

CITY OF BURNSVILLE

Governance Policies



City of
Burnsville

2023

Burnsville City Council

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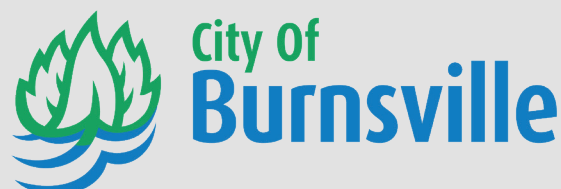
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OUR COMMITMENT TO THE COMMUNITY

BURNSVILLE CITY COUNCIL

WHERE WE'RE GOING

VISION

Burnsville is a **vibrant** city, **boldly** leading, **welcoming** to all.

WHAT MATTERS TO US

VALUES

We believe our service to the community makes a difference through:



RESPECT

We pay attention to people and perspectives with courtesy, dignity, and understanding.



BELONGING

We value differences, creating a community where people feel at home.



STEWARDSHIP

We care for resources to best serve the community of today and tomorrow.



ADAPTABILITY

We will create a better future through continual improvement and adjusting to an ever-changing environment.



ETHICAL

We do what's right, just, and fair, guided by transparency and honesty.

HOW WE PLAN TO GET THERE

STRATEGIC PRIORITIES



SUSTAINABILITY

Burnsville is committed to innovation that supports environmental, human and financial vitality for our community and future generations.



SAFETY

Burnsville is committed to the safety and wellbeing of our community and staff.



COMMUNITY ENGAGEMENT

Burnsville is committed to meaningful relationships and experiences that meet the variety of needs in our community.



INFRASTRUCTURE

Burnsville is committed to responsible stewardship of resources and lands to ensure access and allow our community to thrive.



COMMUNITY VIBRANCY

Burnsville is committed to creating places that enhance our community for years to come.



ORGANIZATIONAL CULTURE

Burnsville is committed to creating great experiences for our employees so they do the same for our community.



GOVERNANCE PROCESS

Governance Commitment

The purpose of governance is that the council, on behalf of the people of the City, guarantees the accountability to the people of City government by assuring that it:

- achieves appropriate results for the appropriate persons at an appropriate cost; and
- avoids unacceptable activities, conditions and decisions.

Governing Style

The council will approach its tasks with a style which emphasizes future vision rather than an internal preoccupation, encouragement of diversity in viewpoints, strategic leadership more than administrative detail, clear distinction of council and staff roles, collective rather than individual decisions, future rather than past or present, and proactivity rather than reactivity.

The council will:

1. Operate in all ways mindful of its public trusteeship obligation to the citizenry to whom City government is responsible and accountable.
2. Utilize self-discipline to govern with excellence. Self-discipline will apply to matters such as policy making principles, respecting assigned roles and respecting the council's decisions as a whole.
3. Direct, control and inspire City management through the careful establishment of the broadest organizational policies, values and priority statements.
4. Focus chiefly on intended long-term impacts on persons outside City government, not on the administrative or programmatic means of attaining those effects.
5. Be an initiator of policy, not merely a reactor to staff initiatives and citizen concerns. The council, not the staff, will be responsible for council performance.
6. Use the strengths of individual members to enhance the ability of the council as a body to make wise policy.
7. Regularly discuss the council's own process and performance at work session roundtables. Ensure the continuity of its governance capability by retraining and redevelopment.
8. Be accountable to the general public for competent, conscientious and effective accomplishment of its obligations as a body. It will allow no council member to usurp this role or hinder the commitment.

Council Job Description

The purpose of the council is to make certain contributions which lead the City government toward the desired performance and assure that it occurs. The council's specific contributions are unique to its trusteeship role and necessary for proper governance and management.

Consequently, the "products" or job contributions of the council shall be:

1. The link between the City government and its customers and residents, as well as a link to local and State governmental bodies and community partners. The council shall also be involved in regional issues and the legislative process affecting the interests of cities in the metro area.
2. Written governing policies which, at the broadest levels, address:
 - City products, costs, benefits, outcomes (what good for which needs at what cost).
 - Executive Limitations: Constraints which establish the prudence and ethical boundaries within which all executive activity and decisions must take place.
 - Governance Process: Specification of how the council conceives, carries out and monitors its own task.
 - Council-City Manager Relationship: How power is delegated and its proper use monitored.

