Mill Levy Advisory Council

ARTICLE I

NAME

The name of this Council shall be the Mill Levy Advisory Council (hereinafter “Council”).

ARTICLE II

STATEMENT OF PURPOSE

1. STATEMENT OF PURPOSE

To provide a voice for and state the desires of the members of the community related to dedicated mill levy funds so that they best benefit persons with intellectual and/or developmental disabilities and their families in the City and County of Denver.

a. Develop a process for reviewing, analyzing, and recommending areas of focus for dedicated mill levy funds to support persons with intellectual and/or developmental disabilities (or recipients of funds) in Denver including responding to new or existing areas of focus. This Council serves as a sounding board to understand and convey the opportunities and challenges facing persons with intellectual and/or developmental disabilities in the City and County of Denver.

b. Consider local and state statutes and/or regulations to ensure that recommendations align with applicable laws, both current and proposed.

c. As requested by Denver Human Services and/or the staff liaison, engage in discussion and respond to specific emerging issues and their potential impact, identifying the views of interested parties.

ARTICLE III

MEMBERSHIP

1. Number. The Council shall consist of no more than seven (7) voting members and three (3) non-voting members—a delegate from the Community Centered Board (“CCB”), a Council Advocate, and the staff liaison from Denver Human Services.

2. Composition and Selection. All voting members shall be appointed by the Executive Director of Denver Human Services.
a. All voting members shall be residents of the City and County of Denver.

b. At least two voting members should have an intellectual or developmental disability or be a family member or caregiver to someone who has an intellectual or developmental disability.

c. The members of the Council shall make a good faith effort to represent the diversity of the community including gender, age distribution, sexual orientation, political affiliation, and geographic demographics.

d. Denver Human Services shall provide a staff liaison who shall be a non-voting member of the Council.

e. The Community Centered Board shall provide a delegate who shall be a non-voting member of the Council to ensure open communication and mitigate duplication of services.

f. Any voting member with an intellectual and developmental disability may request that Denver Human Services recruit a non-voting member to serve as a neutral Council Advocate that provides support to this member in their role on the Council. The Council Advocate will be identified by DHS through a professional advocate organization. The Council Advocate is not required to be a Denver resident due to their non-voting status.

g. No member of the Council shall receive any compensation for serving on the Council. However, with prior approval, reimbursement may be provided for requests such as but not limited to reasonable transportation costs, interpreter services, or other expenses directly incurred as a result of member attendance at Council meetings.

h. All members are subject to the Code of Ethics of the City and County of Denver as further discussed below.

3. Term. The term of voting Council members shall be two-years.

   a. After the initial two-year period, the term of office for up to four voting members shall expire. The remaining members shall include the original co-chairs and a third member. After the third year, the term of office of the remaining three members shall expire so that approximately one-half of the members are appointed each year.

   b. In the event of the death or resignation of any member, voting or nonvoting, his/her successor shall be appointed in the manner
provided for original appointment, to serve for the unexpired portion of the term for which such member has been appointed.

c. **Voting members** may serve on the Council for up to 2 consecutive terms before taking a break of no less than one year.

4. **Community Advisory Council Member.** The Council shall elect an appointee to serve on the Community Centered Board’s Community Advisory Council (“CAC”) for a one-year term. All other Council members are encouraged to attend the public portion of the Community Centered Board’s Community Advisory Council meetings. In the event that the appointee is unable to fulfill the responsibilities of the role, the Council shall elect a new appointee.

5. **Removal.** Any Council member who is unable to attend at least half of the scheduled meetings, without just cause, shall be removed and a successor shall be appointed in his/her stead. Only the Executive Director of Denver Human Services has the **authority** for removing a member of the Council.

6. **Resignation.** A member may resign his or her membership at any time by providing written or e-mail notice to the Executive Director of Denver Human Services or staff designee at least a month in advance, if possible.

7. **DHS Staff.** The Council shall have a liaison from Denver Human Services.

**ARTICLE IV**

**OFFICERS**

1. The officers of the Council shall be co-chairpersons. The co-chairpersons will be chosen by the Council by election and will serve for a one-year term. An officer may serve as the CAC Member.

