

**Date**

August 11, 2016

Time

8:00 am – 9:45 am

Instructor

Andrée Taylor, MBA, CPA
LLA Senior Analyst

Location

Monroe, LA

Method of Delivery

Classroom instruction

Learning Level

Basic

Prerequisite

None

Course 102 Powers and Responsibilities of Elected/Appointed Officials

Description

This course will present the powers and duties of elected and appointed officials of municipalities, parish governments, and special districts. In addition, participants will have the opportunity to explore how to resolve conflict between government officials and build better teams through effective communication.

Objectives

After this class participants will be able to:

- Describe the role of elected officials in their governmental entity
- Explore how to resolve conflicts
- Participants will gain appreciation for others in their governments
- Participants will discover four methods to resolve conflict

Who Will Benefit

- Elected Officials
- Appointed Officials
- Local Government Employees
- Local Government Auditors

About the Instructor

Andrée Taylor has been with the Louisiana Legislative Auditor since 2014 working in the area of Local Government Services developing and creating the Center for Local Government Excellence's Training Initiative. Prior to working with LLA's Center for Local Government Excellence, Andrée was a Small Business Management Consultant and an Instructor in the Department of Management at Southeastern Louisiana University. Andrée taught courses in Strategic Management, Diversity, Small Business Management, Entrepreneurship and Human Resources. During the first part of her career, Andrée taught Accounting at Nicholls State University and then spent 14 years in medical and pharmaceutical sales. Andrée has a Master's in Business Administration with a concentration in Accounting and is a Certified Public Accountant.



Powers and Responsibilities of Elected/Appointed Officials

Presented by:
Andrée Taylor, MBA, CPA
August 11, 2016

Sponsored by Louisiana Legislative Auditor's Center for Local Government Excellence



Agenda

Topic	
Overview	
Powers and Duties of Local Government Officials and Employees	
Municipalities	
BREAK	
Parishes and Special Districts	
Conflict Resolution – Part 1	
Conflict Resolution – Part 2	
Summary and Review	

Course Description



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Class Introductions



- * Class exercise---On an index card, write down one question/example when conflict arose in your government concerning powers and duties. Fold and give it to one of us. No names please!
- * What, in your opinion, constitutes a great workplace?

Powers and Duties



- * Executive Branch---responsible for the daily administration of the government and enforcement of the law
- * Legislative Branch---makes the laws
- * Judicial Branch---interprets the meaning of laws and applies the law

Municipalities- Forms of Government



- * Mayor-Board of Aldermen (Lawrason Act)
- * Commission
- * Commission-City Manager
- * Special Legislative Charter
- * Home Rule

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Municipalities-Governance



The Louisiana Constitution states that the Legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities [Article VI, Section 2].

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Limits on Municipal Power



- * May not define or provide for punishment of a felony
- * Except as authorized by law, may not enact an ordinance governing private or civil relationships
- * May not abridge the police power of the state

Legislative Charters



- * No local or special law shall create a municipal corporation or amend, modify, or repeal a municipal charter
- * However, a special legislative charter existing on January 1, 1974 may be amended, modified, or repealed by local or special law

Legislative Charters



- * Municipal government established and maintained by act of legislature
- * If conflict exists between legislative charter and Lawrason Act, the charter prevails
- * If legislative charter is silent on the matter, the Lawrason Act governs

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Municipalities-Size



- * City (5,000 population or greater)
- * Town (more than 1,000 but less than 5,000 population)
- * Villages (1,000 or less population)

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Lawrason Act Municipalities



- * Statutory government structure for municipalities created since 1898
- * Legislative charter municipality may change to Lawrason Act by election

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Municipalities- Lawrason Act



R.S. 33:321-463, was totally revised in 1986, with another significant revision in 1997. Under the Lawrason Act, the municipality is governed by a mayor-board of aldermen form of government with the legislative powers vested in the board of aldermen and the mayor acting as the chief executive officer of the municipality [R.S. 33:362].

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Lawrason Act Municipality Power/Limits



- * May exercise any power and perform any function necessary, requisite, or proper for the management of its affairs not denied by law.

