



Ad Hoc Committee for Boards and Commissions



- Review of Resolution forming ad hoc committee
- Women's advisory board
- Bicycle Advisory Committee
- Affordable Housing Board request from Housing Catalyst
- Update from Golf Board
- Final draft of Code of Conduct policy and complaint process
- Final draft of Anti-Discrimination and Anti-Harassment Policy
- Formally vote on Committee recommendations



In November 2022, Res. 2022-122 established an Ad Hoc Committee on Boards and Commissions

- New Public Engagement Specialist role to focus on providing more support to b&c members, staff liaisons, applicants, including onboarding and training
- Intention to begin work in December 2022 and make recommendations by July 2023
 to allow time for Council to take action on the recommendations and, if needed, for
 staff to implement changes and communicate to the public prior to the start of the
 annual recruitment process
- Committee members will receive a complied list of recommendations that have been submitted from b&c members, Councilmembers, and the general public
- Make recommendations to improve the efficiency and consistency of b&c processes and reduce barriers to participation on b&C



What happens when the ad hoc committee concludes its work?

- 1) The request for board sunset/repurpose or new board can come from a variety of sources:
 - Board chair or Board member(s)
 - Staff liaison
 - Department Director
 - Community member
 - Public Engagement Specialist
 - City Manager
 - Councilmember(s)
- 2) For a new board: CCO coordinates with the requester to answer: What is the need, intent? What would the new board's scope of work and goals be? Is this a 7- or 9-member board?

- For the sunset or repurpose: CCO coordinates with the requester to provide reasons
- 3) Staff provides the information to Council via a memo
- 4) Council may give direction to staff to proceed with evaluation process under Other Business
- 5) Staff will run the request through a series of questions, collect data, and provide options and/or recommendations to Council during a work session for Council's consideration



- 1986: Commission on Status of Women was created
 - 7-member board with 2 alternates
- 1990: Membership changed to 13 members
- 2000: Membership changed to 11 members in addition to the county and CSU each appointing an ex officio non-voting member
- 2011: Clarified in the Code that the Commission should not take positions on proposed federal or state legislation independently of Council
- 2021: Renamed as the Women's Advisory Board
- Jan 2022: Women's Advisory Board stopped meeting.
- May 2023: Received request from community member to repurpose to include broader gender equity issues



Assessment Tools and Indicators

- The original goals have been achieved or run its course
 - One way to determine this if there is a consistent lack of business items
- Not submitting an annual work plan
- Not submitting an annual report
- The Board does not provide recommendations to Council
 - Direct advice is not needed so maybe not necessary to provide regular recommendations
- Pulse survey data indicates caution
- Data shows a lack of quorum
 - Is this due to structural issues with the board?
- Data shows there is a lack of applications to fill vacancies
- Overlap in scope/redundancy with another board or commission



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 - Direct advice is not needed so maybe not necessary to provide regular recommendations
- Pulse survey data indicates caution anecdotal
- Data shows a lack of quorum
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- Was the Women's Advisory Board (WAB) paused due to structural issues rather than the purpose or work plan goals becoming irrelevant?
- HRC already has a robust work plan and adding gender equity would stretch capacity of volunteer members.
- Adding a subcommittee does not align with current structure. HRC subcommittees are not issues-based but focuses on ways to interact and support community, e.g. educational programs, media and community relations, and government relations
- Recommendation: repurpose WAB and restructure the board to effectively address broader gender issues



- NYC Commission on Gender Equity (2020)- addresses issues of inequity and discrimination facing girls, women, intersex, transgender and gender non-conforming and gender non-binary persons regardless of age, disability, ethnicity/race, faith, gender expression, immigrant status, sexual orientation, and socioeconomic status.
 - 26 members appointed by Mayor, 5 by speaker of the council, and HRC chair as ex-officion member
- <u>Pittsburgh Gender Equity Commission</u> (2016) The mission of the Gender Equity Commission is to achieve equity for women and girls in the City of Pittsburgh. Our vision is a future in which everyone in the City of Pittsburgh, regardless of gender identity or expression, is safe in all spaces, empowered to achieve their full potential, and no longer faces structural or institutional barriers to economic, social, and political equality.
 - At least 13 members appointed by Mayor- Mix of staff and community members
- <u>University of Minnesota Commission on Women and Gender Equity</u> (1988)- seeks to strengthen the entire community by improving the campus climate for all women and gender minority faculty, staff, and students, in order to create a campus working and learning environment that is respectful, inclusive, and productive.
 - 12 members mix of staff members and students



What could a Women and Gender Equity board do?

