



Council Policies and Procedures Manual

Adopted May 14, 2018

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GENERAL 01

POLICY 01.1

MAYOR AS PRESIDING OFFICER

POLICY

The mayor serves in a leadership role and presides over meetings of the City Council.

AUTHORITY

Lakewood Home Rule Charter, Section 2.3.
By adoption of the Policy and Procedures Manual.

PROCEDURE

The mayor is elected directly by the voters. The mayor presides over all meetings, which are held in accordance with Roberts' Rules of Order Parliamentary Procedure, except that state constitutional and statutory provisions and local ordinances, resolutions, and procedural rules shall govern in the event of a conflict. In addition, in applying rules of procedure, the mayor shall have some discretion and flexibility. The Mayor presides over meetings and has the same rights and responsibilities of a city council member, including the ability to offer opinions at council meeting and to vote on issues. The Mayor has no veto power.

The Mayor is recognized as the head of the municipal government of the City for all ceremonial purposes, including performing ceremonial functions.

The mayor has routine responsibilities that include signing legal instruments. The mayor also assigns committee responsibilities to City Council, approves travel for Council Members and serves as a member of the police pension board. The Mayor shall have such other powers as may be conferred upon the Mayor by the City Council so long as those powers are not in conflict with the provisions of [the City] Charter.

POLICY

The officers of the Lakewood City Council shall be the Mayor and Mayor Pro Tem.

AUTHORITY

Lakewood Home Rule Charter, Section 2.3.

Lakewood Home Rule Charter, Section 2.4.

By adoption of the Policy and Procedures Manual.

PROCEDURE

One member of City Council is chosen each year, at the first regular City Council meeting in January, to serve as Mayor Pro Tem.

The Mayor Pro Tem can be nominated by anyone, including self-nomination. Nominations are taken via email, as part of the email process used to determine Council committee assignments, or at any time thereafter, including from the floor the day of the vote.

The term of Mayor Pro Tem is one (1) year, and if the Mayor Pro Tem resigns from the position, the process to select a new Mayor Pro Tem will be immediately initiated following the nomination process outlined above. The vote to select a Mayor Pro Tem will use a generally accepted voting method, either by majority or plurality. This decision as to what type of electoral system to use will be left to the council to decide just prior to the vote.

The primary responsibility of the Mayor Pro Tem is to serve as the Mayor when the Mayor is unavailable, including presiding over meetings and signing any documents that require a Mayoral signature.

In the event that both the Mayor and Mayor Pro Tem are unavailable for a City Council meeting, the Council shall elect a presiding officer for that meeting.

POLICY

The City's home rule charter provides that the City Council shall have the power to remove, for cause, the Mayor and/or any Council Member from office, as provided by ordinance.

AUTHORITY

Lakewood Home Rule Charter, Section 2.13.
Lakewood Municipal Code 2.05.

PROCEDURE

The requirements and procedure for removal of the Mayor or Council Member shall be as set forth in Chapter 2.05 of the Lakewood Municipal Code.

FINANCE 02

POLICY 02.1

BUDGET

POLICY

The City Council has established the following policies and procedures to guide in the preparation, review and adoption of the annual city budget:

- I. The annual draft budget submitted by the City Manager for City Council consideration will be balanced; i.e., revenues must match or exceed expenditures.
- II. If special circumstances warrant the use of general fund reserves, the City Manager will submit a memorandum to Council outlining those special circumstances, the amount requested, the impact on City services, and alternatives, if any, to the use of General Fund reserves.
- III. The annual draft budget will include a five-year estimate for costs and revenues for any proposed new program.
- IV. Any proposal for the City to acquire property will include a five-year estimate of maintenance and operation costs.
- V. The City Council Budget and Audit Committee will consist of three Council members and three citizen representatives who apply to and are recommended by the Council Screening Committee, with the concurrence of City Council. Citizen Representative are limited to two (2) three (3) year terms. The terms are staggered across three (3) years.
- VI. Thirty percent (30%) of the General Fund reserve will be set aside for public safety purposes, which shall be defined as police, municipal courts, municipal prosecution and related support services.
- VII. The annual draft budget shall reflect a minimum ten percent (10%) General Fund balance.

AUTHORITY

Resolution 2005-48.
Lakewood Home Rule Charter, Section 3.3.

PROCEDURE

Refer to section 04.2.

PERSONNEL 03

POLICY 03.1

CITY MANAGER PERFORMANCE REVIEW

POLICY

The City Council shall evaluate the performance of the City Manager annually and review each evaluation with the City Manager.

AUTHORITY

Lakewood Home Rule Charter, Section 3.5.

PROCEDURE

The job performance of the City Manager is typically evaluated annually in accordance with the terms of the City Manager's contract, if any. The City Council will participate in a review of the City Manager and will be afforded the opportunity to provide comments and feedback on performance and process. When the information is compiled, the City Manager will be given a copy of the written review and will meet in Executive Session with the City Council to go over the review, discuss any points of concern and develop performance measures for the subsequent year. A schedule for the City Manager's review process will be developed jointly, in January, by the Mayor and City Manager and conveyed, at the next regular council meeting, to the entire Council, for review and approval or rescheduling. In any case, the review will be completed before the last day of May.

POLICY

The City Manager does not have an expense account, but is authorized to make business expenditures in the course of performing his/her duties.

AUTHORITY

Lakewood Home Rule Charter, Section 3.3.
By adoption of the Policy and Procedures Manual.

PROCEDURE

The City Manager's expenditures will typically be made via a City-issued procurement card. The procurement card statement shall be reviewed by the Mayor on a monthly basis. The City Manager's expenses can be reviewed in the Lakewood Ledger.

POLICY

The City Attorney shall present an annual report of activities and legal services rendered by the City Attorney's office and any outside legal counsel. The City Council shall evaluate the performance of the City Attorney annually and review each evaluation with the City Attorney in accordance with the terms of the City Attorney's contract.

AUTHORITY

Lakewood Home Rule Charter, Section 4.6.
By adoption of the Policy and Procedures Manual.