Elections



- * Held every four years
- * Mayor and elected chief of police elected at large
- * Board members may be at large or by district

Municipalities - Officers



- * Mayor
- * Alderman
- * Chief of Police
- * Tax Collector
- * Clerk

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Municipalities - Other officials



- * Marshal
- * City attorney
- * Water superintendent
- * Streets superintendent
- * Magistrate

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Municipalities – Mayor



Executive Branch

- * Chief executive officer (R.S. 33:362)
- * Supervises and directs administration and operation of municipal departments, other than police department with an elected chief
- * Delegates performance of duties
- * Subject to law, civil service, rule, and ordinance, appoints and removes employees
 - * Not police department with elected chief
 - * Not department head, appointed police chief, clerk, attorney, auditor

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Mayor – – – Executive Authority



- * Suggests appointment of officers
- * Signs all municipal contracts
- * Prepares and submits annual operations and capital improvement budget
- * Represents the municipality
- * Signs warrants drawn on municipal treasury

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Mayor --- Executive Authority



- * Presides at municipal meetings
- * Serves in mayor's court
- * Keeps mayor's court docket
- * Provides for annual financial statement
- * Has any other power or duty necessary or proper for administration of municipality not denied by law

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Municipalities - Aldermen



Legislative Branch

- * Pass laws (ordinances)
- * Sets the salaries of the mayor, aldermen, clerk, chief of police and other municipal officers
- * Approve budget (operations and capital improvements)
- * Appoint municipal officers
- * Assists mayor in keeping mayor's court docket
- * Approve contracts (through budgetary appropriation)
- * Provide for annual financial statement

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Chief of Police



- * Elected chief may immediately effect discipline and dismiss personnel pending board approval at next special or regular meeting.
- * Elected chief may provisionally fill a vacancy with the mayor's approval, pending board approval; remains in effect unless board rejects.

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Municipalities - Clerk



- * Keeps ordinance book
- * Publishes ordinances
- * Keeps minutes
- * Clerk is auditor
- * Keeps accounting records
- * Collects all cash

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Parish Governments



Generally, a police jury may exercise only those powers authorized by the constitution or by law (Const. Art. VI, §7). However, the constitution authorizes a police jury to exercise any power and perform any function necessary, requisite, or proper for management of its affairs, not denied by general law, if the exercise of this broad authority is approved by the electors of the parish.

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Parish Governments—duties



The Police Jury or Parish Government may:

- * make regulations for its own government;
- * make and repair roads, bridges, and levees;
- * maintain banks of rivers and natural drains, drainage ditches, and canals;
- * levy taxes for parish expenses;
- * establish ferries and toll bridges;
- * provide support for the poor and those in necessitous circumstances (R.S. 33:1236).

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Parish Governments—duties



The parish government or police jury may:

- enact ordinances and provide for their enforcement by imposing fines or imprisonment. Such ordinances may be prosecuted by criminal process of indictment or information.
- provide for enforcement of ordinances by fine or forfeiture to be collected by civil process before any court of competent jurisdiction (R.S. 33:1242)

Special Districts



The difference between a special district and a city or parish is that the special district is created to perform one major function.

Examples are:

- Water district
- Sewerage district
- Drainage district
- Library district

Created by constitution/legislation or by parishes or municipalities

Checklist for Newly Elected Officials



* Please turn to the Checklist for Newly Elected Officials in your Participant's Guide

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Leadership for Local Governments



A great place to work is one in which you trust the people you work for, have pride in what you do, and enjoy the people you work with.” — Robert Levering, Co-Founder, Great Place to Work®

Question: How many of you would classify your workplace as a “Great Place to Work”?

<http://www.greatplacetowork.com/our-approach/what-is-a-great-workplace>

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Leadership in Local Government



Dimension	How it plays out in the workplace	
	Credibility <ul style="list-style-type: none"> • Communications are open and accessible • Competence in coordinating human and material resources • Integrity in carrying out vision with consistency 	T R U S T
	Respect <ul style="list-style-type: none"> • Supporting professional development and showing appreciation • Collaboration with employees on relevant decisions • Caring for employees as individuals with personal lives 	
	Fairness <ul style="list-style-type: none"> • Equity - balanced treatment for all in terms of rewards • Impartiality - absence of favoritism in hiring and promotions • Justice - lack of discrimination and process for appeals 	
	Pride <ul style="list-style-type: none"> • In personal job, individual contributions • In work produced by one's team or work group • In the organization's products and standing in the community 	
	Camaraderie <ul style="list-style-type: none"> • Ability to be oneself • Socially friendly and welcoming atmosphere • Sense of "family" or "team" 	

Great Place To Work
Institute, Inc.
<http://www.greatplacetowork.com/our-approach/what-is-a-great-workplace>

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Gallup's "12 Elements of Great Managing"



1. I know what is expected of me
2. I have the materials and equipment I need to do my job right
3. At work, I have the opportunity to do what I do best every day
4. In the last seven days, I have received recognition or praise for doing good work
5. My supervisor, or someone at work, seems to care about me as a person
6. There is someone at work who encourages my development.

Courtesy of Gallup's Employee Engagement: What's Your Ratio?

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Gallup's "12 Elements of Great Managing"



7. At work, my opinions seem to count
8. The mission or purpose of my organization makes me feel my job is important
9. My associates or fellow employees are committed to doing quality work
10. I have a best friend at work
11. In the last six months, someone at work has talked to me about my progress
12. This last year, I have had opportunities at work to learn and grow.

