violations. In addition, police departments prepare various reports and other materials which describe their functions and inform elected officials of their actions.

The police department has the responsibility of preparing a variety of documents. The most significant document, and by far the most important respect to a city council, that a police agency prepares is its own local budget. The budget contains the department's priorities for the coming year, and the division and allocation of resources to accomplish those objectives. Through council action the budget becomes the primary policy statement from the council to the agency.

California requires the submission of monthly reports tallying the reported significant crimes and successful clearances, amount of loss and recovered property by category, and a register of all arrestees by name, offense, and ultimate disposition of each individual by the reporting agency. There are other reports called for throughout the year relating to narcotics seized, length of duration of juvenile arrestees in local jails, and other miscellaneous reports for the California Department of Justice.

A police activity report to the council should be considered another significant document. Since there is no mandate for such a report, local variations occur as to form, content and frequency of issuance. Some departments may never issue such reports, or issue them only in response to a specific council request.

Most departments, however, issue reports on a monthly, quarterly or yearly basis. They may vary in form from informal written briefings to complex statistical analysis replete with minute charts and graphs pertaining to every function of the agency. The point that should be emphasized, however, is that this report should be understandable by, and a benefit to, the council, the community, and the administration of the department. If it is too complex or too detailed, they become nice fillers on bookshelves, but are of little benefit to the council for prioritizing the expenditure of department time and resources.

### **Council and Police Department Relations**

A municipal police agency is only part of the overall service program of a city and should complement, support, and assist in the service delivery of the other city departments. It is not an independent, isolated, essential service with no interplay with the other city departments.

In the planning process, it has expertise in social impacts, environmental security, and traffic patterns and circulation. In its relationship to public works and engineering, it will have input on traffic engineering, signing and marking, and can assist in the causative factors of local traffic accidents. Officers on patrol will be able to report road deterioration, traffic obstructions, and general hazards with resultant liability exposure to the municipality. In the development of parks, the police department can assist in plan development with an eye towards eliminating vandalism, areas prone for criminal behavior, and instilling a sense of security in the park. In short, a police agency is an integral part of city government -- not apart from it. Representatives from the police department should be involved in all aspects of the planning process.

The internal policies and procedures of the department are determined by the police chief and need to be consistent with the law and policies of the city manager or city administrator and the council. Since the police function is primarily concerned with a broad range of order maintenance activities and with the provision of services to the community, these matters are clearly local concerns requiring responsiveness to the public and accountability to community priorities. Coordination of services, development of priorities, and maintenance of a balance between the services offered and the financial resources of the community require that the agencies delivering the services be responsible to the public. The determination of what services a police agency will provide, what priorities will exist, and what police responses will be sanctioned are proper decisions for the city council. A police department exists within a political arena, and a city council can be asked to answer to the electorate based on the actions of the police department. It is therefore, important that a police department understand its connection and relationship within this political arena.



## Budget Issues

The police budget will contain the proposed goals and objectives of the agency for the coming fiscal year. Depending on the local budget format, each police budget will generally show the allocation of resources distributed among three major divisions: administration, patrol, and investigative services. The budget accounts will reflect requested expenditures necessary to accomplish the goals and objectives of the department.

With the tremendous amount of discretion entrusted to police, oftentimes the most cost-effective expenditure of public funds is allocated within the training account. Expenditure in technical courses, firearms, self-defense, and crisis intervention, not to mention supervision and management, contribute to greater public acceptance of the police and lessen the exposure of the municipality to civil liability. The police budget will also show the percentage of general funds allocated to public safety in comparison to the total city budget. Local jurisdictions will vary based on community need and public demand as to the percentage given to police services through the allocation of general fund revenues.

When allocating resources, evaluation of police productivity is too often measured in terms of arrests, case closure, and property recovery. These measurements are as suspect as the criteria on which they are based, namely uniform crime reports. Although these numbers should not be overlooked, more important criteria for evaluation can very well be community satisfaction which is the community perception as to the quality of delivered police services. Questionnaires and surveys can be designed and input solicited on a random basis if desired by a city council.

The elected official may be best able to evaluate the effectiveness of the police department by soliciting input from his/her respective constituency. The perception of the police by minority communities, by the business community, by the residents, and by other individuals involved in the criminal justice system is subjective at best, but in the long run might form the better basis for evaluation. For instance, just the presence of the "patrol" division on the streets may be perceived differently by different segments of the community; for some it may suggest security, and others may view it as hostile. In contrast, different statistical measurements may suggest varying degrees of "productivity" but these can be counter to the community's perception.

The department's ability to achieve its goals and objectives as stated in the budget, stability of its personnel, time lag in responding to calls for service, and effective written disseminated policies and procedures are additional objective criteria which can be used in forming an accurate evaluation of the agency. No evaluation should be based on one or two selective areas, but an accurate analysis of several critical areas will lend to an accurate overall evaluation of the agency.

One peculiarity typical of all police agencies which a city council must keep in mind is the need for higher total staffing -- in contrast to the number of persons on duty at any given time -- caused by operating on a seven-day week, twenty-four hour basis.