PROCEDURE

The job performance of the City Attorney is to be evaluated annually in accordance with the terms of the City Attorney's contract, if any. The City Council may, at its discretion, request additional reports of activities and legal services rendered for the City by the City Attorney, the City Attorney's Office and any outside legal counsel. The City Council will participate in a review of the City Attorney and will be afforded the opportunity to provide comments and feedback on performance and process. When the information is compiled, the City Attorney will be given a copy of the written review and will meet in Executive Session with the City Council to go over the review, discuss any points of concern and develop performance measures for the subsequent year. A schedule for the City Attorney's review process will be developed jointly, in January, by the Mayor and City Attorney and conveyed, at the next regular council meeting, to the entire Council, for review and approval or rescheduling. In any case, the review will be completed before the last day of May.

COMMITTEES, BOARDS AND COMMISSIONS 04

POLICY 04.1

COMMITTEE ASSIGNMENTS

POLICY

Council Members, in addition to their responsibilities in representing constituents through policy making decisions for the City of Lakewood, are asked and expected to serve on one or more committees per year.

A Council Committee position may be reassigned only if the Council Member holding that position requests the reassignment by notifying the Mayor in writing (i.e., letter or email).

City Council Committees

Committees arise from a number of sources and needs:

- Community organizations that have asked for City Council leadership.
- Intergovernmental in nature (e.g. Colorado Municipal League; Denver Regional Council of Governments, etc.).
- Required by law to have an elected official as a member (e.g., Head Start Policy Board).
- Others are groups providing specific guidance to staff or others (e.g., the Council Legislative Committee; Budget and Audit Committee).
- Ad hoc committees, which are formed as needed by vote of City Council.

Staff liaison for all committees will be designated by the City Manager.

Committees as of the adoption of this manual, not including ad hoc, are:

Budget and Audit Committee: This committee consists of three Council Members and three citizens who are selected at large by the Screening Committee and presented to Council. It meets as necessary and is charged with serving as oversight committee reviewing financial statements, budget forecasts and to provide feedback on budgetary compliance with City policies. Citizen members serve three-year terms and may serve no more than two terms.

Colorado Municipal League Policy Committee: Meets four times per year, starting in the end of the calendar year. Meetings are generally in October, December, February, and May, from 10 am to 1:30 pm, and consider pending policy issues for CML, discuss proposed state legislation and the committee recommends positions to the CML Executive Board and staff. CML staff provides packets prior to the meetings. The City has two appointments to this committee (one member from the City Council Legislative Committee and the staff liaison), and one alternate.

Denver Regional Council of Governments (DRCOG): The purpose of DRCOG is to foster regional cooperation among the 56 cities and counties that comprise its membership. It focuses on quality of life issues such as mobility, environment, public safety and growth. Each member government has an elected official serving on the Board of Directors of the Denver Regional Council of Governments. One regular and one alternate are appointed to represent Lakewood on the Board. It meets the third Wednesday of the month from 6:30 pm for 2-3 hours. There is opportunity to participate in several other committees.

Head Start Executive Committee Governing Board: Three Council Members are appointed to serve as the Governing Board for the Head Start Program. The Board has fiduciary responsibility for the program and meets monthly the third Monday of the month at 5:30 pm or as needed.

Jefferson County Community Corrections Board: This board is responsible for screening and placement of felony offenders in Jefferson County halfway houses. They are also the policy board for community corrections in the county. It meets on the fourth Thursday of the month from January through October. In November and December, they meet on the third Thursday of the month. The meetings are from 7 am to 9 am and take place in the Lookout Mountain Room in the Courts and Administration Building (TAJ). A member and an alternate must be chosen from among current City Council members.

Jefferson County Criminal Justice Committee: This group represents the various elements of the criminal justice system in Jefferson County and includes some state and elected officials. It discusses and makes recommendations on issues such as managing the jail population, efficiencies in the criminal justice system, mental health issues that might impact the system, and prevention programs. It meets the third Wednesday of odd months at 5 p.m. A regular and an alternate, elected official from Lakewood are appointed to the Committee.

Jefferson County Transportation Advisory and Advocacy Group: (JEFFTAAG). This Committee consists of an elected official representative from each of the cities in the county and an alternate position, filled by a staff person. It meets the second Wednesday of each month to review issues related to funding of transportation projects for the County and the municipalities within it.

Judges' Salary Review Committee: One Council Member from each ward meets annually in the 2nd quarter to study data and make recommendations to the whole Council as to the appropriate compensation for the presiding judge and all regular full-time judges. Committee recommendation is prepared by staff in a resolution for recommendation to Council.

Council Legislative Committee: One member from each ward is assigned to this committee. It meets as needed during the State legislative session from January to May. Meetings are typically bi-weekly starting late January and are scheduled throughout the session as needed for proposed legislation. The committee takes positions on pending legislation and conveys those positions to state elected representatives. Packets are provided that summarizes the

proposed legislation, summarizes staff feedback and summarizes positions taken by other entities particularly Colorado Municipal League.

Police Seizure Fund Committee: This Committee (comprised of a Council Member and the District Attorney) meets as needed to make recommendations on the disposition of money and property seized during major arrests. The Committee receives and reviews written requests by the Police Department. Committee meets on an as needed basis.

Council Screening Committee: This committee consists of one Council Member from each ward. It meets as necessary and is charged with interviewing applicants for the City's boards and commissions and making recommendations on appointments to the entire Council.

Sister Cities Committee: This committee meets on the third Thursday of each month to discuss updates from Lakewood's four Sister Cities – Portsmouth and Chester, England, Sutherland Shire, Australia; and Stade, Germany.

Urban Drainage and Flood Control District: By law, the appointment to this Board of Directors must be either the mayor or mayor pro tem. The District oversees multi-jurisdictional drainage systems and flood control mitigation. The Board meets the third Thursday of the month at 12:30 pm – 2:30 pm. They do not meet in January or July and the first meeting is the first business day in February.

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

The Mayor shall make recommendations for committee assignments in January (or earlier) for the duration of the calendar year (or following calendar year), and re-assignments at the time of need.

