

Proposed Changes to Council Rules from April 13, 2021 Council Administration Committee Meeting

5B – Review of the Draft Agenda

The City Administrator shall submit the draft agenda and supporting materials to all Councilmembers at least 10 days prior to the regular meeting to which the agenda pertains. Councilmembers shall submit all questions about the agenda to the City Administrator no later than noon on Wednesday of the week before the regular meeting and the City Administrator shall provide answers to those questions by 5:00 p.m. the next day (Thursday). If the City is closed on Wednesday or Thursday of the week prior to the regular meeting, Council members shall submit all questions no later than 10:00 a.m. and the City Administrator shall provide the answers by 5:00 p.m. of the following Monday. Once the City Administrator has submitted the draft agenda to Council, no matter from staff shall be placed on the agenda. Councilmembers may add items to the agenda prior to 5:00 p.m. on the Thursday before the next Council Meeting, at any time, but will use best efforts to do so

prior to 5:00 p.m. on the Tuesday before the next Council meeting. After 5pm on the Thursday proceeding a regularly scheduled council meeting, three Councilmembers would need to co-sponsor an item to add to the agenda before the start of a meeting. After 5pm on the Thursday proceeding a regularly scheduled meeting, an individual Councilmember can add a proposed item for the agenda but a majority of the Council would have to vote to add an item to agenda at the Council meeting. However, if an item is proposed to be added at the Council meeting in this manner, the proposed resolution would be publicly available on the agenda in a section entitled proposed items to be added to the agenda.

Rule 5C Approval of the Agenda

Matters not on the published agenda may be added at the time of approval of the agenda with the consent of 3/4 a majority of the members present. The Mayor or City Administrator may delete items from the ...

Rules 10

Note the following should be deleted and/or moved to the Council Ethics section. The reason is that it is the only item that contemplates non meeting behavior. It was my suggestion in my memo to Council that the amended language to Rule 12 would encompass any such improper behavior covered in this section.

Redress of Grievances

~~If a member's integrity, character, or motives are assailed, questioned, or impugned by another member, either during a Council meeting or in another public venue, the member can seek redress through the Administration committee using the process outlined in COUNCIL ETHICS~~

COUNCIL ETHICS RULE 12 – COUNCIL SELF-GOVERNANCE

City Council has determined that the internal regulation of the behavior of City Councilmembers through counseling or reprimand should be done according to the following procedure.

1. Counseling. Counseling refers to the meeting by the Council Administration Committee with a Councilmember for the purpose of discussing a Councilmember's action or actions that are considered a violation of a law, Council Ethics Rules, ~~or~~ Council Administrative Rules, or other conduct that is unbecoming of a Councilmember, but considered by the Council to be not sufficiently serious to require reprimand. Matters eligible for Counseling include: A first violation of the Council ethics or administrative rules.

2. Reprimand. A reprimand is a formal public statement by the Council that a Councilmember's actions are in violation of law, ~~or~~ Council Ethics Rules, ~~or~~ Council Administrative Rules, or other conduct that is unbecoming of a councilmember, but considered by the Council not sufficiently serious to require removal. It is not necessary that counseling precede a reprimand depending on the nature of the violation. A reprimand may be issued based upon the Council's review and consideration of a written allegation of one or more violations. Matters eligible for reprimand include the following: Repeated violations of the Council Ethics or Administrative rules... within a term of office. Fail

Administrative Rule 1

A councilmember shall not encroach on administrative responsibilities. City Council provides direction to the City Administrator, who then provides direction to staff. A councilmember shall not give orders or directives to staff, either publicly or privately. Councilmembers may make inquiries or exchange or request information according to the "Interaction with City Staff" guidelines developed by the City

Administrator. A councilmember shall bring concerns about department or staff misconduct to the City Administrator.

Council Rule _____ Council Behavioral Norms

Councilmembers should:

- Work with other council members to establish effective policies;
- Encourage the free expression of opinion on policy issues by all council members;
- Use the same care and caution when using electronic media as would be exercised when speaking face-to-face or through written memorandum;
- Avoid use of derogatory or denigrating language;
- Treat all people fairly and with dignity and respect;
- Abstain from harassing or discriminatory behavior of any kind;
- Adhere to the following tenets in the ICMA Code of Ethics (revised June 2020):
 - o Affirm the dignity and worth of local government services and maintain a deep sense of social responsibility as a trusted public servant. (Tenet 2)
 - o Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order to merit the trust and respect of elected and appointed officials, employees, and the public. (Tenet 3)
 - o Serve the best interest of the people. (Tenet 4)

Council Ethics Rules 12 is missing two words and should have correct application

- c. On receipt of a Councilmember's sworn complaint, the Chairperson of the Council Administrative Committee shall:
- i. Review the sworn complaint as to proper form, determining whether the complaint alleged falls under the scope of Council **Administrative Committee** and as defined by statute, Charter, and through this ordinance, **or through the Council Ethics or Administrative Rules**, as is proper