Typically, police departments must staff twenty-one shifts each week. Each officer works five shifts, and therefore it requires 4.2 officers to field one patrol car on a weekly basis. When vacation time, compensatory time off, sick leave, mandatory training, and court time are computed, the 4.2 figure approaches 5.2 officers to maintain one patrol vehicle in the field on a weekly basis. This formula applies to the five-day work week. Alternative work schedules include the “four-ten” plan, a work week consisting of four ten hour work days, and the “three-twelve” plan, a work week consisting of three twelve-hour shifts.

Overtime costs are often of great concern to a city council. Overtime on a day-to-day basis is unscheduled and although management exercises what controls it can, an officer cannot be relieved in the middle of a major criminal investigation or a serious traffic accident. Two-thirds of the patrol force generally work swing and midnight shifts, and are also required for court appearances during the day, which leads to increase overtime costs.

Limited resources along with rising insurance premiums, retirement, and employee benefits are creating fiscal dilemmas which the elected official must deal with while preserving the community's perception of proper security. Increased civil litigation arising out of police action is broadening the municipality's exposure to civil liability. Tax reducing initiatives are lowering the general fund revenues and it is primarily the general fund from which every department derives its funding source.

Budget constraints, however, provide an opportunity to improve service and efficiency in the future. Consolidation or centralization of records, warrants, and dispatching, together with the formation of multi-jurisdictional investigative units will become more commonplace. The actual consolidation of municipal police departments while still preserving local control should be considered and experimented with. The “civilianization” of support personnel and the increased use of civilians in performing routine calls for service will free up more sworn officers for criminal apprehensions.

The function and purpose of investigative units should be re-evaluated and critical decisions made in regard to their caseload, accountability, and solvability of cases assigned with the view that patrol can share more responsibility for criminal investigation. A reserve force can also be utilized, however, recent training requirements, and other state laws have discouraged the use of reserve officers.

## **Labor Issues**

An issue facing local municipalities today is the actions of the rank and file police associations or unions. During difficult labor negotiations there may be a “job action,” which may include work slow-downs, the “Blue Flu,” or an inordinate decrease in traffic enforcement. Votes of no confidence in the police chief are common, and coupled with the police “job action,” may cause community unrest and consume local officials' time to the detriment of all municipal services.

## **Public Awareness**

An active public education program soliciting community support in crime prevention, instilling public awareness of the limitations of police authority, and re-evaluating or redirecting the public's expectation of having a police officer responding to every call for service should be attempted and supported.

Some cities are involving their residents more closely with the police department, either through a community police academy or a volunteer program. Besides helping to stretch the resources of a police department, these programs provide the public with a greater awareness of the role and responsibility of the police department.

## **The Public Works Department**

The purpose of the public works function is to be the stewards of a city's infrastructure. Municipal infrastructure traditionally includes streets and highways, median island landscaping, flood control and storm water quality, public buildings, water supply, sewage treatment, street lights, transportation and traffic control, solid waste management and recycling, parks, open space, municipal utilities, street trees, airports and cemeteries. For all of these municipal services, the public works function is responsible for design, construction, operation and maintenance of municipal facilities.

Every city in the United States organizes their public works functions in different ways. The traditional approach is to have a Public Works Department that is responsible for all these services. Many cities have developed with special districts that handle some of the public works functions and thus these functions would not be under the purview of the City Council. Also, many cities assign various public works functions to other City departments.

A new council member is encouraged to review the City's table of organization to see what functions each of the City departments is responsible for. It can be embarrassing for a council member to ask a department head about a municipal service when that function is handled by another department, especially during a City Council meeting.

In many ways one can look at public works as providing the basic foundation on which cities and their subsequent functions are built. Public works is rarely noticed until something goes wrong or until major construction is underway. Excellent public works in a community can have a significant impact on property values and the quality of life that citizens enjoy.

## **The Development of a Capital Improvements Plan (CIP)**

One of the most vital documents to implement a cities general plan is the capital improvement program (CIP). Most cities develop long-range (generally five years) capital improvement programs, which are updated annually. This document reflects the plans to construct certain public facilities in accordance with the goals and objectives of the city. The CIP should describe proposed facilities adequately so citizens understand what facilities are planned, what they will cost, and where the money will come from to finance them. .

## **Funding Sources**

The most reliable sources of funds for public works come from gas tax revenues and local sales tax initiatives for transportation. These sources generally distribute funds based on formulas such as number of lane miles, number of licensed vehicles, or population. Other reliable sources are local enterprises, (such as water, sewer or refuse, etc.) or the local agency's general fund.

Policies guiding the construction, operation and maintenance of many public works facilities are frequently developed at the state and federal level and as such, weigh heavily on the policy direction of local agencies. Federal grant funds administered by the Federal Highway Administration or the Environmental Protection Agency for example are generally loaded with regulations governing their use. As a result, use of such funds can require a great deal of sophistication and time to administer. This, of course, results in increased administrative costs and delays, and as a consequence many smaller organizations with limited staff resources are unable to utilize these types of funds.