The process begins when the Mayor sends a memo to the City Council identifying the available committee assignments and asking Council members to select those of most interest to them. The Mayor will attempt to match Council members with their individual interests when possible, given any restrictions that may be in place.

Recommendations come before council for a vote. Any council member can request a recommendation be pulled for separate consideration and any council members can nominate themselves or a fellow councilor to fill a committee assignment.

The vote to determine committee assignments will use a generally accepted voting method, either by majority or plurality. This decision as to what type of electoral system to use will be left to the council to decide just prior to the vote.

POLICY

The Screening Committee shall consist of five (5) Council members – one (1) from each of the five (5) Wards – and is responsible for making recommendations to the City Council regarding applicants for the City’s Boards and Commissions. Screening Committee meetings shall be open to the public and posted in accordance with state and local open meeting requirements and shall be listed under Public Meetings notices on the City website. Appointments will be made by City Council Resolution.

AUTHORITY

Ad Hoc Committees

Lakewood Home Rule Charter, Section 4.5

Advisory Commission for an Inclusive Community (ACIC)

Resolutions 2007-48, 2008-49, 2008-85, 2010-18, 2011-6

Board of Adjustments

Lakewood Home Rule Charter, Section 2.16

Lakewood Municipal Code 9.1(e)

Board of Appeals

Lakewood Municipal Code 14.12

Boards and Commissions, General

Lakewood Home Rule Charter, Section 4.5,

Lakewood Municipal Code 2.01

Employee Money Purchase Pension Plan

Lakewood Municipal Code 4.04

The Employee Money Purchase Pension Plan

Judicial Nominating Committee

Lakewood Home Rule Charter, Section 5.3

Judicial Review Committee

Lakewood Home Rule Charter, Section 5.3

Lakewood Municipal Code 2.21.010

Planning/Zoning

Lakewood Home Rule Charter, Section 9.1(a)

Lakewood Municipal Code 17-1-7(3) (a)

Victims Assistance Board

Lakewood Municipal Code 1.17.060

Budget and Audit Committee

By Resolution and adoption of the Policy and Procedures Manual.

PROCEDURE

The Screening Committee shall be guided by the following rules:

- I. Meetings.
 - Committee meetings shall require a quorum of no less than three members.
 - Staff will arrange Committee meetings and contact Committee members regarding scheduling.
- II. Interviews.
 - All openings will be advertised.
 - In the event that a single applicant applies for a vacancy, the deadline for applications will be extended one time to solicit additional applicants.
 - The boards and commissions coordinator will coordinate interviews of at least three (3) candidates, but the number of candidates to be interviewed shall be flexible and should be discussed with the chairperson prior to scheduling.
 - The Committee will interview all applicants for boards and commissions, including incumbents applying for reappointment. Notwithstanding the foregoing, if an applicant was last interviewed for the same board or commission to which he or she is currently applying within the previous six months, except for Planning Commission applicant must be interviewed regardless of whether or not they had previously applied to the Planning Commission.
 - The Committee shall conduct all applicant interviews in a fair and consistent manner, by adhering to the committee-approved question list for each position.
 - For Planning Commission applicant interviews, the Mayor and the Council member not on the committee and from the ward of the applicant will be invited to attend and may participate in the discussion following the interviews. However, the Mayor and the aforementioned Council member cannot participate in the interviews or vote.

POLICY

The City Council shall establish the compensation of all judges of the Municipal Court by ordinance as required by the City's home rule charter.

AUTHORITY

Lakewood Home Rule Charter, Section 5.8(a).
Lakewood Municipal Code 2.20.

PROCEDURE

The Judges' Salary Review Committee will be formed each year following the policy and procedure outlined in section 04.1.

The City Manager or designee, in coordination with the Department of Employee Relations, shall conduct a salary survey of municipal and county judges in the Denver metropolitan area. The survey results shall include a weighted average of municipal judges' salaries and other relevant salary information. The salary survey shall be provided to the Judges' Salary Review Committee by the end of the first week of April each year.

Upon completion of the salary survey and no later than April of each year, the City Manager or designee shall schedule a meeting among the Salary Committee and the presiding municipal judge to discuss the salary survey and to exchange information about the Municipal Court and judges.

The Committee shall thereafter submit to the City Council a proposed Judicial Pay ordinance, prepared by the City Manager or designee, containing the Committee's recommendations for the salaries of Municipal Judges and the Presiding Municipal Judge. The ordinance shall include a recommended hourly rate for Associate Municipal Judges. This process should be completed by May of each year.

The City Council shall consider the Judicial Pay ordinance at the next available regular City Council meeting.

MEETINGS 05

POLICY 05.1

MEETINGS DEFINED/OPEN MEETINGS

POLICY

All meetings of the members of the City Council shall comply with the Colorado Open Meetings Law (OML), which broadly defines a "meeting" as "any kind of gathering convened to discuss public business, in person, by telephone, electronically, or by other means of communication."

See [Addendum 1](#) for meeting schedule and order of business details.

AUTHORITY

Lakewood Home Rule Charter, Section 2.15.
C.R.S. 24-6-402(1) (b).

PROCEDURE

Based on the definition of "meeting" in the OML, virtually any time *three or more* Council members discuss public business, the discussion could be considered a meeting requiring notice to the public, regardless of whether the Council members are in the same room, talking by telephone, or communicating via email or other electronic medium.

The Colorado Supreme Court has ruled that "merely discussing matters of public importance" does not trigger the requirements of the OML; there must be a "demonstrated link" between the meeting and the City Council's policy-making powers, such as a rule, regulation, ordinance or other formal action.

POLICY

All City Council meetings shall be open to the public and public notice shall be provided in accordance with state and local open meeting requirements and shall be listed under Public Meetings notices on the City website.

AUTHORITY

Lakewood Home Rule Charter, Section 2.15.
C.R.S. 24-6-402(2).
By adoption of the Policy and Procedures Manual.