Courtesy of Gallup's Employee Engagement: What's Your Ratio?

Conflict resolution



- * Understanding Conflict
- * Perceiving Conflict
- * Emotional Awareness
- * Communication
- * Tips for managing and resolving conflict

Conflict Resolution- Understanding Conflict



- * Conflict occurs whenever people disagree over their values, motivations, perceptions, ideas, or desires.
- * **BUT A CONFLICT IS MORE THAN JUST A DISAGREEMENT:** it's a situation in which one or both parties **PERCEIVE** a threat (whether or not that threat is real)

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Understanding Conflict



- * Conflicts continue to fester when ignored.
- * We respond to conflicts based on our perceptions of the situation, **NOT** necessarily to an objective view of the facts.
- * Conflicts trigger strong emotions.
- * Just remember that as painful or uncomfortable as conflicts may be, they can be an opportunity for growth!

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Conflict Resolution-Perceiving Conflict



- * How do you view conflict?
- * Do you fear conflict?
- * Do you avoid conflict?
- * Does conflict make you angry?

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Resolving Conflict



The ability to successfully resolve conflict depends on our ability to:

1. Manage stress quickly while remaining alert and calm
2. Control our emotions and behavior
3. Pay attention to the feelings being expressed
4. Be aware of and respectful of differences

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Successful Conflict Resolution



We need to learn and to PRACTICE two core skills:

1. The ability to QUICKLY reduce stress in the moment, and
2. The ability to remain comfortable enough with our emotions to react in constructive ways even in the midst of an argument or a perceived attack---this is what's called "EMOTIONAL AWARENESS"!

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Emotional Awareness



CLASS EXERCISE to discover your emotional awareness---Please answer the questions at the end of this section "Emotional Intelligence Self-Assessment"

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Emotional Intelligence Self-Assessment Score Breakdown



1. In my group of friends, I am generally aware of how each person feels about the other people in our social circle.	4 - Strongly Agree	3 - Agree	2 - Disagree	1 - Strongly Disagree
2. When I am upset, I can usually pinpoint exactly why I am distressed.	4 - Strongly Agree	3 - Agree	2 - Disagree	1 - Strongly Disagree
3. While there are some things that I would like to change, I generally like who I am.	4 - Strongly Agree	3 - Agree	2 - Disagree	1 - Strongly Disagree
4. When I make mistakes, I often berate and criticize myself and my abilities.	1 - Often	2 - Sometimes	3 - Rarely	4 - Almost Never
5. I feel uncomfortable in emotionally charged situations.	1 - Strongly Agree	2 - Agree	3 - Disagree	4 - Strongly Disagree

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Emotional Intelligence Self-Assessment Score Breakdown



6. I tend to avoid confrontations. When I am involved in a confrontation, I become extremely anxious.	1 - Strongly Agree	2 - Agree	3 - Disagree	4 - Strongly Disagree
7. I am generally aloof and detached until I really get to know a person.	1 - Strongly Agree	2 - Agree	3 - Disagree	4 - Strongly Disagree
8. I tend to overreact to minor problems.	4 - Often	3 - Sometimes	2 - Rarely	1 - Almost Never
9. I feel confident about my own skills, talents, and abilities.	4 - Strongly Agree	3 - Agree	2 - Disagree	1 - Strongly Disagree
10. I would describe myself as a good judge of character.	4 - Strongly Agree	3 - Agree	2 - Disagree	1 - Strongly Disagree

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Emotional Intelligence Self-Assessment Score Breakdown



11. During a heated argument, I am more likely to:

- 4 - Stop the fight and agree to a short break before resuming the discussion.
- 3 - Shut down and stop responding to the other person.
- 2 - Give in and apologize in order to quickly end the argument.
- 1 - Start insulting the other person.

12. When making an important decision, I tend to:

- 4 - Follow my instincts.
- 3 - Rely on direction from other people.
- 2 - Go with the easiest option.
- 1 - Guess randomly.

13. Which of the following statements best describes you?

- 4 - I have an easy time making friends and getting to know new people.
- 3 - I get along well with others, but I have to really get to know someone before they become a true friend.
- 2 - I find it difficult to meet people and make friends.
- 1 - I cannot make friends.

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Emotional Intelligence Self-Assessment Score Breakdown



14. One of your co-workers has a habit that annoys you. The problem seems to be getting worse each day. How do you respond?

- 4 - Tell your co-worker what is bothering you.
- 3 - Make a complaint about the behavior to your supervisor.
- 2 - Talk about your coworker behind his/her back.
- 1 - Suffer in silence.

15. You've been feeling stressed out at work and haven't finished projects as quickly as you should. When your boss suddenly assigns you another large project, how do you feel?

