

**CITY MANAGER'S OFFICE MEMORANDUM
#39-2020**

DATE: July 13, 2020
TO: Honorable Mayor Meredith Leighty and City Council Members
FROM: Heather Geyer, City Manager 
SUBJECT: Council Protocol, Prioritization of Council Requests and Council/Staff Roles

PURPOSE

To discuss Council protocol, prioritization of Council requests and Council/Staff roles. These rules and guidelines were established to ensure high levels of professionalism and to enhance the Council's teamwork and effectiveness. In recent weeks, there have been questions about City Council protocol and Council/staff roles. The intent of this discussion item is to clarify questions around these topics.

BACKGROUND

Council Protocol and Prioritization of Council Requests

On May 11, 2020, City Council unanimously approved Resolution No. 20-83 – City Council Protocol. The City Manager has proposed changes to the existing Council protocol to help clarify the protocol based on recent issues.

Council/staff Roles

City Attorney Corey Hoffmann will revisit Council/staff roles as he does during City Council orientation at the July 13 meeting in order to clarify the role of the Mayor, City Council and City Manager.

STAFF RECOMMENDATION

This item is for discussion purposes only. If City Council provides consensus on the proposed revisions to Council protocol, staff will bring forward amendments to the protocol at the July 27, 2020 City Council meeting.

BUDGET/TIME IMPLICATIONS

There are no budget impacts. If the Council protocol is amended on July 27, the revised rules and protocol will take effect immediately. The Council Handbook and associated documents will be updated with the revised rules and protocol following adoption.

STAFF REFERENCE

If Council members have questions or comments, they may contact Heather Geyer, City Manager, at hgeyer@northglenn.org or 303.450.8706.

ATTACHMENTS

1. Proposed Revisions to Council Protocol

City of Northglenn Code of Conduct, Protocols and General Procedures Adopted by Resolution No. 20-83, Series of 2020

House Rules – Northglenn City Council

1. Maintain a professional demeanor; use of professional syntax and behavior
2. Respect others
3. Have manners
4. Come prepared and do your homework
5. Listen with an open mind; strive to understand; be willing to change your mind
6. Keep others informed; avoid surprises
7. Focus on the issue at hand
8. Allow individuals to learn and modify their position
9. Agree to disagree; if you disagree, state your position/reasons
10. Members commit to supporting Council decisions once those decisions are made
11. Decide, move on to the next issues
12. Keep your sense of humor

Protocol 1: Employee contact

The City of Northglenn operates under a Council Manager form of government. Neither the Council nor any of its members shall dictate the appointment of any person to office by the City Manager or in any way interfere with the City Manager or other City officer to prevent them from exercising their judgment in the appointment or employment of officers and employees in the administrative service. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager; and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager.

With the exception of inquiries directed to the City Attorney, City Clerk, or Municipal Judge, all other inquiries should be directed to the City Manager and will be delegated to appropriate staff. If a Council member is contacted by an employee, they should notify the City Manager of the contact and substance of the communication. The City Manager and Council members should both work to illustrate respect between the City Manager and the elected officials by their actions and the manner which they show transparency and trust in each other.

1. Employee Initiated contacts with Mayor and Council members
 - a. Keep interaction social.
 - b. If the employee has a concern about the City organization, management, or Council policy refer the employee to their supervisor, Department Head, Human Resources or the City Manager (or designee – for all below).

- c. Council members should not engage in City policy discussions with City employees, unless it is in the course of coordination or deliberation through the City Manager, City Attorney, City Clerk, or Municipal Judge.
- 2. Mayor and Council Initiated contacts with Employees
 - a. Requests for simple information are welcome – be mindful of your position and the potential for misunderstanding.
 - b. Avoid directing the City staff – remember that even a question may be perceived as a directive. Requests for service should be directed through the City Manager.
 - c. If staff estimates that a Council member request for simple information will require research time greater than one (1) hour, staff will advise the requesting Council member of such and recommend they request a research topic as described in Protocol 3.
- 3. Employee Contact related to Human Resources and Personnel
 - a. Oversight of personnel is the responsibility of the City Manager with the exception of the Municipal Judge, City Clerk and City Attorney.
 - b. All personnel-related matters must go through the City Manager.

Protocol 2: Requests for Simple Information

This type of request involves the need for information on a project, program, service, or policy that already exists.

1. Simple information shall be defined as topics which would most likely not be of general interest to all Council members. (For instance, time of a meeting, status of a pot hole fill, how to locate information, etc.)
2. Contact the City Manager, Department Director, City Attorney, or City Clerk.
3. The information will be shared with the other Council members if the City Manager believes it will be of general interest.
4. Council members may also submit requests through the Access Northglenn app.