PROCEDURE

- I. Public Meetings.
 - A. A “meeting” occurs and must be open to the public whenever three or more Council members convene in person, by telephone, electronically or by other means: (i) to discuss public business pursuant to the City Council’s policy-making powers; or (ii) to contemplate taking formal action.
 - B. City Council and Staff Retreats. If a retreat or similar gathering is attended by three or more Council members and either of the situations identified in “A” above occur, it may qualify as a meeting that must be open to the public. City staff meetings are not subject to public meetings requirements, and therefore staff meetings not attended by three or more Council members need not be open to the public.
- II. Public Notice of City Council Meetings. City Council meetings shall be held only after full and timely notice to the public. The official posting place for all public notices is the bulletin board located in the atrium at Civic Center South, 480 S. Allison Pkwy., but all notices shall also be posted on the City’s website. Notice of a meeting shall be considered full and timely posted no less than twenty-four hours before the meeting.

POLICY

A quorum of six or more Council members must be present in order to conduct any business.

AUTHORITY

Lakewood Home Rule Charter, Section 2.16.

C.R.S. 24-6-402(2) (b).

By adoption of the Policy and Procedures Manual.

PROCEDURE

A quorum consists of a simple majority; *i.e.*, a minimum of six of the eleven Council members must be present in order to hold a Regular or Special City Council Meeting.

Notwithstanding this quorum requirement, any discussion of public business involving three or more members of City Council is considered a meeting subject to the Open Meetings Law.

POLICY

Council members are expected to serve the public by attending all regular and special meetings and study sessions. Absences equal or greater than 30%, during the calendar year, are cause for removal, and require a vote of not less than three-fourths of all members of the City Council.

AUTHORITY

Lakewood Home Rule Charter, Section 2.15.
Lakewood Municipal Code 2.05.010 and 2.05.020(B).
By adoption of the Policy and Procedures Manual.

PROCEDURE

Attendance at meetings other than regular or special meetings, study sessions or the Council member's assigned committee meetings is at the discretion of the individual Council member.

Notification of an absence should be made by email to City Council and the City Clerk prior to the meeting.

POLICY

A "Special Meeting" is a meeting held at other than the designated dates and times of a Regular Meeting and may be scheduled either by vote of the City Council at a Regular Meeting or by a "Notice of Special Meeting."

AUTHORITY

Lakewood Home Rule Charter, Section 2.15.

Lakewood Municipal Code 2.02.010(B).

PROCEDURE

A Special Meeting may be scheduled either by majority vote of the City Council at a Regular Meeting or by a "Notice of Special Meeting" signed by the Mayor and three Council members and delivered to all Council members at least 24 hours in advance of the Special Meeting. Council members must sign a receipt for the Notice of Special Meeting, which is to be returned to the City Clerk for record keeping purposes.

POLICY

Any regular or special City Council meeting may be recessed to an executive session in the manner set forth in section 2.15 of the City's home rule charter.

No formal action may be taken in executive session. When a matter discussed in executive session is later discussed on the record at an open meeting, the record must indicate what policy considerations and motivations led to any final decision.

Whenever possible, executive sessions, including the topic and statutory citation, should be identified on the City Council agenda for the meeting during which the City Council will recess into executive session. Notwithstanding the foregoing, executive sessions may be held even if not identified on the official agenda if a motion for executive session is approved by a supermajority of at least eight (8) City Council members.

Topics for executive sessions shall be limited to those set forth in the City's home rule charter.

AUTHORITY

Lakewood Home Rule Charter, Section 2.15(c).
C.R.S. 24-6-402(4).

PROCEDURE

To recess into executive session, a Council member must make a motion for an executive session and must announce the topic of discussion including (i) the specific citation to the Open Meetings law authorizing the topic for executive session; and (ii) identification of the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. The City Council shall then vote on whether to hold the executive session as described, and a supermajority of at least eight (8) members shall be required to approve the motion. The minutes of the regular or special meeting must reflect the topic of discussion at the executive session.

The agenda setting process is an ongoing, combined effort by the City Council and the City Manager (or designees).

Council sets the legislative priorities for the year during the annual planning session and that agenda informs staff's work assignments and council agenda items.

The City Manager through the course of managing city business and under direction of the council puts forth agenda items that ensure the efficient and uninterrupted services that our citizens expect and depend on.

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

Council members submit requests for agenda items during the annual planning session and throughout the year by filling out a request form and submitting to City Manager (or designee) for review. Requests submitted outside of the annual planning session are added to the next in progress* regular City Council meeting agenda and meeting packet under General Business.

At a minimum, the request must include the requestor's name, a description of the request, the goal or objective that the request aims to fulfill, and a self-assessment as to the priority level.

New requests for agenda items that are approved by council to move forward will then be evaluated and prioritized against the backlog of open, prioritized items.

All Council's priorities will be added to an online dashboard that provides visibility to key information and organization of priorities and key information. The dashboard will also list unprioritized "parking lot" items that await prioritization at a later date.

*The timing of the submittal determines when the request will be reviewed by Council. Meeting agendas and packets must be posted to the city website 10 days prior to the meeting, and so depending on when the request was submitted the request may not be reviewed at the next regular council meeting but instead may be reviewed at the one after.

POLICY 05.8 PROCEDURAL RULES/PARLIAMENTARY AUTHORITY

POLICY

The Mayor may, at his/her discretion, seek to modify procedural rules and/or guidelines for a particular hearing or meeting, as long as the modification is within the guidelines of Robert's Rules of Order/Parliamentary Procedure and isn't in conflict with any constitutional provisions, law, statute, or ordinance or resolution heretofore or hereafter adopted.

At no time will the curtailing of public comment be permitted. Each and every speaker who signs up to speak, and who hasn't given their time away via a pooling agreement, will be permitted to speak on the topic.

Upon request, a representative of a registered neighborhood association or organization shall be allowed to speak for up to ten minutes.

Other speakers may use "pooling" of time to add to the length of their comment period. To pool time so as to be granted up to ten minutes, a speaker must present the names of at least three individuals who are present in the audience when the and who wish to yield their three minutes. All three people must be present when the speaker is called. At any time before the speaker is called to approach the podium and begins speaking, an individual who yielded his or her time to the speaker may reclaim the time from the speaker and may preserve it for later in the meeting.