Fort Collins Proposed Goals

- 1. Free menstrual products in all city restrooms (city-owned/operated buildings)
- 2. Gender neutral language in city documents, websites, etc.
- 3. Map and signage of gender-neutral restrooms throughout town

Note: These proposed goals are not in the purview of advisory board or commission functions, particularly the authority to decide how to spend city money. However, boards can advise staff and/or City Council on topics that fall under their scope.



NYC

- Recommends policy changes that advance gender equity in the city
- Explore partnerships in the community to remove barriers to gender equity
- Provides City Council with research and analysis of issues of relevance to help them better understand the challenges and opportunities facing the city
- Leads and participates in several public forums and presentations to engage and inform residents about gender equity and solicit input from local residents about ways in which advancing gender equity would improve their lives

Pittsburg

 Shall develop a 5-year Citywide action plan for all City Departments and offer guidance to departments in the development of action plans



- (a) The City shall have a Women's Advisory Board, hereafter referred to in this Section as the "Board." The Board shall consist of nine (9) members. In addition to the nine (9) Board members appointed by the City Council, the County and Colorado State University may each appoint a representative to serve as an ex officio nonvoting liaison to the Board.
- (b) The Board is created for the purpose of enhancing the status of and opportunities for all women in the City, and shall have the following functions:
- (1) To document issues of importance to the status of women in the City;
- (2) To conduct educational programs in the Fort Collins community to increase public awareness and sensitivity to the needs and capabilities of all women;
- (3) To cooperate with other organizations and individuals interested in issues affecting women in the Fort Collins area;
- (4) To review proposed legislation, policy changes or other governmental action at the federal, state or local level that would enhance or otherwise affect the status of women in the City and make recommendations to the City Council regarding the same; and
- (5) To recommend to the City Council the adoption of local legislation or policies that would enhance the status of women in the City.



- Does the Committee want to recommend to "unpause" the board?
- If yes, keep Women's advisory board as is? OR
- If yes, repurpose to a gender equity board or something else? OR
- Does the Committee want to recommend sunset the board?
- Does the Committee want to give direction to staff to draft appropriate code changes for the Work Session? Full Council will consider any code changes in September.

If unpaused or repurposed, these are some next steps:

- Staff liaison recruitment
- Member recruitment in Dec 1 Jan 30
- New board starts in April 2024
- Provide board chair training and support
- Provide board member orientation and support
- Provide staff liaison training and support



- BAC was established in January 2009
- Interest from Transportation Board in establishing a separate committee for reviewing all issues related to bicycling and advising the Transportation Board on those issues
- Authorized to establish its own rules and procedures in accordance with City's policies for B&C
- Members are nominated by own B&C and City Manager appoints
- Two Councilmembers and staff received a request from a member of the BAC
 - Active Modes Plan recommendation
 - Because of the process, sometimes policy decisions are delayed getting to City Council. Feedback is received from the BAC who make recommendations to Transportation Board. Then feedback is received from the Transportation Board who then make recommendations to City Council.
 - Original proposed purpose create a standalone board to make sure membership is reflective of mode use, people with disabilities, and historically underrepresented groups



Assessment Tools and Indicators

Charter requires that Council establish a board or commission whose purpose is to advise Council

- Is the proposed purpose legally permissible?
- The purpose of the board aligns with a community priority
- New policy work is needed and there is a gap in existing boards
- Does it fit under the purview of an existing board or commission?
- There is a community desire to give extended input
- Does Council want ongoing input from the public on this topic?
- Does staff want input from the public on this topic?
- Input desired or needed is for defined period of time. Other options could include:
 - Task Force to advise City Manager
 - Example West Nile Virus, Connexion, holiday lighting
 - Ad hoc committee
 - Housing (Council ad hoc)
 - Board subcommittee



Assessment Tools and Indicators

Charter requires that Council establish a board or commission whose purpose is to advise Council