To a large extent, public works budgeting is controlled by the availability of state and federal funds. Categories and levels of funding, particularly for federal grants, fluctuate widely from year to year. For example, the decision to cut federal taxes could likely cause significant public works fund reductions necessitating changes in levels of service or increased use of local general funds.

State and local bond measures also fund public works budgets and are a frequent revenue source for major projects. When a public works facility benefits only a small portion of the community it is often financed by the developers of the property by "benefit assessments" levied against the owners of property in the neighborhood or by service charges and fees. These devices do not involve the use of general tax funds. These funding sources complicate public works budgeting and reduce the city's flexibility to prioritize its expenditures and to plan for the future. These factors must be considered in selecting and evaluating public works programs.

## **Performance Feedback and Measurement**

One means of measuring any service is by evaluating citizen feedback. If the feedback is favorable, it is a good indication that the level of service is commensurate with the expectations of the community. However, a seemingly popular service may also be an extremely expensive service. If the public is aware of the expense involved and is willing to keep the level of service, this confidence is then reflected in the annual budget allocations.

It is extremely helpful if performance levels can be measured in terms of efficiency and quality. Departments must establish means to measure how well they are performing and meeting the mission, goals and objectives of the city council.

Continuous improvement evaluations of all operations are a common expectation within local communities. Comparisons with how services are provided elsewhere and in the public sector are useful tools. Sometimes contracting out to the private sector is the most successful way to provide a particular service, and sometimes we may simply need to get out of certain businesses or services that stray too far from our core mission or are simply unaffordable.

The most common measurement used by most public works departments is asset management, an assessment of the condition of the cities infrastructure. This assessment inventories the condition of cities capitol assets. The public works department can then determines what deferred maintenance may exist, calculates how much should be spent annually to eliminate it within specified periods of time as well as what should be spent on preventative maintenance to maximize the life expectancy of these assets. Eliminating deferred maintenance is the major public works issue at all levels of government. It is terribly important that policy makers understand what they should be spending to maintain and preserve what they have before they decide to spend available funds on new projects or services.

## **The Recreation, Parks and Community Services Department**

Community Services is not a new municipal function. Community services refer to parks, recreation, libraries, arts and culture, museums and theaters, senior's leisure and human services. Village greens were found in most every New England town from early in our country's history. Central Park in New York City provided the first large scale city park in the United States when it was acquired in 1856 at a cost of \$5,069,693 -- and not without some large scale political disagreement! Neighborhood park development began to become commonplace in American cities during the first decade of the twentieth century, and the birth of the American recreation movement occurred with the dumping of large heaps of sand in the yards of a chapel and a nursery in Boston in 1885.

In California, community services activities are authorized in state statutes differently for charter and general law cities. Charter cities are permitted to act subject to limitations in their charters unless overruled by state law on matters of statewide concern; general law cities are given permission by a wide variety of code statements to conduct activities such as parks, arts, recreation, etc.

### **Primary Functions of the Community Services Department**

Municipal or local community services are offered in several forms in California. Although most cities provide community services through regular city departments, some communities are served by counties, some by special park and/or recreation districts, some by community service districts (CSDs) and some by combinations of the above.

In recent years, many difference organizational patterns have been developed to meet local conditions and local needs. The organizational title "parks and recreation" generally implies single department responsibility for both park maintenance and recreation programming. Some cities have chosen to separate the two functions, typically placing park maintenance responsibility with the public works department.

Cities vary widely in the arrangement of departments. Often, these activities are placed under the administration umbrella "community services," though each area generally retains its own identity. The common administrative denominator can assist in creating an atmosphere conducive to cooperation and shared resources, or they may be separate departments.

Community services departments have traditionally been asked to provide services which do not seem to fit neatly into other departments or disciplines. Often these changes in roles have been difficult to assimilate within the departments as well as within the city, but the departments have learned to become tremendously adaptive. It would seem logical to assume that changes in local government funding as well as in grant and other assistance programs will continue to mandate changes in organizational structure within the cities. However, the city government's commitment to community services department will continue to be recognized as a barometer of the "quality of life" in that community.

Several significant city documents are prepared by the community services departments, including department budgets, the recreation and arts elements to the general plan, park standards and plans, and community services program information material. Community services department staff members and commissions are also regularly called upon for input into general plans, zoning and redevelopment matters.

Often elected officials and city managers overlook the positive importance of the many public relations materials published by community services departments. This multitude of regular and special publications annually provides most of the written contact between many citizens and their city government that is not of the utility bill or statistical report variety. As shrinking financial resources demand better utilization of resources the community services publications to residents can also provide information of other important city activities and programs.

### **Council and Community Services Department Relations**

Since community services departments have such varied responsibilities, each elected official must consider carefully the interrelation of department activities with other services provided by the city. Any discussion of police programs must necessarily consider youth recreation and arts activities. Considerations of community appearance and real estate property values must note the impact of street tree programs, public building maintenance and park design and maintenance.

Reviews of sales, amusement, or hotel/motel tax revenues naturally relate to community theaters, zoos, special community events, athletic contests, etc. No analysis of local employment should exclude the millions of dollars earned annually (much of it by young people) from work in local California community services departments -- additionally, much of the earnings are probably spent within the community. The economic impact of a downtown theater, for example, may have a multiplier effect of three times and sometimes much more. That intangible called "community spirit" is often highly influenced by community services departments' support of the multitude of community volunteer organizations and community special events found in every city.