3. The assurance of City government performance:
 - City manager performance.
 - City attorney performance.
 - City auditor performance.
4. Ordinances and Resolutions.

Mayor's Role

The job “product” of the mayor is, primarily, the integrity of the council’s process and secondarily, representation of the council to outside parties.

1. The job output of the mayor is that the council behaves consistently with its own rules and values and those legitimately imposed upon it from outside the City government.
 - A. Meeting discussion content will focus on those issues which, according to council policy, clearly belong to the council to decide and monitor, not the city manager.
 - B. Deliberation will be timely, fair, orderly and thorough, but also efficient, limited to time and kept to the point.
 - C. Roberts’ Rules are observed except where the council has superseded them.
2. The authority of the mayor consists only in making decisions on behalf of the council which fall within and which are consistent with any reasonable interpretation of council policies on governance process and on the Council-City Manager Relationship, except where the council specifically delegates portions of this authority to others.
 - A. The mayor is empowered to chair council meetings with all the commonly accepted power of that position (e.g. ruling, recognizing).
 - B. The mayor has no authority to make decisions about policies created by the council within ENDS and executive limitations policy areas. Therefore, the mayor has no authority to supervise or direct the city manager.
 - C. The mayor may not speak to the public or media on behalf of the council as a whole unless action by the council has been taken.

Boards and Commissions Principles

Boards and commissions created by the council exist so that council decisions will be made: (A) from an informed position; (B) in a public forum consistent with council policy; or (C) to adhere to State regulations (Economic Development Authority).

1. The authority and responsibility of any board or commission will not duplicate the authority or responsibility of:
 - the city council;
 - city staff;
 - any city staff advisory committee; or
 - any other board or commission.
2. Any body created by the council for giving advice, will be created to provide information for decision making to the council, not to direct the staff. The council will not interfere nor seek to control advisory processes used by the staff except in a way consistent with use of executive limitations policies.
3. All boards and commissions will undergo a regular review, no less than every five years, and according to a schedule to be adopted separately by council.
 - A. Said review shall include a review of a board or commission’s mission statement and the council’s charge to the board or commission of their role, responsibility size, longevity and authority.
4. Appointments shall be limited to two consecutive three-year terms. Neither partial terms nor serving as an alternate count as part of the three-year term.
5. Council will ensure that training opportunities and funding are provided for commission and board members.

COUNCIL/CITY MANAGER RELATIONSHIP

Delegation to the City Manager

While the council's job is generally confined to establishing the broadest policies, implementation and subsidiary policy development is delegated to the city manager.

1. All council authority delegated to staff is delegated through the city manager so that all authority and accountability of staff as far as the council is concerned is considered to be the authority and accountability of the city manager.
2. The council's policies direct the city manager to achieve certain results; Executive Limitations policies constrain the city manager to act within acceptable boundaries of prudence and ethics. With respect to the policies and the executive Means, the city manager is authorized to establish all further policies, make all decisions, take all actions and develop all activities as long as they are consonant with reasonable interpretation of the council's policies.
3. The council may change its policies, thereby shifting the boundary between council and city manager domains. Consequently, the council may change the latitude of choice given to the city manager, in accordance with State statute, but so long as any particular delegation is in place, the council and its members will respect and support the city manager's choices. Council will not allow the impression that the city manager has violated policy when, in fact, merely a policy change by the council has occurred. Delegation to the city manager, however, does not prevent the council from obtaining information in the delegated areas.
4. Information may be requested by a council member, but if such request, in the city manager's judgment, requires a material amount of resources or is detrimental to other necessities, the council member or the city manager may refer the matter to the council.

City Manager Job Description

As the council's single official link to the operating City government, the city manager's performance will be considered to be synonymous with organizational performance as a total.