- Is the proposed purpose legally permissible? Yes
- The purpose of the board aligns with a community priority Adopted Active Modes Plan
- New policy work is needed and there is a gap in existing boards Does Transportation Board allow for this proposed scope of work in the code? See next slide
- Does it fit under the purview of an existing board or commission? Transportation Board?
- There is a community desire to give extended input
- Does Council want ongoing input from the public on this topic? Yes
- Does staff want input from the public on this topic? Yes
- Input desired or needed is for defined period of time. Other options could include:
 - Task Force to advise City Manager
 - Example West Nile Virus, Connexion, holiday lighting
 - Ad hoc committee
 - Housing (Council ad hoc)
 - Board subcommittee



Sec. 2-113

- (b) The Board shall have the following functions:
- (1) To advise the City Council on matters pertaining to the City's transportation policies and system, including, but not limited to, transportation planning, alternative modes planning (including bikeways, pedestrian facilities, transit, air transportation and van- and car-pooling), capital improvement projects, downtown parking management and other transportation issues as identified in the Board work plan; and
- (2) To review the City's interaction with federal, state and county government, as well as North Front Range Transportation and Air Quality Planning Council, Colorado State University and Poudre School District on transportation-related issues.



Sec. 2-113. - Transportation Board.

- (c) The Board shall also establish and keep in place a committee to be known as the "Bicycle Advisory Committee," the purpose of which shall be to advise the Board with regard to bicycling-related issues.
- (1) Said committee shall consist of sixteen (16) members, one of whom shall be a member of the Board. The remaining fifteen (15) members shall consist of three (3) community "at large" members and six (6) members of community stakeholder organizations, all appointed by the City Manager, and representatives from the following City Boards and Commissions, which may each nominate a representative for a position on the committee:
- a. Air Quality Advisory Board;
- b. Parks and Recreation Board;
- c. Natural Resources Advisory Board;
- d. Land Conservation and Stewardship Board;
- e. Senior Advisory Board; and
- f. Economic Advisory Board.

Representatives from Boards and Commissions are subject to confirmation by the City Manager or their designee. In addition to the foregoing sixteen (16) voting members, the Committee shall include non-voting staff representatives from the City's Planning, Development and Transportation Service Area.

(2)

Each member of the Bicycle Advisory Committee shall serve for a term of two (2) years.



Active Modes Plan recommendation (p.47):

Transition the City's existing Bike Advisory Committee to an "Active Modes Advisory Committee" and make sure membership is reflective of mode use, people with disabilities, and historically underrepresented groups.

Considerations moving forward...

- 1. Transition the Bicycle Advisory Committee to Active Modes Advisory Committee?
- 2. Clean up membership: remove old, add new, assess need for representatives from other boards and commissions?
- 3. Have the Active Modes Advisory Committee stay a sub-committee, but make recommendations directly to Council (instead of Transportation Board)?
- 4. Turn the Active Modes Advisory Committee into a Board (instead of sub-committee)?



- BAC feedback from June 26 meeting
 - Does like the unique size (16 members) and make-up (representation from different boards and commission).
 - If additional modes were added to the scope, it might be hard to have them all represented effectively with a reduced membership size
 - Do see value in having their own Council liaison if they became a Board
 - Also support for staying a sub-committee but would like the ability to provide recommendations directly to Council

Transportation Board feedback from June 21 meeting

 Very brief discussion last month. For the most part they like renaming the BAC, but there was some reservation of it not being a sub-committee and becoming its own board. The comment was a worry that there would be a loss of connection between the work being done by boards regarding transportation. The T-Board is going to discuss in more depth this month (July 19)



What happens when the ad hoc committee concludes its work?

- 1) The request for a structural change can come from a variety of sources:
 - Board chair or Board member(s)
 - Staff liaison
 - Department Director
 - Community member
 - Public Engagement Specialist
 - City Manager
 - Councilmember(s)
- 2) CCO provides a memo to Council with the request and any relevant information
- 3) Council may give direction under Other Business to staff to bring forward a formal consideration during a work session or regular meeting



- This request from the Executive Director of Housing Catalyst is not a request to sunset, repurpose or create a new board. Request for a structural change.
- Request is to change the composition of the Affordable Housing Board in City Code to include a non-voting ex-officio member for a Housing Catalyst representative
 - Recognition of the contributions of expertise and local knowledge of a Housing Catalyst staff or board member
 - Non-voting member avoids conflicts of interest so that quorum can be more easily attained
 - If Council approves change to City Code, residency limits would not apply to this seat
- The Affordable Housing Board unanimously supported the recommendation during their July 6 meeting.