### **Department Policies**

City councils should insure that department policies are being set and implemented in a manner consistent with the desires of their community. Many cities use advisory commissions (parks and recreation, libraries, senior citizens, arts, human services, street trees, youth, etc.) to review and comment on important policy decisions prior to city council action.

- Does the city council wish to get involved in all fee setting or special interest group subsidy requests?
- Should the city follow the "co-sponsorship" plan which suggests not starting a city program if a local group can be stimulated to fill the need?



- Policy issue determination involving citizen participation invariably provides more satisfactory and comprehensive solutions to everyone involved.

City council members should insure that a clear understanding exists by all parties regarding which type of policy decisions should be made by the city council, the advisory commissions, the city manager's office, or the department.

Unfortunately, community services are not always easily quantified as are fires, burglaries, investments earned, building permits issued or miles of streets repaired. Some communities do invest time and money into community services planning, user surveys, and performance standard strategy. However, most community services departments do not have the resources to be thorough in evaluating their services nor in making elected officials and the public aware of their contributions.

Elected officials should set priorities for park maintenance and then provide the resources to ensure modern managerial and performance standards are used to measure results. Elected officials should demand that advisory commissions not be "rubber-stamped" and devote time and energy to reviewing programs, program quality and citizen concerns. Elected officials should ask whether or not demonstration and innovation are the exception or the rule in the community services department; and whether or not their city's parks and programs serve the needs of the users of the services offered.

There are numerous traits of successful community services departments which bear upon its ability to serve the public. Some include:

- **Innovation.** Are the community services departments flexible and open to change? Ten years ago, who envisioned roller blading or midnight basketball, senior day care, a technologically advanced library or public arts throughout the city? More important, who is thinking about the possible impacts of these items on the community services experience: an aging society, the homeless, child day care, surplus schools, the drug culture, gangs, strategic planning, growth management, an international recession, a sustained energy crisis, drastically reduced federal spending and year-round schooling?
- **Part-Time Help.** Community services departments are probably unique in the large number of part-time employees they hire. As mentioned above, most cities are probably a major employer of youth in their community. While this may give the personnel and finance department problems, it also gives the city a live and direct connection to its citizenry, in addition to being a tremendous augmentation to community services permanent staff. For many city residents the park maintenance helper, librarian or lifeguard may be the only living and breathing city representative they speak to throughout the year. Evaluation and training of these employees is the key to an effective service delivery of community services.
- **Volunteers.** Community services departments must utilize volunteers and special interest groups in ways that distress risk managers and other city officials but tap a great community resource. In 1987, volunteerism was determined to have grown in

cities by almost 50 percent over the previous five years, while full-time staff had grown only 10.3 percent during the same period. Such an approach gives city government another direct method of ensuring community involvement.

- **Sponsorships and Fundraising.** As general fund budgets become less available to community services departments, these agencies have become more dependent on funding through corporate and private sponsorships, grants and fundraising efforts. Increased staff time is being devoted to maximizing these resources, and it is not uncommon that special events, regular programs, brochures and publications, etc., include references to a sponsor.

The time for traditional responses to public service demands in this time of untraditional funding has ended. Elected officials are asking questions about some of the following concepts and practices:

- “Contracting-out” for services
- New capital outlays for equipment facility or redesign that will increase productivity and service levels while reducing energy consumption
- Voter-approved park maintenance fees
- Nonprofit foundations to augment programs (For example, Friends of the Libraries, Arts, Parks); paid advertisements in local publications
- More effective use of volunteers and community groups
- Partnerships and collaborations
- Higher fees and charges
- Scholarship programs for the poor and the handicapped who may be hurt the most by the higher fees and charges
- Use of parks and recreation departments to generate ancillary revenues that benefit department revenues while providing useful services to the community
- Enterprise funds in recreation to parallel water and sewer enterprise fund operations
- Conversion of parks and grounds areas to low-maintenance landscaping
- Department, division and program reorganization to reduce middle management
- Design of new parks that can be easily maintained
- Systems that facilitate professional management
- Involvement of community or neighborhood groups or the private sector in maintenance operations

Community services has proven itself to be one of life's necessities in a highly urban society with rapidly growing cities, quality of life issues becoming an important way to reach the public and create a sense of community. The public will continue to expect public officials to provide for quality services in the cultural arts, human services, leisure

services, library services and in park development and maintenance in spite of reduced resources to do so.

## The Library Department<sup>4</sup>

Library functions usually fall under the Recreation, Parks, and Community Services Department. It is listed separately here for greater visibility. The purpose of the public library is to provide informational, educational, and recreational materials in a variety of formats to meet the needs of the community. These needs are as varied as the persons who use the library—young and old, poor and affluent, from the most practical needs to the most technical, from recreational to life influencing. Since the first "community library" was opened in Philadelphia in 1731, the public library has been the one source of information and assistance available to all citizens.