Consequently, the city manager's job contributions can be stated as performance in only two areas:

1. City government accomplishment of the provisions of council policies. The city manager will be held accountable for the Annual Priority Goals.
2. City government operation within the boundaries of prudence and ethics established in council policies on Executive Limitations.

Monitoring City Manager Performance

Monitoring executive performance is synonymous with monitoring organizational performance against council priorities on Strategic Priorities and on Executive Limitations. Any evaluation of city manager performance, formal or informal, may be derived only from these monitoring data.

1. The purpose of monitoring is simply to determine the degree to which council policies are being fulfilled. Information which does not do this will not be considered to be monitoring. Monitoring will be as automatic as possible, using a minimum of council time so that meetings can be used to create the future rather than to review the past.
2. A given policy may be monitored in one or more of three ways:
 - A. Internal Report: Disclosure of compliance information to the council from the city manager.
 - B. External Report: Discovery of compliance information by a disinterested, external auditor, inspector or judge who is selected by and reports directly to the council. Such reports must assess executive performance only against policies of the council, not those of the external party unless the council has previously indicated that party's opinion to be the standard.
 - C. Direct Council Inspection: Discovery of compliance information by a council member, two council members, or the council as a whole. This is a council inspection of documents, activities or circumstances directed by the council which allows a "prudent person" test of policy compliance.

3. Upon the choice of the council, any policy can be monitored by any method at any time. For regular monitoring, however, each ENDS and Executive Limitations policy will be classified by the council according to frequency and method.
4. The council will conduct an annual, formal evaluation of the city manager's performance and monitor adherence to the Executive Limitations Policies and ENDS. Such evaluation is the accumulation of previous periodic monitoring inasmuch as the same criteria are involved.

Council-City Attorney and Auditor Relationship

Professional services of city attorneys and an auditor are provided for through a professional services contract with the City. Contracts are negotiated and presented for approval to the council by the city manager.

The city manager is responsible for communications and directions to both the city attorney and the auditor and for supervision of the work products produced as part of these professional contract agreements. The city manager is responsible for conducting an evaluation of these services. The council shall have an opportunity to also provide written input during the process and shall receive a report on the results of the evaluation on at least an annual basis.

A council member may contact the city attorney on City related business. If the request for information will require a significant amount of staff resources, the matter may be referred to the council.

EXECUTIVE LIMITATIONS

General Executive Constraint

The city manager shall not cause or allow any practice, activity, decision or organizational circumstance which is either unlawful, imprudent or in violation of commonly accepted government, business and professional ethics.

Treatment of Customers/Residents

With respect to staff interactions with customers and residents, the city manager shall not cause or allow conditions, procedures or decisions which are unsafe, disrespectful, impolite, and unnecessarily intrusive or which fail to provide appropriate confidentiality and privacy.

Accordingly, the city manager shall not:

1. Use application forms or procedures that elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, storing or transmitting customer information that fail to protect against improper access to the information elicited.
3. Fail to establish with customers and residents what may be expected and what may not be expected from the service offered.
4. Fail to provide a grievance process to customers and residents.

Staff Treatment

With respect to treatment of paid and volunteer staff, the city manager may not cause or allow conditions which are unfair, unsafe, disrespectful or impolite.

Accordingly, the city manager may not:

1. Operate without personnel procedures which clarify personnel rules for staff, provide for expressions of grievance and protect against wrongful conditions.
2. Fail to acquaint staff with their rights under this policy.

Financial Planning and Conditions

The city manager may not cause or allow the development of fiscal jeopardy or material deviations from the council's ENDS priorities established in the council's ENDS policies, Capital Improvements Plan (CIP), Tax Increment Financing (TIF) Plan, Financial Management Plan, and other financial planning documents as approved by the council.