Sec. 2-102

(a) The Board shall consist of seven (7) members. In connection with the solicitation, consideration, and appointment of members to the Board, the City Council may give preference to and consider an applicant's experience or training in, or familiarity with, affordable housing issues, including, without limitation, issues pertaining to development, finance, lending, charitable and low-income services, and general community services. It is also desirable that at least one Board member be a current or former resident of affordable housing. In addition to the seven (7) Board members appointed by the City Council, the Housing Catalyst may appoint a representative to serve as an ex officio nonvoting member to the Board.



 Does the Committee want to recommend adding an ex-officio nonvoting member position on the Affordable Housing Board?



- 4 current, active Golf Board members
- Recommendation is to expand Parks and Rec Advisory Board from 9 to 13 seats until the Golf Board terms expire.
- Terms for members 10-13 would match the remainder of their terms on Golf Board
 - 2 terms expire Dec 31, 2024
 - 1 term expires Dec 31, 2025
 - 1 term expires Dec 31, 2026
 - When there are vacancies on the original 9-member board and they are interested in continuing to serve, they can apply to fill that seat.
- At the July 12, 2023, Golf Board meeting, some but not all Golf Board members expressed interest in serving the remainder of their terms on the Parks and Recreation Board.
- Golf Board dissolution would be effective Jan 1, 2024.



Changes from June meeting

 Addition of #11 – (For Appointees) Avoid actively participating in matters that interfere with a quasi-judicial commission member's ability to remain impartial in making decisions.



- On June 7, 2023, Protecting Opportunities and Workers' Rights (POWR) Act was signed into Colorado law with an effective date of August 7, 2023
- Broadens the type of conduct that constitutes harassment and restricts employers' use of affirmative defenses
- Lower threshold of proof of what constitutes harassment

Key Changes in ADAHP

- Definition change to "harassment" unwelcome conduct or communication directed at an individual or group because of their actual or perceived protected characteristic
- Subjectively offensive to individual(s) alleging harassment and objectively offensive to reasonable individual
- Describes what constitutes a violation of the policy
- Not necessary for a complaining party to be a member of a protected characteristic to file a complaint
- More changes to ADAHP may be necessary as courts and DOL interpret the POWR Act



- Improvements to board and commission orientation
 - This includes the roles of members, staff liaisons, and Council liaisons
- Provide training for board chair (how to conduct a meeting, de-escalation training, etc)
- Application improvements
 - Verify workload for each board to include as part of application and interview process
 - Add question "have you applied for this board before"
 - Add question "how many hours are you willing to contribute to the board"
 - Ensure that current board members resign if they want to apply for a different board (already part of code)
 - Policy for no show to interview applicants
 - Continuous improvement to Council summary sheets
- Add a subscription so that interested residents are notified when vacancy becomes available
- Conduct exit interviews for board members if there are issues



- Created a process for Council determination when a request is received to sunset or repurpose a board
- Create a process for Council determination when a request is received to add a new board
- Created a process for Council determination when a request is received for a structural change to an existing board to use to sunset or repurpose a board
- Confirmed super issues meeting purpose and structure
- Review recruitment efforts to increase diversity on boards
 - Will include Housing Catalyst in the recruitment process for its board
- Improvements to interview process
 - Staff liaisons to check in with to Council liaisons prior to applicant interviews
 - Staff liaisons included in the applicant interviews as a passive participant



- 1. Update the Type 1 and Type 2 terms in the Code based on the 1-year term removal (Suggested motion: "I move that the committee recommend approval of revisions to City Code to eliminate all one-year terms from Type 1 and Type 2 boards.")
- 2. Update the member terms of Type 1 and Type 2 boards in the Code as a result of the removal of 1-year terms

(Suggested motion: "I move that the committee recommend approval of revisions to City Code to adjust terms of 7 member and 9 members Type 1 boards and Type 2 boards as described below.")

- Currently, the Code says for 7 member boards, 4 members have 4-year terms, 2 members have 2-year terms, and 1 member has 1 year term. Committee approved retaining 4 members with 4-year terms, and approved changing to 3 members with 2-year terms.
- Currently, the Code says for 9 member boards, 4 members have 4-year terms, 3 members have 2-year terms, 2 members have 1 year. Committee approved changing to 5 members with 4-year terms, and approved changing to 4 members with 2-year terms.