Protocol 3: Requests for Research Topic

This type of request involves the need to have additional information on a program, service, policy or community partnership that already exists and is more involved in gathering the information than response to a simple request.

1. Contact the City Manager, City Attorney, or City Clerk with a copy to the Mayor and City Council members.
2. Provide information about the request: share any background information from Council member research, focus the topic, outline your expectations, and discuss timeframe.
3. Council members ~~may make~~ **are required to make** a request during a City Council meeting.
4. The Mayor and Council will determine the direction on the request.
5. City Council consensus must be reached prior to direction being given to the City Manager to begin -staff beginning new research projects.

Protocol 4: Prioritization of City Council Requests for Action

This type of request involves the need for something new that is not in the current City Council Strategic Plan and has policy implications, operational impacts and needs to be fully vetted by City Council and City Staff.

1. Contact the City Manager, City Attorney, or City Clerk with a copy to the Mayor and City Council members.
2. Provide information about the request: why it is a priority request? Is necessary to move forward outside of the agreed upon City Council Strategic Plan for the year? Share any

background information from Council member research, focus the topic, outline your expectations, and discuss the desired timeframe.

3. Council members are required to make a request during a City Council meeting.
4. The Mayor and Council will prioritize the request based on feedback from the City Manager on how the request fits into the existing Council Strategic Plan, policy/legal implications, funding required and what is involved in order to appropriately respond to the request.
5. City Council consensus must be reached prior to direction being given to the City Manager to begin work on new Council requests for action.

Protocol-4 5: Resident Service Requests made to Council

These requests are an opportunity for the Council member to assist the resident with an understanding of their City government and to also build rapport between City staff and the resident. The Council member's role is to concierge both the answer to the inquiry and an understanding of how to work directly with staff if the resident wanted to choose that route in the future. A City organization which shows collaboration and mutual respect between the elected officials and the staff is most credible in the eyes of the resident. Also, the City Manager and City staff should help the resident understand the important policy-making role of the elected officials and support that relationship between the resident and their elected officials.

1. First contact
 - a. Listen without making any commitments for the City.
 - b. Forward the service request to the City Manager, including Council member expectations – feedback on City actions, timeframe, any follow up actions.
 - i. The City will use Access Northglenn to track the request.
 - ii. The City will acknowledge receipt to City Council member within one business day and provide an estimate of when the answer will be provided.
 - iii. The follow up will be provided by the City Manager or Department Director.
2. Resident reporting unsatisfactory contact with City operations
 - a. Listen: gather information; avoid making a commitment for the City; be open to gathering more information to get a complete understanding of the issue. Maintain an objectivity to the resident and show concern for their issue without judging the matter.
 - b. Contact the City Manager, share all information and Council member's expectations. It will be most helpful to provide specific contact information and allow City staff to reach out directly to the resident.

Protocol-5 6: Agenda Management

1. The City Manager sets the meeting agenda.
 - a. The Mayor, as presiding officer of the Council meetings, may provide the City Manager with input or feedback on the organization of the meeting in an effort to streamline the flow of Council meetings as well as other considerations such as length of meetings.
- ~~1.2.~~ Placing an item on a City Council or Study Session Meeting agenda
 - a. Individual Council members may request to add a topic to a City Council regular meeting or a Study Session agenda. Requests for action needs to follow Protocol 4.
 - i. Share topic with City Manager in one-on-one meetings or bring the topic up during a City Council meeting or Study Session.
 - ii. The City Manager has discretion to ask full City Council for feedback and direction on request for agenda additions. It is the City Manager's role to attempt to balance the timing and pacing of these meetings and their subject

matter. (Some requested subjects may not be ready for agendizing, in the City Manager's opinion.)

3. The City Manager and City Clerk meet with the Mayor weekly to review the upcoming meeting agenda and to respond to any questions the Mayor has in order to assist the Mayor in presiding over meetings. The Mayor will inform the City Manager of any potential issues or questions that may arise by City Council that may not otherwise be communicated to the City Manager.

4. The City Manager will work to manage the length of meetings by managing the length of the agenda as much as possible recognizing there are many factors outside of the Manager's control.

2.5. Questions from Council members on a posted agenda topic

- a. Email the City Manager by 9:00 a.m. the day of the City Council meeting or Study Session with copy to the Mayor and Council members. This will allow City staff time to research the question, prepare a response, or to incorporate the question in their presentations at the City Council meeting.
- b. City staff will attempt to provide a written answer to all questions by 4:00 p.m. the day of the meeting.
- c. Bring up the questions during the Study Session.