Electronic presentations, such as PowerPoint slides or Video must be submitted to the City Clerk's office by noon the day of the meeting in order to allow time for pre-screening. Presentations at study session must be related to a meeting topic.

AUTHORITY

Lakewood Municipal Code 2.02.020(B).

PROCEDURE

Establishing procedural rules and/or guidelines for a particular hearing or meeting:

In the event a hearing or meeting is anticipated to be particularly contentious or public participation at a hearing or meeting is expected to be extensive, or for other good cause, the Mayor, at the commencement of such hearing or meeting, may propose a procedural rule and/or guideline change.

A simple majority is required to change the order of the agenda. A two-thirds majority is required for limiting council debate and for making any changes to public comment, outside of the aforementioned exception, such as modifying speaking time pooling guidelines.

Any council member may make or second a motion to approve, amend, table or continue any matter before the council.

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

Motions and seconds shall be made in accordance with Robert's Rules of Order/Parliamentary Procedure.

POLICY

All proposed ordinances shall be introduced only at a Regular, Special or Emergency Meeting of the City Council.

AUTHORITY

Lakewood Home Rule Charter, Section 7.4(1) (2).

PROCEDURE

"First reading" ordinances shall be introduced by reading the title of the ordinance. First reading ordinances shall be placed on the Consent Agenda and scheduled for second reading.

POLICY

The “second reading” of each ordinance shall be at a Regular, Special or Emergency Meeting held not less than 10 days after publication of the ordinance after the first reading. Second reading shall require a public hearing during which public testimony and consideration by the City Council shall occur.

AUTHORITY

Lakewood Home Rule Charter, Section 7.4(3).

PROCEDURE

“Second reading” ordinances shall be introduced by reading the title of the ordinance.

After a public hearing held in accordance with the procedures therefor, the City Council may consider and vote upon adoption of the ordinance. Adoption requires an affirmative vote of a majority of Council members present and voting, except that no ordinance shall be adopted with less than five affirmative votes of such majority. Notwithstanding the foregoing, no emergency ordinance shall be adopted with less than a supermajority of at least eight (8) Council members.

An ordinance presented as an emergency ordinance that receives approval of a majority of the Council members present but does not receive approval of a supermajority shall be deemed adopted as a regular ordinance and not an emergency ordinance.

Upon adoption, the ordinance shall be published by title, except that any amendment to such ordinance shall be included in the publication.

POLICY

All Regular Meetings, Study Sessions, and Workshops of the City Council should be recorded. Video recording is required for Regular Meetings and Study Sessions, while audio recordings shall be acceptable for Workshops.

In addition, a written record of each meeting in summary form shall be prepared by the City Clerk for City Council approval at a later Regular Meeting. All audio and video recordings will be permanently retained by the City Clerk.

AUTHORITY

C.R.S. 24-6-402(2) (d) (1).

PROCEDURE

The City Clerk is responsible for retaining audio/video recordings and developing and retaining meeting summaries in perpetuity.

Meeting minutes will be completed within 30 days as a best practice; with the understanding that staff workload on more critical work items may necessitate a delay.

The Council votes will be recorded on the city website within 14 days of the meeting.

POLICY

When the City Council considers an application to rezone specific property, and for any other hearing in which the City Council is required to reach a decision by applying established standards or criteria to the particular facts of the matter before it, the City Council shall act in a “quasi-judicial” capacity.

AUTHORITY

Snyder v. City of Lakewood, 542 P.2d 371 (1975).
6-38 Zoning and Land Use Controls § 38.04 (2011).

PROCEDURE

When acting in a “quasi-judicial” capacity, the City Council acts as a panel of judges, applying established legal standards to the particular facts of an application or case, and makes an unbiased decision on the basis of evidence presented at a properly noticed public hearing. In quasi-judicial matters, Council members must avoid participating if, in their own judgment, they cannot be objective in voting on the issue because of a financial conflict of interest, bias, prejudgment or “ex parte” contact. Council members are encouraged to contact the City Attorney’s Office for assistance in evaluating any potential disqualifying event.

During a quasi-judicial proceeding, the City Council receives evidence from witnesses. Such witnesses may include City staff, the applicant and members of the public. Evidence may be presented in the form of individual testimony or may be demonstrative in nature.

POLICY

Resolutions shall be used to approve or adopt various items, rules, regulations and other matters of a generally non-permanent nature, such as contracts, proclamations, general policies and other documents, and matters identified by charter or ordinance. Resolutions cannot enact legislation or amend or supersede any duly enacted law, whether local or otherwise, except as may be expressly provided by applicable law.

AUTHORITY

Lakewood Home Rule Charter, Section 7.1 and 7.2.

PROCEDURE

Passage or adoption of resolutions (and motions) shall require an affirmative vote of a majority of Council members present and voting. There shall be a motion and a second and an opportunity for Council discussion in accordance with applicable rules.

POLICY

Any Council member may call for a recess or adjournment at any time during a regular City Council meeting or Study Session.

During any recess, Council members must avoid discussion of the substantive issues that are before the Council, and must not take votes, make policy decisions or take any other action. Council members may discuss general procedures for considering a particular substantive issue on that meeting's agenda.

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

The request to recess or adjourn will be brought forth by a motion and a second, and requires a simple majority.

If a meeting is adjourned and public comment was not concluded, when the meeting reconvenes all attendees who had previously signed up to speak on the topic and who did not get an opportunity to speak, providing their name was called after three (3) hours after the start of the meeting, will be granted the right to speak on the topic, if they so desire.

The presiding officer will, as a practice, circle the names of persons signed up to speak and who did not respond when called upon, after the meeting has been underway for three (3) hours, so as to make an official record of persons who will be eligible for speaking at a future meeting should an adjournment and reconvening take place.

POLICY

Study Sessions are used as a regular procedure to familiarize the Council members with detailed aspects of subjects on upcoming agenda items, thus saving valuable time in Regular Council Meetings.

Public comment is permitted at study sessions providing the comments are pertinent to the meeting topic(s).

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

Study Sessions are generally held at 7:00 p.m. on the first and third Monday evenings of the month, but the Council need not hold Study Sessions on every first and third Monday, and Study Sessions may be held at other times with the requisite public notice.