### Primary Functions of the Library Department

In general, the library's functions can be placed into three broad categories:

- The source for information and materials of all kinds for residents—traditionally the public library has been regarded as a preserver of culture and democracy, a repository of information in many formats, and an extension of the formal educational system. These basic responsibilities are but part of the modern dynamic library program.
- The provision of public services—including the more traditional interlibrary loan and children's programs, as well as such more innovative services as literacy tutoring, computer and Internet access, and materials for those with special needs.
- The provision of information to City administration and management.

### The Source for Information and Materials of All Kinds

In addition to books on almost every subject, the library's collections may include newspapers and magazines, audio and video cassettes, compact discs and DVDs, computer software, microforms, pamphlets, maps, pictures, toys, games, films, tools, and equipment for loan and for use on-site. An increasing number of information sources are available to the public at the library on computer databases and through the Internet.

Many local libraries collect and preserve historical documents, papers, photographs, and other memorabilia which are the only research resource for local historians. The public library is sometimes called upon to gather information or to obtain documents needed by other city departments. And the library, along with the city clerk's office, may act as the collector and retainer of city and regional governmental documents. In some communities, the public library is a source of cable television programming, and the library may house the cable TV studio. And in every library, the staff gives tours of the library and gives instruction on how to use the many resources available to customers of all ages.

The public library also serves the information needs of elected officials and city management. Do not hesitate to call upon them for books, magazine articles, management videos, and other resources needed to administer city government.

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<sup>4</sup> Revised by Laura Mitchell, City Librarian, Escondido.

## **The Provision of Public Service**

The public library is often called upon to provide information and materials that are not available within its facilities. To meet the more specialized needs of residents, the public library can borrow books and other materials through the interlibrary loan program from other libraries, including colleges, universities, hospitals, and private corporations. Most public libraries now belong to the new “Library of California”, a consortium of libraries of all types with the purpose of facilitating the sharing of print and electronic resources throughout the state.

Many libraries offer programs for people of all ages, including classes on how to use the Internet. For young people, the library may give pre-school story hours, after-school entertainment, and motivational reading programs for elementary age children, and special interest clubs for preteens and teens. For adults, the library may offer great book discussion groups, travelogues, music programs, inoculation clinics, lectures, and assistance at income tax time. Community groups may meet at the library on a regular basis.

More than 100 public libraries are participating in the California Literacy Campaign, a grant program established by the California State Library in 1984. Local libraries match volunteer tutors with adults who have poor reading skills. These residents are then taught to improve their reading levels so that they can function better in their daily lives. In fiscal year 2000-01, more than 25,000 learners and 13,500 tutors participated in the campaign.

## **Contemporary Library Issues**

Some current library issues include growing numbers of “latchkey children”, the declining condition of school libraries in many California communities, increasing numbers of homeless and mentally disturbed users, library facilities which are deteriorating or just becoming too small for the increasing use, the need to provide expensive computer equipment, and the need to resist individual and/or group attempts to limit access to library materials.

## **City Council and Library Relationship/Structure**

In California, library services may be delivered to a city by one of several methods:

- The city may establish its own library.
- The city may contract with the county library for library services, or the two bodies may form a joint city-county library.
- The city may be included in a special library district.
- The city may be included in a unified school district library district or a union high school district library district.
- The city may contract with a commercial firm to operate the library.

The method of service delivery also determines the nature of the library's governing body. The library may be governed by the city council or the board of supervisors, or by an elected or appointed board of library trustees. Regardless of the method of service delivery, the local public library is an integral part of the community and is responsive to community needs.

### **The City Council and Library Department—Relations and Expectations**

Assessment of Services. The public library is generally perceived as a public good that is worth supporting, even by those who rarely use it. Hard times for library budgets have sometimes motivated a neighborhood or community to mobilize in support of their library. And the governing body's commitment to providing quality library service is certainly one measure of the "quality of life" in the community.

Like other "human services," the quality of library services is not easily measured or evaluated. The state requires public libraries to keep statistics on their activities, and these can help in the evaluation of the library, especially circulation trends and the increase or decrease in the number of registered borrowers. However, statistics do not give the total picture.

The opinions of library users and community members are very helpful in evaluating the library. If the staff is friendly, well trained, and helpful to all clients and the library atmosphere is inviting, people will enjoy using its services. If the library management and the governing body receive few complaints, and users praise the library, it is fairly safe to assume that the library is doing a good job. Elected officials who do not use the library and rarely visit it are missing their best opportunities for observing staff performance and evaluating library use.

Questions that may be asked in the evaluation process include:

- Is the library used by all segments of the community?
- Is the staff well trained and knowledgeable about resources and collections?
- Can user questions be answered quickly and thoroughly, or can sources for answers be identified for the user?
- Does the library demonstrate that it is a part of the community by displaying items of local interest, by collecting local history, and by encouraging staff members to become involved in local organizations?

Automation and Capital Needs. In some communities, local officials have been reluctant to commit the large initial capital outlay that is required to automate the library, and to maintain and upgrade its computer system in a timely manner, although they have automated many other routine functions in other departments. Experience has shown that the automation of library routines relieves staff of record keeping and enables them to expand services to meet the ever-increasing expectations and demands of the public. Automation also enables staff to perform other tasks that may not be getting done.