2. **The co-chairpersons shall:**
   a. Preside at meetings of the Council.
   b. Represent the Council in their capacities as officers of the Council.
   c. Facilitate consensus-building activities around topics central to the purpose of the Council.
   d. Ensure that the members of the Council, in collaboration with Denver Human Services, are engaging the community to solicit feedback on a regular basis.

3. **Limitations.** An officer serves for a one-year term. Officers may be re-nominated and elected by the Council at the end of their term.
4. **Secretary.** The liaison from Denver Human Services shall act as the Secretary.
   a. The Secretary shall give, or cause to be given, notice of all Council meetings and shall attend all such meetings and keep a record of their proceedings.
   b. The Secretary shall assist with facilitation, conduct research and analysis, and manage the solicitation and contracting process.
   c. The Secretary shall record the meetings, either by electronic or written means.

**ARTICLE V**

**MEETINGS**

1. **Number.** The Council shall meet at least four (4) times a year. Additional meetings may be called as needed to ensure that the goals and duties of Council are being met. All meetings will be scheduled in advance.

2. **Notice of Additional Meetings.** Notice of any additional meetings of the Council shall be given not less than seven (7) days prior thereto to each member personally, by mail or e-mail. The notice of all meetings shall state the place, day, and hour of the meeting. Public notice of agendas for the meeting will be provided at least 48 hours in advance.

3. **Place of Meeting.** Meeting of the Council shall be held at such place or places within the City and County of Denver as may be designated, including Denver Human Services.

4. **Quorum.** A majority of the Council Members of record shall constitute a quorum at a meeting of the Council. In the absence of quorum at any such meeting, a majority of the Council Members present may adjourn the meeting for up to the next scheduled meeting without further notice. The Council Members present at a duly constituted meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough Council Members to leave less than a quorum.

5. **Subgroups.** Council members may break into groups absent a quorum, meaning three or less members, both within and outside of meetings to explore needs in the community and research topics in which the Council may have interest. Any information resulting from this work must be reported out to the Council at the next meeting.
6. **Organization.** Either Co-chairperson shall call meetings of the Council to order. In the absence of said officers, any member may call the meeting to order and a temporary Chairperson shall be elected for purposes of conducting the meeting.

7. **Voting.** Each voting member shall be entitled to vote. No voting by proxy shall be allowed. When a quorum is present at any meeting, the affirmative vote of a majority of those present shall decide any question brought before such meeting unless a different vote is required by ordinance or these bylaws, in which case such express provision shall control. All Council voting must take place in a properly noticed public meeting. New business, not included in the agenda, may be addressed if all members of the Council agree to do so. A record of any vote shall be maintained.

7. **Participation.** A member may participate in a meeting of the Council through the use of any means of communications, such as by telephone through which all members participating in the meeting can be heard and telephonic participation does not distract from the conduct of the meeting. This policy is intended to support full contribution of all members and phone capability should be the exception rather than rule to the monthly meeting attendance. A member participating in a meeting in this manner is deemed to be present at the meeting.

8. **Open Meetings.** All regular and special meetings of the Council shall be open to the public. Orientation for new Council members may be conducted outside of public meetings so long as no official/formal Council business is discussed.

9. **Public Comment.** The Council will regularly set aside time for public comment during council meetings, to be assigned on the agenda. Typically, public comment periods are 20 minutes long, allowing for three (3) minutes per commenter. Exceptions may be made for meetings that are community-focused, and will be written into the meeting agenda. Other parameters guiding public comment shall be outlined in a Public Comment protocol and approved by the Council, to be followed by members of the public and the Council.

ARTICLE VI

DUTIES AND RESPONSIBILITIES

1. The Council shall:
   a. Make recommendations to the Executive Director of Denver Human Services on needs to address and projects opportunities to explore based on community needs captured through engagement, investigation, and reports out to the Council.
   b. Liaise with Community Centered Board Community Advisory Council to ensure coordination and avoid unintentional duplication.
   c. Voting members must recuse themselves from decisions that would create a conflict of interest, as detailed in the Ethics section below.
   d. Maintain an open, welcoming environment where people are afforded respect and consideration for their time, experiences, ideas, and concerns.