- 4 - Anxious about getting all the work done.
- 3 - Overwhelmed by the task before you.
- 2 - Angry that your boss hasn't noticed how overworked you are.
- 1 - Depressed and sure that you can never finish it all.

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Scoring:

Mostly 4's = High Score

People who score high on emotional intelligence tend to be skilled at interpreting, understanding, and acting upon emotions. They are adept at dealing with social or emotional conflicts, expressing their feelings, and dealing with emotional situations.

It's important to remember that no matter how good your score is, there is always room to improve your emotional intelligence. Consider areas where you are not as strong and think of ways that you can learn and grow. Take stock of your strong points and find ways to continue to develop and apply these skills.

Mostly 3's = Better than Average Score

People with a better than average score on emotional intelligence tend to be good at interpreting, understanding, and acting upon emotions. They are usually quite good at dealing with social or emotional conflicts, expressing their feelings, and dealing with emotional situations.

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Scoring:

Mostly 2's = Average Score

People with an average score on emotional intelligence are generally good at interpreting, understanding, and acting upon emotions. They are fairly comfortable with dealing with social or emotional conflicts, expressing their feelings, and dealing with emotional situations.

Mostly 1's = Low Score

People with a low score on emotional intelligence may have a difficult time interpreting, understanding, and acting on emotions. They often have difficulty expressing their own emotions and feel uncomfortable around the emotional displays of other people. In some cases, those who score low may experience low self-esteem, poor self-confidence, and may have difficulty feeling empathy and showing love for others.

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The assessment results provide a starting point for needed improvements.

EQ (Emotional Intelligence/Awareness) is a trainable skill:

- 1. Research agrees that people can be taught to better manage emotions through coaching and professional development.**
- 2. Employees can learn how to acquire a healthier EQ.**

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The net result will be the ability to make educated, sound decisions with their head, instead of just their heart, knowing full well how emotion is influencing choices.

Quiz adapted from:
http://psychology.about.com/library/quiz/bl_eq_quiz.htm?questnum=2&cor=1443

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Additional Resources:



The Emotional Competence Framework - a generic EQ competence framework produced by Daniel Goleman and CREI covering in summary:

- personal competence - self-awareness, self-regulation, self-motivation
- social competence - social awareness, social skills

Another Emotional Intelligence test with 146 questions - http://www.queendom.com/tests/access_page/index.htm?idRegTest=3037

Conflict Resolution-Emotional Awareness



Emotional awareness helps you:

- * Understand what is really troubling other people
- * Understand yourself, including what is really troubling you
- * Stay motivated until the conflict is resolved
- * Communicate clearly and effectively
- * Attract and influence others

Conflict Resolution- Communication



In the middle of conflict, how do we communicate?

- * Words
- * Non-verbal cues

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Tips for Managing Conflict



- * Listen for what is felt as well as said.
- * Make conflict resolution the priority rather than winning or "being right."
- * Focus on the present.
- * Pick your battles.
- * Be willing to forgive.
- * Know when to let something go.

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Helpful Tips---What Staffs Need to Know



- * Elected officials:
 - * 1. Have different needs than staff.
 - * To be effective, they must be responsive to the needs of their constituents
 - * Concerns for “fairness” and “minority views” may outweigh issues of effectiveness or efficiency.
 - * 2. Want to know where various constituent groups stand on an issue

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What Staffs Need to Know about Elected Officials



- * Elected Officials:
 - * 3. Do not like surprises, particularly at the end of a long and arduous process
 - * 4. Like to have choices

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What Staffs Need to Know about Elected Officials



- * 5. Staff can be an enormous help by showing how compromise can be reached on thorny issues.
- * 6. Share credit with your elected official

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What Elected Officials Need to Know



- * 1. Some key staff belong to national and state associations that hold members to professional and ethical standards.
- * 2. Staff will sometimes assert that “we can’t do this because it violates technical standards.” Explore these issues with staff and challenge their creativity.
- * 3. Get to know and trust key staff.

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What Elected Officials Need to Know



- * 4. Treat each other respectfully!
- * 5. Avoid public criticism of each other; it only makes for “martyrs.”
- * 6. Show appreciation for good work!
- * 7. Share credit.

Resources and Contacts



- * *Handbook for Louisiana Municipal Officials*,
http://www.lma.org/LMA20/Publications/Municipal_Handbook/LMA20/Publications/Handbook.aspx?hkey=20467939-6a16-4950-b72a-ae465529e533
- * Great Place To Work Institute, Inc.,
<http://www.greatplacetowork.com/our-approach/what-is-a-great-workplace>
- * Courtesy of Gallup’s *Employee Engagement: What’s Your Ratio?*
- * <http://www.helpguide.org/articles/relationships/conflict-resolution-skills.htm#understanding>

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