One of these tasks is that of fulfilling the responsibility to account for the library's collections. Taking inventory of thousands or millions of items by hand is an almost

impossible task with existing staff. With a database, the library has an efficient means of tracking and accounting for most of its inventory. This in turn enables the staff to know which items are so much in demand that more copies are needed, or which important items are missing and need replacement. And this is much better service to the public.

Facility Needs. Another very effective way of improving service is to build new libraries that are energy efficient, handicap accessible, easily maintained, and prepared for the installation of the newest computer technology. Too many public libraries are housed in antiquated facilities that lack handicapped access, fire suppression systems, adequate seating, decent restrooms, and staff work space. Some public libraries are so badly out of compliance with fire, building, and electrical codes that they would be closed if they were operating in the private sector.

The safety and security of the public, the staff, and the city's enormous investment in its library collections are at constant risk in such buildings. Unfortunately the mitigation of these problems requires a large capital outlay that local officials hesitate to commit as long as they can "get by" with the current situation. It is sometimes the case that the library staff provides efficient, quality library service *in spite* of all these handicaps; the improvement in service would be even more dramatic were such an excellent staff moved into an improved facility.

## **Contemporary Library Issues**

All city services face a never-ending demand for more and better services, and the library is no exception.

- Growing communities with young families make many demands upon the local schools and the public library.
- More and more residents have personal computers at home, and they expect to be able to access library resources from home.
- Library users also expect to find the same up-to-date equipment and resources at the library that they have at home.
- Communities with more elderly persons on fixed incomes are experiencing more demand for services specifically for the senior citizen, and this is one of the groups often targeted by public libraries for special service programs, such as large print books, talking books, and information and referral services.
- New businesses and industries bring in more people to use city services and new demands on the library's business collections.

Of major concern to library staff members is the increasing number of "***latchkey children***" frequenting the library. Many working parents, unable or unwilling to provide after-school care, instruct their children to go to the library after school and to remain there until they are picked up hours later. They assume that their children will be safe and supervised at the library, not realizing that because it is a public facility, it is open to all elements of society, and the busy staff cannot take responsibility for watching the youngsters.

Bored, restless children sometimes behave inappropriately, demanding constant attention from the staff, who are then unable to help other library users. The American Library Association has prepared guidelines for libraries dealing with this nationwide problem, and libraries are working with their local police and other agencies to establish methods for handling problem and neglected youngsters.

Another youth-related concern of public librarians is the continuing **decline of school libraries**, especially in elementary schools. The lack of funding for school libraries throughout the state has resulted in outdated collections and poor staffing; often a school library is run by an untrained aide or a parent volunteer. This has created an enormous demand on public libraries for materials that support homework assignments, and for homework assistance after school hours. Public librarians try to balance the needs of local children against the needs of the rest of the community but find it increasingly difficult.

Another significant problem is that the public library, because it is a public facility, has become "home" to an ever-growing number of the **homeless, mentally disturbed, and transient** members of the population. These people find the library a comfortable and non-threatening place to spend the day, but their appearance and behaviors are sometimes upsetting and intimidating to other library users. Unless they commit a misdemeanor, such as disturbing the peace, there is no legal ground for ejecting them from the library.

Like unattended children, the homeless and transient people frequenting the public library are more than a library problem; they are a community problem. Solutions may be found in the provision of more day care programs and facilities for both groups. Libraries cannot solve these problems, but they can contribute to community-wide efforts to do so.

There is and will always be a demand for basic library service, for no other institution provides the materials and services that are the responsibility of the public library. It has been said that the continuance of our democratic way of life depends in part on the public library's continuing ability to provide materials on all topics and from all points of view without interference or censorship by any particular group, sect, or creed. Groups that seek to limit or prescribe the services of the public library seek to interfere with our citizens' most basic rights. Library management needs the support of its governing bodies in resisting such interference.



## **The Human Resources Department**

A city's human resources department has responsibility for personnel matters affecting all city departments. Human resources serves as an internal consultant helping other city departments recruit and retain the best possible workforce, training and motivating employees once they are hired, ensuring a fair and equitable system of personnel management and resolving employee relations problems.

Human Resources professionals have four major roles within their cities, the traditional role of providing technical expertise, and three emerging roles: "business partner", working with management to devise effective solutions to an organizational or performance problem; "change agent", helping others understand the need for change, planning and training for change; and, "leader", influencing others, and balancing concerns for employees with organizational requirements and goals.

Cities in California vary as to how their human resources functions are organized. Many cities have changed the name of this function from "Personnel Department" to "Human Resources Department." Medium- to large-size cities are likely to have a full-service Human Resources Department with the responsibilities of the director ranging from recruitment and selection to risk management. Smaller cities may have a personnel officer or personnel manager reporting to a department head or to the city manager. In other cities, the assistant city manager may be designated to handle human resources responsibilities.

Many cities include risk management functions (workers' compensation, liability, insurance and safety) as part of the Human Resources Department.