ARTICLE VII

CITY AND COUNTY OF DENVER CODE OF ETHICS

1. It is the intent of the city that its officers, officials, and employees adhere to high levels of ethical conduct, honesty, integrity, and accountability, so that the public will have confidence that persons in positions of public responsibility are acting for the benefit of the public. Officers, officials, and employees comply with both the letter and spirit of this ethics code and strive to avoid situations that create impropriety or the appearance of impropriety. Areas of specific concern are highlighted below, but the council is directed to review and refer to the Code of Ethics for further information.

2. Official means a member of a city board, commission, or council.

3. Except when advised by the city attorney that the rule of necessity applies, an officer, official, or employee shall not take direct official action on a matter before the city if he or she or a member of the immediate family, a business associate, or an employer other than the city of the officer, official, or employee has any substantial employment, contractual or financial interest in the matter.

4. Direct official action is defined as and includes:
a. Negotiating, approving, disapproving, administering, enforcing, or recommending for or against a contract, purchase order, lease concession, franchise, grant, business loan, or other similar instrument in which the city is a party. With regard to “recommending,” direct official action occurs only if the person making the recommendation is the informal line of decision making;

b. Selecting or recommending vendors, concessionaires, or other types of entities to do business with the city;

c. Involvement with the appointing and/or termination of independent contractors;

d. Doing research for, representing, or scheduling appointments for an officer, official, or employee, provided that these activities are in connection with that officer’s, official’s, or employee’s performance of the above-listed actions.

e. Nothing in these bylaws necessarily provides authority to this Council to take any of the above actions. The Executive Director of Denver Human Services reserves the right to make all decisions pertaining to the use of Mill Levy funds.

f. A person who abstains from a vote is not exercising direct official action.

g. If a member has any potential conflict of interest with or relationship to the item under review, he or she must declare it and recuse himself or herself from all discussion of the item as well as any decisions made about it.

5. **Immediate Family.** Immediate family means husband, wife, son, daughter, mother, father, step-son, step-daughter, step-mother, step-father, father- or mother-in-law, son- or daughter-in-law, brother- or sister-in-law, aunt, uncle, nephew, niece, grandmother, grandfather, grandchildren, brother, sister, domestic partner, any person with whom he or she is cohabiting, and any person to whom he or she is engaged to be married. The term includes any minor children for whom the person or his or her domestic partner provides day-to-day care and financial support. A “domestic partner” is an unmarried adult, unrelated by blood, with whom an unmarried officer, official, or employee has an exclusive committed relationship, maintains a mutual residence, and shares basic living expenses.

6. **Gifts.** The acceptance of gifts by members of Council may be a violation of the Code of Ethics of the City and County of Denver. Members should refer
to Section 2-60 – Gifts to officers, officials, and employees of the Denver Municipal Code for further information.

7. **Aiding others.** No officer, official, or employee may knowingly aid or assist any officer, official, or employee in the violation of any provision of this code of ethics.

8. **Updates.** The City and County of Denver updates its Code of Ethics on an annual basis. Members are required to acquaint themselves with the Code of Ethics and any updates that pertain to their work on the Council. Members may also refer to the Memorandum prepared by Michael Henry, Executive Director of the Denver Board of Ethics which summarizes the rules as they apply to boards and commissions.

**ARTICLE VIII**

**AMENDMENT**

After consultation with the liaison from Denver Human Services, the bylaws of the Council shall be subject to alteration, amendment or repeal and new bylaws may be adopted, by the affirmative vote of a majority of a quorum of the members of the Council subject to the approval of the Executive Director of Denver Human Services. Notice of proposed changes, edits or updates will be provided to members in advance with the meeting notice. These bylaws shall be amended as needed to conform with the City and County law and Agency for Human Rights and Community Partnerships’ Policy.

**ARTICLE IX**

**EFFECTIVE DATE: APPLICABILITY**

These bylaws shall take effect and supersedes any previously adopted bylaws as of the effective date of the approval by a quorum of the Council.
ARTICLE X

CERTIFICATION

The undersigned hereby certifies that she or he is the duly appointed Co-chair of the Council and that the foregoing bylaws constitute a true and complete copy of the duly adopted bylaws of the Council presently in full force and effect.

APPROVED THIS ______ DAY OF __________________, 20____.

__________________________________________  ____________________________
Name                                             Name
Co-chair                                          Co-chair