Accordingly, the city manager may not:

1. Deviate from the financial planning procedures and conditions documents which the council has currently adopted (i.e. the current Financial Management Plan, the current CIP, TIF Plan, Current Fiscal Year Budget).
2. Allow reserves in the General Fund to fall below thirty percent (30%) operating expense requirements.
3. Allow short-term indebtedness beyond that provided for in the Financial Management Plan.
4. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
5. Fail to aggressively pursue receivables after a reasonable grace period.
6. Conduct permanent non-budgeted inter-fund transfers without action by the Council. Inter-fund transfers are those between the General Fund, Capital Funds, Debt Service Funds, Enterprise Funds and Special Revenue Fund.
7. Conduct temporary inter-fund transfers except to meet minimum Financial Management Plan requirements and which can be restored by the end of the Fiscal Year.
8. Expend more funds than are available or reasonably anticipated. Federal and State funds as well as other resources may be reasonably anticipated if they are approved, in writing, by the source at the time the City expends the funds. The city manager will not be held responsible for legislative changes that alter existing grant or other funding resources.

Emergency Executive Succession

In order to protect the council from sudden loss of city manager services, the city manager may not have fewer than two other executives familiar with council and city manager issues and processes.

Asset Protection

The city manager may not allow assets to be unprotected, inadequately maintained nor unnecessarily risked.

Accordingly, the city manager may not:

1. Fail to adequately insure against theft and casualty losses to at least 90 percent (90%) replacement value and against liability losses to council members, staff or the City government itself to the maximum limits of the Tort Claims Act.
2. Allow personnel who are not bonded access to substantial amounts of funds.
3. Fail to adequately protect City property (buildings, land, infrastructure, and significant pieces of equipment) from improper wear and tear or ineffective maintenance or permit negligent use of City property.
4. Fail to protect City property that may be perceived as a community asset (i.e. parks, gardens, historical sites, statues/sculptures and landmarks).
5. Unnecessarily expose the City government, its council or staff to claims of liability.
6. Fail to protect information and files from loss or significant damage.

Compensation and Benefits

With respect to compensation and benefits to employees, consultants, contract workers and volunteers, the city manager may not cause or allow jeopardy to fiscal integrity or public image.

Accordingly, the city manager may not:

1. Change his or her own compensation and benefits.
2. Promise or imply permanent or guaranteed employment.
3. Establish current compensation and benefits which:
 - A. Deviate materially from the geographic or professional market for the skills employed.
 - B. Create obligations over a longer term than revenues can be safely projected, in no event longer than three years.
4. Establish or change deferred or long term compensation and benefits which:
 - A. Cause unfunded liabilities to occur or in any way commit the City government to benefits which incur unpredictable future costs.
 - B. Provide less than some basic level of benefits to all full-time and qualifying part-time employees. Differential benefits to recruit or retain key employees are not prohibited.
 - C. Without the council's approval, treat the city manager differently from other comparable key employees.

Communications and Counsel to the Council

The city manager is to provide for the transmittal of information to the council. This information shall be of three specific types: decision information, monitoring information and incidental information.

Accordingly, the city manager may not:

1. Fail to provide for the transmission of these three kinds of information to the council (see Communications Section)
2. Fail to provide within the context of the three types of information:
 - A. Information that is timely, readable and understandable.
 - B. Information regarding actual or anticipated noncompliance with any policy of the council.
 - C. Information to the council as a whole, except where responding to requests for incidental information by individual council members, at meetings with the members of the council, or clarifying points in decision making and monitoring documents for individual council members. As provided for in the policy titled Council/City Manager Relationship: Delegation to the City Manager, information may be requested by individuals but if such request, in the city manager's judgment, requires a material amount of resources or is detrimental to other necessities, it may be refused.
 - D. A mechanism for official council and commission communication.

COMMUNICATION PROCESS

A policy on council communications with staff assists the council in focusing on policy level matters and away from involvement in operational detail. Additionally, it keeps employees from potentially confusing requests or direction from council members that may conflict with day-to-day priorities. The process was not implemented to monitor communications with the council.

According to State Statute and the governance process, the city manager is the only employee of the city council. The current city manager has elected to share responsibility for council communication with staff in the following roles:

- Deputy City Manager
- Chief Financial Officer
- City Clerk
- Communications & Community Engagement Director
- Community Development Director
- Fire Chief
- Human Resources Director
- Information Technology Director
- Organizational Development & Strategic Initiatives Manager
- Parks, Recreation & Facilities Director
- Police Chief
- Public Works Director

The council governance model seeks to help focus council activity on the “big picture” of community needs and the impact of organizational activity. It is staff’s responsibility to be sure that all of our communications seek to pursue this larger goal, while delivering pertinent information that directly ties to the council’s Strategic Priorities. Communications that report on minutiae or “just nice to know” information may undermine this essential concept by encouraging the council to place more focus on organizational activity rather than results.