### **Primary Functions of the Human Resources Department**

- Labor and employee relations, including negotiating the city's labor contracts and resolving employee grievances
- Recruitment and selection for vacancies and promotional opportunities in city departments, and compliance with non-discrimination law
- Classification and compensation to ensure that employee job descriptions and pay are consistent with the actual duties being performed
- Employee recognition programs
- Training and development so that employees grow professionally and provide improved services to citizens
- Administration of retirement, health, dental, and other employee benefits
- Risk management, involving workers' compensation, liability, insurance and safety
- Maintaining personnel records

### **The Human Resources Department and the City Council**

Elected city council members set public service policy for the city. In that capacity, elected officials can assist in effective management by getting to know how their decisions affect the city's largest resource: its employees. The human resource department functions and responsibilities are key to successful organizational effectiveness. Moreover, elected officials can expect to be kept apprised of ever-changing employee relations law, and the costs and values of the city's workforce.

Following is a summary of the key organizational responsibilities of the human resources department.

## **Labor and Employee Relations**

### ***Employer-Employee Relations Resolutions***

Every city should have a resolution or ordinance that provides procedures for administering employer-employee relations between city management and the city's employee organizations and for resolving disputes regarding wages, hours and other terms and conditions of employment. This document is often described as the Employer-Employee Relations Resolution (EERR) or Employee Relations Ordinance (ERO).

The EERR or ERO defines the process for recognizing employee organizations (or "bargaining units") as prescribed by Government Code Section 3500 et seq, the "Meyers-Milias-Brown Act" or MMBA, originally adopted in 1969. In 2001, MMBA was modified to include resolution of disputes regarding unit determination through the Public Employment Relations Board (PERB). The number of bargaining units depends in part upon the services and functions provided by the city. In a full-service city with its own police and fire departments, a city is likely to have bargaining units representing the following employee groups:

- Police safety employees
- Fire safety employees
- General unit employees (rank and file employees, such as clerical and maintenance)
- Management unit employees (may have separate groups for police management, fire management and general management). This is very different from the private sector.

The EERR or ERO outlines a process for meeting and conferring in good faith under MMBA in order to reach agreement on a labor contract, or Memorandum of Understanding (or Agreement) (MOU or MOA). The city's "municipal employee relations officer" is designated in the EERR or ERO. This individual is typically the director of human resources or employee relations manager.

The city may utilize the director of human resources or a consultant as its chief negotiator.

### ***Providing Labor Relations Information to the City Council, Manager and Other City Officials***

The municipal employee relations officer requests guidance and provides labor relations information through the city manager to the city council. Such contacts, normally during closed session, include:

- Discussion of parameters for negotiating with specific employee groups
- Data on employee groups (wage and benefit data and comparisons with similar positions in other public agencies)
- Proposals made to the city's bargaining team by employee groups along with the cost of implementing the proposals
- Proposals made by the city's bargaining team, along with cost data

The city council approves final labor contracts, or MOU/MOA's, in open session.

In the event the management and labor representatives are unable to reach agreement on an MOU/MOA, the city's resolution provides for impasse procedures that may include a hearing by the council, mediation, fact-finding or arbitration. Under current State law, impasse with public safety employee units may result in mandatory binding arbitration, during which a neutral arbitrator ultimately determines how the impasse is resolved.

### **Recruitment and Selection**

*Recruitment:* The Human Resources Department works with the hiring department through all phases of the recruitment and selection process, from advertising a vacancy to final appointment of an employee. A goal is to target a pool of well-qualified applicants so staff may advertise with professional associations and newsletters, in addition to media sources. Many cities use the Internet to advertise for city job openings.

*Selection:* Staff evaluate job applications according to established qualifications for education, training and experience. They also test applicants via written exams, performance tests and oral interviews. Interview panels may consist of representatives in the field from other agencies, in addition to managers from the hiring department.

Human resources staff are responsible for compliance with state and federal non-discrimination laws in the hiring process, including Equal Employment Opportunity (EEO), the American's with Disabilities Act (ADA), and similar California statutes. Human resources staff may assist hiring departments with background checks on top candidates, and coordinate pre-employment medical exams and fingerprinting of new hires. Other responsibilities include new employee orientation, so that new hires learn about the city, its services, and its overall values and mission, as those factors relate to the employee's specific assignments.

## **Classification and Compensation**

*Compensation Surveys:* Comparing salaries and benefits with other public agencies for similar positions is an ongoing function of human resources staff. The data is used in collective bargaining with labor groups and for city departments in the process of establishing new or revised positions. Some cities compare their pay to the private sector as well. The factors involved in comparison, and the selection of comparison employers, are matters of policy (determined by City Council) and collective bargaining (determined with employee organizations).

*Pay and Classification Studies:* As functions of city departments change in response to public needs, human resources staff analyze job duties and recommend changes in current jobs or creation of new positions. Compensation changes may be recommended commensurate with changes in job duties. Pay or classification studies may be conducted for an entire city department, a division of a department, a specific bargaining unit or a job family (for example, clerical positions).