Public comment on each topic will be permitted immediately following each presentation on the specific topic and prior to City Council discussion.

CODE OF CONDUCT 06

POLICY 06.1

CODE OF CONDUCT

General Statement

City Council recognizes our duty is to serve our community in a non-partisan manner, and to seek and respect the ideas and opinions of all stakeholders. Council encourages public participation in meetings and other forums and respects all comments and concerns.

General Conduct

Council shall endeavor to comply with the spirit, as well as the letter of all laws, Council mission statement and values, and shall act professionally, civilly, and with decorum. All Council members are equal and should be treated with equal respect.

Conduct at Council Meetings

At City Council Meetings, City Council Members shall:

- Address each other respectfully and give proper regard to the opinions of others.
- Be respectful of people's time and keep remarks brief and relevant.
- Avoid speeches and repetition.
- Focus on issues, not personalities.
- Think critically and ask probative, not leading questions.
- Question assumptions and consider multiple alternatives.
- Be fully informed before the meeting opens and carefully scrutinize agenda packets, including verifying information presented therein.
- Be familiar with the Lakewood Home Rule Charter, the Lakewood Municipal Code and the Council Policies and Procedures Manual and to ensure those and other guiding documents are followed.
- Avoid a "last comment" debate with, or criticism of, speakers or their comments. When appropriate, the presiding officer may ask staff to follow up on questions or other issues.

- Avoid interrupting Council members who have the floor and withhold questions until the speaker yields the floor.

Additional provisions concerning City Council Meetings:

- Only the presiding officer, not individual Council members, can interrupt a speaker during a presentation. Council members can request to speak if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing.
- If the speaker becomes belligerent or disruptive, it is the responsibility of the presiding officer to focus the speaker and maintain the order and decorum of the meeting. It is never appropriate to belligerently challenge or belittle the speaker. No personal attacks of any kind, under any circumstance, will be tolerated. Be mindful of your body language in public meetings.
- The presiding officer shall be fair and equitable in allocating public speaking time to individual speakers.

Conduct in Public Meetings in General

At Other Public Meetings, City Council Members Shall:

- Be respectful, fair and impartial with citizens, and shall listen, avoid interruptions and avoid arguments. Council members shall make no promises or inappropriate representations on behalf of the City or Council. Statements of personal opinions should be identified as such.
- When discussing City business with individuals or groups in non-official encounters, strive to present factual information and to avoid presenting opinion as fact.
- Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does NOT allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive or disparaging comments.
- Respect the choice of voters by showing respect for all colleagues and their opinions. Council members must strive to consider the opinions of other members and to avoid disparaging or false comments about their peers. That is not to say that debate should be avoided, but it should be framed in a civil and respectful manner.

Conduct with Staff

When Interacting with City Staff, City Council Members Shall:

- Avoid discussing City business or raising questions with staff members, except while voicing general comments or questions at information-gathering meetings such as open house presentations.
- Be respectful and professional, and should not interfere or give direction to staff. Any concerns should be directed to City manager.
- Avoid public criticism of individual staff members.
- Not intentionally seek political support from any City employees.
- Address requests for information or questions about issues and/or community concerns to the relevant department head or other official contact person. Suggestions, policy issues, opinions and criticism should be kept between Council members and the City Manager and/or City Attorney.
- Not disrupt City staff from their jobs, in order to have their individual needs met, whether the staff person is in a meeting, on the phone or engrossed in performing their job functions.

Conduct with Boards, Commissions, and Other Entities

When Interacting with Boards, Commissions and Other Entities, City Council Members Shall:

- Avoid inappropriate contacts, lobbying, or influence in regard to an agenda item up for action or report.
- Be clear about representing the City or personal interests. If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must clearly state if his or her statement reflects personal opinion or is the official stance of the City.
- If the Council member is representing the City, the Council member must report the official City position on an issue, not a personal viewpoint.

POLICY 06.2

Harassment

POLICY

This policy applies to all members of the Lakewood City Council and Appointed Officials (defined herein as the City Manager, the City Attorney, and the Municipal Judge) in the performance of City governance or operations, at City-sponsored activities, and in all interactions between members of City Council, Appointed Officials, and City employees and contractors (defined herein as “Related Interactions”).

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

I. Purpose

It is the purpose of this policy to prevent unlawful harassment in City governance, operations, City-sponsored activities, and Related Interactions, and to provide a mechanism to accept, investigate, and resolve complaints of unlawful harassment against members of the Lakewood City Council and Appointed Officials. Members of the City Council and Appointed Officials are expected to understand and abide by the expectations set forth in this policy and to take appropriate measures to prevent and remedy unlawful harassment.

II. Harassment

The City Council strictly prohibits discriminatory practices, including sexual and other unlawful harassment. Any sexual or other unlawful harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated in the performance of City governance, City operations, at City-sponsored activities, or in Related Interactions.

Actions, words, jokes, or comments based on an individual's race, color, religion, creed, national origin, religion, ancestry, sex, sexual orientation, gender identity, age, military service, veteran status, marital status, disability, or any other legally protected characteristic will not be tolerated. Any such harassment may violate the law and is strictly prohibited. This prohibition applies not only to the spoken or written word but also to e-mails, voicemails, text messages, social media

posts, and other forms of communication that are about or may be seen by City Council members, Appointed Officials, or City employees or contractors.

Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
3. The conduct has the purpose or effect of unreasonably interfering with the individual's performance of their City-related function or of creating an intimidating, hostile or offensive environment in interactions with members of the City Council, Appointed Officials, or City employees or contractors.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. The types of behaviors that constitute sexual harassment may include, but are not limited to:

- Unwelcome sexual flirtations, advances or propositions;
- Derogatory, vulgar, or graphic written or oral statements regarding one's sexuality, gender or sexual experience;
- Unnecessary touching, patting, pinching, or attention to an individual's body;
- Physical assault;
- Unwanted sexual compliments, innuendoes, suggestions, or jokes; or
- The display of sexually suggestive pictures or objects.

Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. This policy prohibits opposite-sex and same-sex harassment.

Sexual harassment may be obvious or subtle. Some behavior that is appropriate in a social setting may not be appropriate in the performance of City governance, City operations, at City-sponsored activities, or in Related Interactions.

III. Reporting

It is the City Council's policy to encourage the reporting of all perceived incidents of unlawful harassment, regardless of the position of the alleged offender. The City Council will take all steps that are necessary to enforce this policy.

If a member of City Council, an Appointed Official, or a City employee or contractor believes he or she has been unlawfully harassed by persons subject to this policy, or if such person is aware of potentially unlawful harassment of others by persons subject to this policy, that person shall promptly submit a written or verbal complaint of such harassment to a Receiving Official, as defined in this Section IV.

Anyone complaining of harassment pursuant to this policy may submit his or her complaint to any one of the following: the City Manager, Deputy City Manager, the City Attorney's Office, or

Director of Employee Relations (collectively referred to as “Receiving Official”). If a member of City Council receives a harassment complaint, that member must report that complaint to a Receiving Official.

Persons complaining of harassment should provide as many details as possible, and should include the names of individuals involved, the names of any witnesses, dates and times of alleged occurrences, direct quotations when language is relevant, and any documentary evidence (such as notes, pictures, images, drawings, emails, text messages, etc.). Although an individual will not be penalized for a delay in filing a harassment complaint, prompt complaints are encouraged because memories are fresher and because they can help the City conduct a thorough investigation of complaints and to take timely action to address the alleged harassment.

IV. Investigations; Confidentiality; No Retaliation

A Receiving Official who receives a complaint of alleged harassment shall promptly commence an investigation of the complaint as soon as practicable. All such investigations shall be conducted in the following manner: the Receiving Official will coordinate with the City Attorney’s Office to retain an independent outside investigator (preferably a law firm that specializes in workplace harassment and investigations) to conduct interviews with the complainant and other individuals with knowledge of relevant facts, and to perform such other actions as are necessary to ensure a complete investigation of all allegations and a fair process for all involved. Once the investigation is deemed complete by the investigator and the City Attorney’s Office, the investigator shall prepare a written report indicating whether the allegations in the complaint are sustained or not sustained, and shall provide such report to the City Attorney’s Office to proceed with the steps described below in Section VI of this policy. If the complaint is against the City Attorney, City Council will engage outside counsel to coordinate the investigation, provide related legal advice to City Council, and otherwise fulfill the duties assigned to the City Attorney’s Office in this paragraph with assistance from the Employee Relations Director as necessary. The City Council’s goal is to employ an investigation process that is simple yet flexible enough to be applied in a wide range of circumstances.

Confidentiality and Open Records.

To the extent permitted by law, including the Colorado Open Records Act, complaints of harassment, reports of investigation on such complaints, and any action taken thereon shall remain confidential. However, some or all of the information may be disclosed as necessary, depending on the action taken on the complaint and any legal requirements.

No Retaliation.

The City Council prohibits retaliation against individuals for filing a complaint or for participating in an investigation of a complaint under this policy. Individuals who believe they have been subject to retaliation for filing a complaint or for participating in an investigation of a complaint must follow the complaint procedure outlined in Section IV of this policy. All such complaints will be investigated in accordance with this policy.

The investigator retained to investigate a complaint shall warn any person against whom a complaint of harassment has been made not to retaliate in any way against the person making the complaint, witnesses, or any other person providing information in connection with the investigation of the complaint of harassment.

V. City Council's Response to Investigation of Harassment Complaints

The City Attorney's Office shall present the investigator's written report to the City Council in executive session. The City Council may consider and direct any or all of the following actions in response to a finding that a complaint of harassment is sustained:

1. Adopt a resolution finding that an individual covered by this policy violated this policy;
2. Direct or encourage additional corrective training;
3. Such other action as is consistent with its authority under applicable state statutes, the City Charter, ordinances, resolutions, or rules and policies of the City Council.

In any case, a written record of any action taken on the complaint, or any determination to take no further action on the complaint, shall be prepared in consultation with the City Attorney's Office or such other legal counsel appointed by City Council in connection with a given complaint and kept with the report of investigation.

VI. Harassment Training

All members of City Council shall participate in harassment training every two years in conjunction with the orientation provided to new City Council members.

COMMUNICATION AND CORRESPONDENCE 07

POLICY 07.1

CONSTITUENT REQUESTS

POLICY

Council members should direct constituent requests to the City Manager’s designee for entry into the *Request Lakewood Customer Service Center* system or forward the email to the Direct Response email address (DirectResponse@Lakewood.org).

All requests will be handled by the appropriate staff member who will respond to the constituent directly (and never use a form letter).

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

Council members can access the Direct Response program by sending an email to DirectResponse@Lakewood.org or by calling 303-987-7134.

The City Manager’s designee will enter the information into Request Lakewood, ensuring it is sent to the appropriate staff member for a response. The City Manager’s designee monitors responses and ensures that staff personally communicates with the resident within 10 days and that the Council members in the Ward where the issue is located are notified of the outcome.

Requests for items to be placed on the agenda or for City staff to attend Ward meetings should be made using the online forms.

Comments regarding a zoning or rezoning case are treated differently because of the quasi-judicial nature of such cases. Comments sent to the Planning Director or Planning staff will be included in the case file that goes to the City Council.

Residents can be directed to submit issues using Request Lakewood 24/7 at www.Lakewood.org/RequestLakewood, or by using the mobile app. Residents needing contact information for City Council are directed to the City Council contact web page where they can view phone numbers and email addresses.

Periodic reports are generated from the Direct Response program for citywide issues and the email which is sent to all City Council members electronically. The periodic reports are intended

to ensure City Council members receive the same information for frequent requests or concerns covering the same subject matter.