STAFF/COUNCIL COMMUNICATIONS

There are three basic types of information between staff and council: decision, monitoring and incidental information.

1. Decision Information

Decision information is information that assists council in making decisions, creating policy from among alternative choices, or deciding on an approach or direction to follow. This type of information is prospective, looking to the future. It should alert council to relevant trends, anticipated adverse media coverage, pending or expected significant council agenda items, or material external and internal changes; particularly changes in the assumptions upon which council policy had previously been established. Decision information should marshal as many points of view, issues and options as needed for fully informing council on choices with regard to major policy issues.

The communication workflow for decision information follows:

- Council members should direct agenda questions directly to department directors.
- If council wants staff to provide information on an item/topic, it must be requested by a majority of council members (3), if the item/topic is not an agenda item.
- Staff shall provide information to all council members.

Decision information is disseminated through agenda backgrounds and at council meetings (work sessions, regular meetings and governance meetings). Information shall be (from staff’s perspective) pertinent to council’s decision process and what was specifically requested by council as a whole.

2. Monitoring Information

Monitoring information reports on whether previous council directives have been satisfied. It is information for which council as a whole has established a policy, method and frequency. Monitoring information is judgmental, evaluative, retrospective, and directly related to Strategic Priorities, consisting of internal and external periodic reports. This type of information demands precision and focus. The intent is not to “tell them everything” but rather provide timely and understandable information that assists council to evaluate the effectiveness of the organization.

Monitoring information generally requires analysis and refinement. This information is usually presented to council through systematic reporting of organizational performance/ effect as measured against the council Strategic Priorities (e.g. Bi- monthly Monitoring Report, Annual Monitoring Report, memos).

The communication workflow for monitoring information follows:

- If council want staff to provide information on an item/topic, it must be requested by a majority of council members (3), if the item/topic is not an agenda item.
- Staff shall provide information to all council members.

3. Incidental Information

Incidental information often masquerades as monitoring information; however, it does not have any meaningful link to established performance expectations. Information of this type attempts to help the council “know everything that is going on” which is a goal that can never be achieved. It is used neither to make decisions nor to monitor performance and tends to take the council’s focus away from considering the adequacy of evaluation criteria and development of policy at the council’s level of decision-making. Incidental information includes responses to resident inquiries, questions and complaints.

When appropriate, incidental information is provided to council through periodic written updates and, verbally, in response to individual council members’ questions.

(The definitions above have been modified and paraphrased from BOARDS THAT MAKE A DIFFERENCE, John Carver, 1997, pp 118-119)

The communication workflow for incidental information follows:

- If council receives complaints or requests from residents or businesses, council should refer the item to staff and staff will advise council of follow-up/resolution or provide information so that council member(s) may respond directly to citizens (if desired).
- If the city manager receives a phone call, e-mail, or voice mail from council, then he/she will provide information/response to all council members.
- If council members have a simple question or need information, they should direct the inquiry to the city manager or the appropriate designated staff member.
- Council members may wish to discuss an item (not on an agenda or planned as a future agenda item) under Miscellaneous or Roundtable at a council meeting or a work session.

GOVERNANCE AGENDA

With the Governance agenda format, council strives to spend a larger share of its time establishing ends (or goals) and expected outcomes. The Burnsville City Council has adopted their desired Strategic Priorities organized into six broad areas: Safety, Community Engagement, Community Development, Sustainability, Transportation & Infrastructure and Organizational Services, following the City's Vision of being a **vibrant** city, **boldly** leading, **welcoming** to all.

The Governance Agenda may be utilized to:

- Receive monitoring information on the condition of the community within the eight areas.
- Consider the adequacy of the adopted Strategic Priorities in addressing community needs.
- Conduct a discussion of specific topics not adequately addressed within previously adopted Strategic Priorities.