3.6. Clarification of clear City Council direction at Study Sessions, City Council Meetings and Executive Sessions

- a. The Mayor will ensure each City Council member has the opportunity to provide feedback and ask questions before concluding the discussion with direction for Staff, using the following process:
 - i. Ask each City Council member for any questions and/or comments;
 - ii. Ask the City Manager for any concluding remarks on the questions/comments provided; and
 - iii. Ask City Council for confirmation on the direction for staff.
- b. The Mayor will summarize the direction, restate it to the group, confirm with the City Manager that they understand City Council's direction, and identify next steps.

4.7. Requests for a Proclamation from a Council member (via a constituent or one's own request)

- a. All requests for proclamations are subject to approval by and prepared for the Mayor's signature on behalf of the City Council.
- b. Make request to the City Manager and/or City Clerk's Office a minimum of 10 days prior to the meeting/event where the proclamation will be issued.
- c. When making the request, the following will be provided:
 - i. The proposed timing of the proclamation/specific meeting date
 - ii. A draft of the proclamation, if available
 - iii. Background information and/or a website for the organization being recognized.
 - iv. The name(s) and contact information for those who will be receiving the proclamation at the City Council meeting so that they may be contacted and attendance confirmed.

Protocol-6.7: Urgent Information Communication to Council members, Criteria of "Urgent"

1. Major incident
2. Emergency situation
3. Topic likely to receive multi-media posting

4. Method of contact: Council members will be notified via mobile phone text. Details of the matter may be provided via email if they are too lengthy for a text, but texting will be the manner in which to ensure uniform notice.

Protocol ~~7~~ 8: Communications

1. City Manager and Council members will have regular meetings to keep lines of communication open.
2. City Manager will endeavor to ensure all Council members are kept current on all matters. The weekly City Council meetings, Manager/Council member meetings, bi-weekly City Manager Reports and immediate emails will be the primary methods of communication.
3. When Council members communicate with residents and the City Manager they will endeavor to keep their colleagues informed as well.
4. On matters of general interest, Council members will copy the Mayor and all members of the City Council.
5. The City Manager will share information and responses to individual Council members with the Mayor and the full City Council on matters of general interest.
6. If a Council member is sharing a public statement on a matter that is or will be in front of the full City Council, the Council member will share the statement with colleagues at the same time or before the statement is shared with the public.
7. Once the City Council has reached a decision on a particular issue, if a Council member disagrees with the decision reached that member is encouraged when communicating publicly to do so in a manner that is transparent but does not denigrate the respect or authority of the City Council body.

Example: I publicly disagreed with the decision reached by the City Council. That said, I respect my colleagues' decision and will move forward in full support.

Protocol ~~8~~ 9: Speaking for the City

1. The Mayor is the chief spokesperson for the City and represents the City policies, Council decisions or directions; represents the City's position to outside agencies.
2. The City Manager is also a major spokesperson for the City and speaks for the City organization and management; represents the City reflecting the Council decision and directions.
3. City Council members serve as a representative for their Ward and liaison between the City, Boards and Commissions, and outside agencies.

Protocol ~~9~~ 10: Liaisons

1. City Boards/Commissions
 - a. Responsibilities: observe the Board/Commission; listen; respond to questions; bring back ideas, actions and issues to the Mayor and City Council.
 - b. On quasi-judicial boards/commissions (Planning), be extremely careful and cautious not to participate in their deliberations.
2. Outside Organizations
 - a. Responsibilities: share information; represent the City policies and Council direction; bring issues/topics back to the Mayor and City Council for discussion, decisions and direction; updates will be shared under Council communications during Regular Council meetings.

Protocol~~10~~ 11: Executive Session

Executive Sessions are closed meetings held by the City Council for specific purposes.

1. City Council may meet in executive session for: personnel matters; reviewing applications for appointive positions; claims against the City; legal consultation and advice; litigation, deliberations in a quasi-judicial capacity; and negotiations.
2. Ground Rules: Keep information confidential.
3. Refrain from electronic communication during executive session

Protocol~~11~~ 12: Extended City Council member Absence

In the event a City Council member cannot attend a meeting, when possible, the Council member shall notify the Mayor and/or City Manager or City Clerk of their planned absence in order to determine whether a quorum will be present. City Council members may participate in City Council meetings remotely per the City Council's Electronic Participation Policy.