## **Employee Recognition Programs**

Many cities have introduced employee recognition programs with support from Human Resources Department staff. Components of employee recognition programs may include:

- Employee commendations
- Service year awards
- New employee ceremony for employees and families

*Employee commendation programs* may involve nominations by co-workers or supervisors for exceptional performance by individuals or teams of employees. The city council may recognize employees publicly at council meetings as a way to inform the community of outstanding city employees.

*Service awards* are presented to employees who have worked for the city for a certain number of years, e.g., at five-year intervals.

*New employee ceremonies* may be held regularly (monthly or quarterly) to provide a welcome by council members, the city manager or department heads to newly hired city employees and their families.

## **Training and Development**

Through its training function, Human Resources has an important role in helping employees provide quality services to the public, and in developing the successors for future promotional positions within the city. Staff may conduct a needs assessment survey citywide or for one department or division. Training may be handled internally by city staff or may be contracted externally to another firm. While training costs money it is an investment in reducing the city's liability, increasing employee productivity and improving services. Typical training programs may include:

*Supervisory Training Programs:* When new supervisors are hired into the city from another agency or a non-supervisory employee is promoted to a supervisor, it is important to train supervisors in procedures such as grievance handling and disciplinary procedures.

*Professional Development Training:* New federal or state regulations affecting programs operated by city staff require regular, ongoing training so that staff remain in compliance with appropriate regulations, as well as providing knowledge and skills that will be important for the employee as he/she seeks career growth within the city.

*Skills Training:* As new technology is introduced citywide, or job skills change, staff must be trained in efficiently applying the technology and skills to their jobs. In recent years, there has been considerable emphasis on "customer service" training.

## **Risk Management**

### *Administration of Employee Benefits*

Cities provide a wide range of benefits to their employees including health, dental, vision, short- or long-term disability, and life insurance, employee assistance programs, deferred compensation programs, and retirement. Many of these benefits are subject to complex federal and state regulations. Cities should have staff who are knowledgeable in the benefits area to administer these programs and assist employees. Most cities also utilize the services of an insurance broker to assist with negotiating contracts, making plan changes, and resolving insurance problems.

A city's contribution toward the costs of these benefits and the scope of the plans is generally subject to negotiation with the employee bargaining units. These negotiations can at times become quite contentious due to the significant costs of these programs and the frequency and severity of cost increases.

Many cities contract with the California Public Employees' Retirement System (CalPERS) to provide a retirement plan. CalPERS also offers medical insurance and other benefit plans.

## **Workers' Compensation Administration**

Employees who become ill or are injured in the course and scope of their jobs are entitled to workers' compensation benefits. The California Labor Code explicitly defines these benefits. Staff must be well educated on the provisions of the Labor Code, must be able to communicate effectively with supervisors and employees about the responsibilities of the city and the rights of the employees, and must have a general understanding of medical and legal terminology.

Workers' Compensation functions may be organized differently from city to city. Cities may self-administer claims by hiring staff to process claims. However, many cities choose to contract with a third-party administrator for this function. Risk Management staff responsibilities, outside of claims administration, include analyzing claims frequency and severity, predicting future losses, developing loss control programs, working with departments to create appropriate workplace safety policies, and working with departments and employees to effectively return injured employees to work.

### **Liabilities Claims Administration**

As provided by the California Government Code, persons wishing to recover money from cities for damages or injuries must file a claim against the city. Frequently such claims arise from minor property damage incidents, trip-and-fall accidents, vehicle accidents, allegations of police misconduct or civil rights violations, or contract disputes. As with workers' compensation administration, cities may self-administer these claims or may choose to contract with a third-party administrator. Liability staff generally works in conjunction with the city attorney. Staff responsibilities, outside of claims administration, include consulting with departments, analyzing loss patterns, and predicting future losses. In addition, liability staff is usually called upon to review contracts into which cities enter to ensure that the language appropriately addresses liability and insurance concerns.

The Government Code allows city councils to delegate their authority to deny or settle claims to city staff. Typically, city councils will delegate such authority up to a certain dollar amount. Settlements above the delegated amount are decided during closed sessions, after presentations and recommendations by the city attorney or other staff.

### **Insurance**

Cities purchase commercial insurance to cover many exposures including general liability, workers' compensation, property, automobile, earthquake, flood, and various employee benefit insurances. These coverages may be purchased directly from carriers or through Joint Powers Authorities (JPAs). JPAs typically offer increased negotiating power and lower premiums than standalone programs. They may offer other incentives as well, such as risk management support, dividends for loss reduction, etc.

Frequently, cities will choose to retain a certain portion of their losses for many of the above-mentioned exposures. The dollar amount for which no insurance is purchased is known as the self-insured retention. Cities must set aside funds to pay for these retained losses and must recognize the liabilities as prescribed by the Governmental Accounting

Standards Board (GASB). Insurance purchased for losses above the retention is known as excess insurance.

JPAs may similarly choose to retain a certain portion of losses. Member cities will then pool resources to cover the retained losses. City councils are generally required to appoint a council member or staff person to serve on the JPA board of directors. The JPA board is responsible for making decisions about general administration, claims administration, insurance programs, and investments.