

AGENDA
STUDY SESSION MEETING OF THE CITY COUNCIL
VIRTUAL MEETING
CITY OF LAKEWOOD, COLORADO
VIRTUAL MEETING
JULY 15, 2024
7:00 PM

To watch the Council meeting live, please use either one of the following links:
City of Lakewood Website: [Lakewood.org/CouncilVideos](https://lakewood.org/CouncilVideos)
Lakewood Speaks: Lakewoodspeaks.org

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In accordance with City Council Policy 5.1(A), all virtual meeting participants are advised that technological issues, whether caused by the City's equipment or the user's equipment, shall not be grounds for canceling a public meeting.

How to Connect to Provide Public Comment: Online participants may post written comments of any length to LakewoodSpeaks.org, an online forum for public comments.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – PLANNING COMMISSION RECOMMENDATION ON CAR WASHES AND FUELING STATIONS

ITEM 4 – REVIEW OF UPDATED COUNCIL POLICIES AND PROCEDURES

ITEM 5 – MAYOR AND CITY COUNCIL REPORTS

ITEM 6 – ADJOURNMENT

STAFF MEMO

DATE OF MEETING: JULY 15, 2024 / AGENDA ITEM NO. 3

To: Mayor and City Council
From: Alison McKenney Brown, City Attorney
Subject: **REVIEW OF UPDATED POLICIES AND PROCEDURES**

SUMMARY STATEMENT: The City Council Ad Hoc Committee for Policies and Procedures has completed its review of the City Council Policies and Procedures Manual and is presenting those proposed modifications to the City Council for review and determination of next steps. Next steps include possibly setting the draft document for further review by the City Council at a future workshop or study session or direction to staff to place the draft as written/amended on a future agenda for City Council action.

BACKGROUND INFORMATION: The City Council took action to review the Lakewood City Council Policies and Procedures. They began by establishing the City Council Ad Hoc Committee for Policies and Procedures comprised of: Chair Jeslin Shahrezaei, Member Jacob LeBure and Member Sophia Mayott-Guerrero. The Ad Hoc Committee met April 16, April 29, and May 22, 2024 for up to four hours per evening to review every existing policy and procedure.

A couple of notes regarding reading the draft policies and procedures document:

- All language that is being recommended for removal is in black font with a strikeout through it. All language that is being recommended for addition is in blue font. Because of the number of individuals entering revisions into the document Word used multiple colors to indicate redlining. Blue was selected as the final color for indicating additions because it was used more often in the revisions by Word. (Example: annual planning session ~~session~~ retreat)
- Some of the blue text is underlined and some is not. That has no significance. If the revisions were being made while using the Word redlining feature they are underlined, but if they were made using standard formatting options (font color, strikethrough, etc) the text is not underlined.
- After the City Council approves the final revisions the entire document will be reformatted for consistency throughout. The multiple types of formatting used to indicate the revisions will be removed and a standard formatting applied.
- All typos are the scrivener's error (that would be me). They will be corrected whenever identified, and will probably be easier to see once the bluelining is removed.
- Some of the language under a few of the policies was not revised but was moved around a bit to provide greater clarity. These types of changes have not been highlighted because they neither added nor removed language from an existing policy. See for example, Policy 5.7.

Significant changes include the following:

- **New Policy 5.5.** The information provided within the current Policy 5.5, Special Meetings, was incorporated into the revised Policy 5.0 which now discusses all forms of meetings. The revised Policy 5.5 establishes a policy of Preparation for City Council Meetings.
- **New Policy 5.16.** The current Policy 5.16 includes information on study sessions and work sessions which was moved to the revised Policy 5.0 which now discusses all forms of meetings. The new Policy 5.16 establishes a policy regarding the Annual Planning Retreat.

- Information regarding **public comment** was removed from several policies and consolidated within revised Policy 5.8.
- Information regarding **meetings** was removed from several policies and consolidated in Policy 5.0.
- The Committee discussed revision of Policy 8.1, entitled **Travel and Expense Reimbursement**. The Committee noted that the only City Councilmember expenses eligible for reimbursement were in relation to travel. The Committee was interested in addressing the issue of Councilmember reimbursement but decided that this was a discussion more appropriately held with the full City Council as it could involve budgetary questions. The Committee did request that the Councilmember reimbursement policies of area cities with the same form of government as Lakewood be provided to the members of the City Council for their consideration. The Committee did not develop a formal recommendation for the City Council on this topic.