During the process the vital ingredient is community engagement and involvement. Considering additional topics shall follow council directed priorities. When practical, the results of new topics will be incorporated as modifications within the current organization of Strategic Priorities. The following describes the steps to the Governance Agenda Process, which can be modified by the council as needed.

1. Environmental Scan

Staff provide a background paper on the selected topic and invite “experts” or appropriate community partners to make presentations. This stage is the learning process for the council as they hear about the current “state of affairs,” or what other cities are doing. This session usually occurs at a regularly scheduled Council Meeting.

2. Public Comment

Staff provide a brief overview and summary from the environmental scan as an introduction to the topic. If appropriate, part of this introduction may be presented by one of the “experts” or “partners” from the previous meeting. This meeting is reserved for public comment on the topic and occurs at a regularly scheduled Council Meeting. Time permitting, council provides direction to staff for the next meeting.

3. Council Dialogue to Develop Draft Policy

During this session, council seeks to develop consensus around the desired community goal: What good, for which people, at what cost? During the discussion, council reviews potential language for adoption. This meeting occurs at a regularly scheduled Council Meeting. Council is careful not to become involved in means during this stage.

4. Adoption/Revision of Strategic Priorities

Staff presents the council's new Strategic Priorities or modification to previously adopted Strategic Priorities statement. Staff make necessary changes as directed.

THE AGENDA FORMAT

Under the council's adopted governance model, the agenda format includes the following meeting categories:

Consent Agenda

This agenda section consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by the request of one member of the council.

Regular Agenda

This section consists of items requiring individual consideration by the council; for example, discussion of individual development issues that have a significant number of community or neighborhood concerns.

Governance Agenda

This meeting agenda is utilized on an "as-needed" basis to address "ends" statements or goals the council has identified as important to the quality of life in the city.

Work Session Agenda

These meetings offer an informal setting for the exchange of ideas, discussion of issues and obtaining council direction when needed. Formal action may be taken when appropriate.

- Round Table – Opportunity for the council to discuss items of concern with their fellow council members.

GOVERNANCE AGENDA ITEMS

Governance Agenda items are intended to focus on broad policy issues that are:

- Not adequately addressed within the current adopted Strategic Priorities
- A new community/ policy issue that could require creation of a new Strategic Priority
- A significantly complex policy issue that requires consideration to develop options

Some examples of Governance Agenda items include:

- | | |
|---------------------------------|----------------------------------|
| • Liquor Ordinance | • Master Trail Plan |
| • Wetlands Master Plan | • Urban Forestry |
| • Natural Resources Master Plan | • City Resources for Advertising |

GOVERNANCE MODEL PROCESS HISTORY

June 26, 1996	The City Council with the assistance of a facilitator developed their Governance Policies based upon John Carver's Governance Model
July 9 and 29, 1996	The City Council began development of the Governance Ends Statements
Aug. 6, 1996	The Governance Policies were formally adopted
October and November 1996	The Governance Ends Statements were developed
March 7, 1997	The Governance Ends Statements were formally adopted. Seven areas of priority were identified: Safety, Youth, Development/Redevelopment, Transportation, Environment, Neighborhoods and City Services
Aug. 1, 1997	The first Monitoring Report, which outlined proposed Outcomes, measurements and strategies, was presented to the Council
Sept. 8, 1997	The revised Ends & Outcomes Statements were formally adopted
May 1998	The Governance Agenda began to be included on Regular Meeting agendas
November 1998	The 1999 budget format was changed to reflect the Ends & Outcomes Statements
February 2000	The City Council established a Governance meeting to be held once a month replacing one work session in an effort to use the Governance Model more effectively. Governance meetings are only held on an as-needed basis
November 2019	The City Council began discussions on updating the Ends & Outcomes Statements and creating a Vision for the City
March 17, 2020	The City Council's Vision was adopted along with a set of Strategic Priorities to replace the Ends & Outcomes
August 4, 2020	The City Council, with the help of a facilitator, adopted a set of Values reflecting how council members work together to achieve goals



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