3. Update quorum, allow joint meetings and add new function for Youth Advisory Board

(Suggested motion: "I move that the committee recommend adoption of revisions to City Code to allow up to twelve members on the board, indicate that a quorum shall consist of a majority of the number of appointed members, allowing joint meetings, and adding a function to complete an annual project consistent with other functions."

4. ADAHP + Code of conduct adopted separately via resolution

(Suggested motion: "I move that the committee recommend adoption of the Anti-Discrimination and Anti-Harassment Policy."

Suggested motion: "I move that the committee recommend adoption of the Code of Conduct.")

5. Add Code of Conduct complaint process to City Code

(Suggested motion: "I move that the committee recommend revisions to City Code to add a Code of Conduct complaint process.")



6. Update Council liaison role responsibilities and add to City Code

(Suggested motion: "I move that the Committee recommend revisions to the Council liaison responsibilities and to add such revisions to City Code."

(Suggested motion: "I move that the Committee recommend revisions to City Code to add a new ethics rule about avoiding directing the activities and work of the assigned board or commission and acting as an advocate or ex-officio member of the board or commission.")

7. Update joint meeting language in City Code granting broader authority to City Manager and Council liaison to approve joint meetings between two or more boards or commissions or their committees

(Suggested motion: "I move that the committee recommend revisions to City Code to grant broader authority to the City Manager and Council liaison to approve joint meetings between two or more boards or commissions and their committees.")



8. Extend current board and commission member terms due to recruitment timing change (Suggested motion: "I move that the Committee recommend revisions to City Code to change board and commission member terms consistent with the recruitment timing change approved by the Committee.")



Should staff bring draft code language for the August 8 Council work session?

- Golf Board & Parks and Recreation Board code changes
- Women's Advisory Board code changes
- Bicycle Advisory Committee code changes
- Affordable Housing Board code updates



- C.H.A.R.G.E: A Checklist for effectiveness (removed since it is now part of onboarding)
- Description of types of boards and commissions updated and included
- Removes the City Council liaison responsibilities because they will be added to the City Code
- Yearly Planning Calendar updated to include new recruitment schedule
- Staff Liaison role updated, City Attorney role and City Clerk role included
- Membership limitations updated to reflect code changes
- Removal of Golf Board
- Inclusion of a table describing quorum requirements and what that looks like for 7 member boards vs 9 member boards (and YAB)
- Periodic Reviews replaced with Annual Review (every September 30)
- Adds description of ethics rules discussed in City Code
- Adds description of City duty to indemnify discussed in City Code
- Code of Conduct summarized in body of manual and added as an appendix to manual
- Anti-Discrimination and Anti-Harassment Policy added as an appendix to manual



- August 8 Council work session to review Committee recommendations
 - Final summary of changes to Board and Commissions Manual
- September 5 Regular Council meeting
 - 1st reading of ordinance(s) to adopt code changes
 - Includes Council liaison responsibilities
 - Resolution to update Board and Commissions Manual (or on Sept 19)
 - Resolution to extend current terms and one-year term changes
- September 19 2nd Reading of ordinance

THANK YOU!





Jan 4, 2023 ad hoc committee presentation

What we have heard



- Length of terms, specifically the 1-year term
- Need for a cross-cutting board to cover overlap on issues/topics that some boards have in common
 - Per the code, it has to be written into their work plan or needs City Manager approval
- Tools and resources for board member conflicts
- Need to establish a code of conduct or a framework of ground rules for members
- Per the code, work plan is due on Nov 30. Concern from newly elected members whose appointment starts in January
- Scope of work of Youth Advisory Board
- Not a set number of members of the Youth Advisory board (code says between 5-9) so difficult to establish
- Pulling the bicycle advisory board subcommittee out from the transportation board and establishing a standalone board
- Scope of work of Women's advisory board



- Incumbents should not have to reapply
- Ok to keep vacant until next annual recruitment unless there are issues with quorum; however, can we notify people when the recruitment process opens?
- Applicants are applying for 5+ boards
- Applications are too general; needs to be more specific to the board
- If a board member is currently serving on a board and want to apply for a different board, they should resign from their current board before applying
- Council would like to conclude interviews prior to holidays
- Special recruitments due to quorum issues how to handle members with short terms
- How should interview partners be selected?
- If someone applies for more than one board, it would be great if they could just do one interview
- Policy for no show applicants
- Council summary sheets



- Need for new and more diverse members
- Annual appreciation
- Board member benefits bus pass, facility amenities?
- Need for accessibility
- Need for interpreters
- Government is intimidating how do we engage?