TRAVEL 08

POLICY 08.1 TRAVEL AND EXPENSE REIMBURSEMENT

POLICY

The Mayor and City Council Members are eligible for payment or reimbursement for travel to conferences, classes and trainings as part of their Council-related duties. It is the intent of the City Council to ensure each Council member takes advantage of training and professional development opportunities to broaden his/her understanding of municipal government and enhance his/her role as an elected official. Funds are budgeted by the City Manager and the Mayor annually to accommodate reasonable travel for conferences, seminars, workshops and other training opportunities. Council members are encouraged to attend events such as the National League of Cities (NLC) annual congressional trip, NLC committee appointment travel, the Colorado Municipal League (CML) annual conference and local educational courses offered by CML and the Denver Regional Council of Governments (DRCOG). Other conferences and classes will be considered on a case-by-case basis depending upon budgetary constraints. Council members may be reimbursed for all reasonable and necessary expenses incurred for Council-related duties.

AUTHORITY

By adoption of the Policy and Procedures Manual and Administrative Regulation III/A.

PROCEDURE

Authorization for Training and Travel

1. The annual Council travel budget is reviewed and approved by the Council during the annual budget process.
2. Travel by members of the City Council must be reviewed for applicability to the responsibilities of a city counselor, prior to making travel arrangements. This review is performed by the Mayor with the understanding that s/he will work to ensure and protect equity while staying within the overall budget.
3. A Council member who is nominated to a committee as a City representative shall outline duties, responsibilities and budgetary impacts to the Mayor prior to accepting

such position that requires additional travel. The City Council budget coordinator should be notified of any committee appointments for budgetary purposes

4. Council members are eligible to travel to local trainings and classes. Authorization by the Mayor is also necessary. Registration can be made through the Executive Assistant to the Mayor and City Manager.
5. Registration and travel arrangement can be made through the Executive Assistant to the Mayor and City Manager.
6. Council will be notified by the Mayor of any rejected travel requests.

Eligible Travel Expenses

1. **Registration**-Actual cost of registration, tuition and fees at a meeting, conference, training or convention will be paid for with authorization of travel. Registration will be paid for through the Executive Assistant to the Mayor and City Manager. The City will not pay for entertainment, social or extracurricular activities unless specifically related to the Council-member's position and approved in advance by the Mayor.
2. **Transportation**-The City will pay actual costs for bus travel, train travel, air travel and car rentals in advance. Airfare and transportation arrangements will be made by the Executive Assistant to the Mayor and City Manager.
 - a. Receipts must be kept for any taxi, tolls and parking fees for reimbursement.
 - b. If a Council member chooses to drive, rather than fly, actual miles driven to/from the event from the Lakewood Civic Center will be computed at the IRS' standard mileage rate and reimbursed at the conclusion of the trip. The maximum mileage reimbursement for the use of a personal vehicle cannot exceed the cost of the lowest available airfare.
 - c. For an event that would typically be driven to, Council members will receive the IRS' standard mileage rate for miles to/from the event from Lakewood Civic Center. Mileage will also be granted to and from the airport.
 - d. Rental car costs will be reimbursed for actual expenses incurred, including collision and comprehensive damage insurance coverage for the most economical vehicle. Any time a rental vehicle is kept beyond the duration of the event will not be reimbursed. Every effort should be made to arrange ground transportation and shuttle services to and from the airport to the point of destination without renting a car.
3. **Lodging**-Overnight lodging arrangements will be made by the Executive Assistant to the Mayor and City Manager and payment will be made in advanced. Only lodging for the

dates of the event will be covered. The City will pay the single rate for lodging accommodations. When a spouse or guest accompanies a council member, the council member will be responsible for any additional charges.

4. **Meals**-Meal costs will be reimbursed based on actual receipts submitted. The City will pay additional costs for optional meal functions that are not included in the registration fee and for which the Council member would be expected to attend as a representative of the City. Meals for a spouse or traveling companion will not be covered.
5. **Advances**-Prior to travel, an advance will be given to each Council member for costs associated with traveling and incidentals. The amount of the advance will depend on the travel destination and purpose. Receipts are still required to be applied to the advance. If no receipts are submitted upon arrival, or if the advance is not used in its entirety, the advance or remaining balance must be returned.

Documentation and Reconciliation of Expenses

Costs will be reimbursed based on actual receipts submitted after the completion of the trip. The City will not reimburse the cost of alcoholic beverages. The expense statement must be reconciled within 30 days after the traveler returns from the trip. The traveler must sign the expense statement certifying that all expenditures are business related. All receipts must be submitted to the Executive Assistant to the Mayor and City Manager.

ORGANIZATIONAL ADMINISTRATIVE REGULATIONS/APPENDIX

Administrative note: Policies for the following are in the process of being drafted to reflect the special circumstances that come into play by the fact that council members are not city employees. Once the policies are finalized, they will be incorporated as an Addendum or referenced as a separate document.

The policies include, but may not be limited to:

1. Administrative Regulation — I.T. Policies
2. VI/G Email Systems Usage Policy
3. VI/H Internet Access and Usage Policy
4. VI/E Systems Security Policies

INFORMATION

Regular Council meetings are held on the second and fourth Monday's of each month, and Study Sessions are held the first and third Monday of each month, beginning at 7 PM unless the meeting has been cancelled for any reason (e.g., holiday).

The order of business, i.e., the agenda, is designed to best facilitate the discussion and decision-making process. An example agenda is shown below. See section 5.8 for details regarding when and how a meeting agenda can be altered.

EXAMPLE REGULAR MEETING AGENDA

1. Call meeting to order
2. Roll call, pledge of allegiance, and moment of silent reflection
3. Recognition, proclamations
4. Public comment on items not appearing on the agenda
5. Consent agenda
 - a. Reading of ordinances on first reading (no public comment)
 - b. Resolutions
 - c. Approval of Council Meeting Minutes
 - d. Acceptance of minutes of boards and commissions
6. Public comment on consent agenda, prior to Council vote
7. Discussion (and potential vote) on any item/s pulled from consent agenda
8. Ordinances on second and final reading/Public hearing
9. General business
10. Reports
11. Adjournment

EXAMPLE STUDY SESSION MEETING AGENDA

1. Call meeting to order
2. Roll call
3. Presentation
4. Public Comment
5. Repeat 3-4 for any additional, scheduled presentations
6. Reports
7. Adjournment