Code changes



- (a) The City shall have a Youth Advisory Board, hereafter referred to in this Section as the "Board." The Board shall consist of no less than five (5) and no more than twelve 12 nine (9) members appointed by the City Council. All members shall be qualified by experience, training, age, ethnicity or socioeconomic background to represent a diverse cross section of youth in the Fort Collins community. Each member of the Board shall be under the age of nineteen (19) years at the time of appointment and currently enrolled in high school or an equivalent program such as home school or distance learning. A quorum of the Board shall consist of a majority number of members. three (3) members for a five-member Board or four (4) members for a Board consisting of six (6) to nine (9) members. A quorum of the Board shall consist of the majority of the number of appointed Board members
- (b) Each member shall serve for a term of one (1) year unless otherwise specified by the City Council, and no member may serve for more than four (4) consecutive years regardless of term length. Appointments shall specify the term of office of each individual.
- (c) The Board shall have the following functions:
- (1) To gather information from, hold joint meetings, and otherwise communicate with, other groups, organizations and agencies regarding youth-oriented issues and problems;
- (2) To document and discuss issues of importance to youth in the Fort Collins community, specifically as they affect City-operated services;
- (3) To review and discuss legislation that may affect youth; and
- (4) To recommend to City Council local legislation and policy actions or changes which would enhance the status of youth in the Fort Collins community; and
- (5) To complete an annual project consistent with the other listed functions



- (a) The City shall have a Golf Board, hereafter referred to in this Section as the "Board." The Board shall consist of seven (7) members.
- (b) The Board shall have the following functions:
- (1) To advise and make recommendations to the Director of Community Services (the "Director") and the City Council as to rules, regulations, policies, administrative and budgetary matters pertaining to the operation and maintenance of all City-owned golf courses;
- (2) To advise and make recommendations to the Director concerning the terms and conditions of any agreements to be entered into with golf professionals and other concessionaires in connection with City-owned golf courses as well as any other agreements which may affect the management, operation, maintenance, construction or acquisition of City-owned golf courses;
- (3) To assist in the procurement of goods and services for City-owned golf courses, including the selection of golf professionals, concessionaires and other contractors, by appointing two (2) Board members to serve on any review committee that may be established by the City under the provisions of §8-158 of this Code for the purpose of making such procurements; and
- (4) To advise and make recommendations to the City Manager concerning approval of annual fees and charges at City-owned golf courses.

Sec. 2-111 – Parks and Recreation Board

(b) (1) To advise and make recommendations to the Director of Community Services and the City Council for their approval as to rules, regulations, policies, administrative and budgetary matters pertaining to the Department, excluding including matters relating to the operation and maintenance of City-owned golf courses and excluding cemeteries;



Sec. 2-568 - Ethical rules of conduct.

(8) With respect to any Councilmember serving as a liaison to a board or commission, such Councilmember must not direct the board in its activities or work. A liaison's role is to serve as a contact rather than an advocate for or ex-officio member of the board or commission.

Sec. 2-82 – City Council Liaison Responsibilities (summarized)

- Communicate with the board when Council communication is needed and to serve as the primary two-way communication
- 2. To take the lead in filling vacancies by reviewing applications and conducting interviews with candidates
- 3. Make decisions about recommendations for appointment keeping in mind the need for fresh perspectives and not primarily on liaison's personal preferences
- 4. To service as the primary Council contact for the board
- 5. To help resolve questions the board may have about the role of Council, municipal government, and the board
- 6. To establish contact with chair and effectively communication the role of the liaison
- 7. To review the annual work plan of the board and make recommendations to Council regarding the work plan
- 8. To identify and help resolve any problems with the support of CCO, CMO and staff liaison that may exist with respect to the functioning of the board
- 9. To decide whether to grant a request from their assigned board to hold a joint meeting with other boards