Comments that have been received over the last month regarding this revised Policies and Procedures Manual are:

1. **Suggested revisions.**
 - A. Policy 5.8. Any items to be shared with the City Council for reference at a City Council meeting must be provided to the City Clerk, or designee, in advance of the meeting.
 - B. Assure that the HR Director's title in the Sexual Harassment policy is updated from the previous title, Director of Employee Relations.
 - C. Remove any reference to the Deputy City Manager and replace with City Manager, or designee.
 - D. Policy 4.2. Budget and Audit ~~Committee~~ Board. By Resolution and adoption of the Policy and Procedures Manual.
 - E. Is there a way to streamline video presentations from the public without violating the 1st Amendment?
2. **IT Department revisions in response to the following statement shown on page 54.**
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:
 Administrative Regulation I.T. Policies - IT has an extensive list of IT Policies (*This will be posted on an applicable City website*)
 VI/G Email Systems Usage Policy – included in the Acceptable Technology Admin Reg, section 1.6
 VI/H Internet Access and Usage Policy- included in the Acceptable Technology Admin Reg, section 1.7
 VI/E Systems Security Policies - included in the Acceptable Technology Admin Reg, section 1.5

The IT Director recommends referencing the admin regs that we shared as part of Council onboarding, also available on the Council Resources site, on the Technology page (<https://councilresources.lakewood.org/Lakewood-Technology>). In addition to these (listed below), we could also add the new Digital Accessibility Admin Reg, once reviewed and approved.

1. Technology Acceptable Use

Summary: All computing devices, networks, applications, software, and data, including email and City websites, are City property and should be used for the purpose of conducting official City business. All information exchanges using City technology resources are subject to City management, IT (at the direction of City management) and/or public inspection under the Colorado Open Records Act.)

2. Mobile Device

Summary: Mobile devices are important tools for the organization and their use is supported to achieve business goals. However, mobile devices (personal or city owned) also represent a significant risk to the

city's information security and data protection efforts. If the appropriate security applications and procedures are not applied, they can be a conduit for unauthorized access to data and technology infrastructure.

3. Remote Access

Summary: Authorized users are permitted to remotely connect to City technology resources to conduct City-related business only through secure, authenticated, and approved access methods.

4. Information Security

Summary: Anyone who believes City data is being or has been compromised or detects any suspicious activity that could potentially expose, corrupt, or destroy City data must immediately report their concerns to the IT Service Desk at 303-987-7602.

BUDGETARY IMPACTS: The only potential budgetary impact is in association with Policy 8.1, entitled Travel and Expense Reimbursement. The City Council could decide to dedicate a small amount of funds to allow the City to reimburse the members of the City Council for their out-of-pocket expenses.

STAFF RECOMMENDATIONS: City staff generally does not have an opinion regarding the City Council's Policies and Procedures, although the City Attorney does support those changes that update the Policies and Procedures in accordance with current State law. The Director of IT has provided a proposed update to IT policies and procedures as the IT Department has developed procedures in association with the use of the City's IT resources subsequent to the last revision of this Policies and Procedures Manual.

ALTERNATIVES: The City Council could direct that the draft Policies and Procedures be placed on a future regular meeting agenda as presented.

The City Council could direct that the draft Policies and Procedures be placed on a future regular meeting agenda with amended/revised.

The City Council could direct the draft Policies and Procedures be placed on a future workshop or study session agenda for further review.

The City Council could choose not to take any further action regarding the update of the City Council Policies and Procedures Manual.

PUBLIC OUTREACH: This item has been promoted through the regular communication channels to be considered by the Lakewood City Council.

NEXT STEPS: Next steps will be determined based upon the action that the City Council takes regarding the update of the City Council Policies and Procedures Manual.

ATTACHMENTS: 1. Lakewood City Council Policies and Procedures FINAL DRAFT

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney



Council Policies and Procedures Manual

Adopted , 2024

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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 [of the City Council](#), which are held in accordance with ~~Roberts'~~ [the formally adopted](#) 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 [the](#) 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 [City](#) 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 [members pursuant to Policy 4.1](#), approves travel for [City](#) 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 the 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 [to serve out the remainder of the term](#) 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~~ [by regular motion and be passed with the approval of a majority of those members present and voting](#). This decision as to what type of electoral system to use [to determine how elections are conducted and how the results are determined](#) will be left to the City 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 who shall have all authority as prescribed to the position of Mayor Pro Tem for the duration of such meeting, including signing documents approved during the 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 [City](#) 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. [The City Council are encouraged to review and update L.M.C. Chapter 2.05 every five years.](#)

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 Board 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 Representatives 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.~~ All sections of the City's Charter and Municipal Code regarding the City's budget and budget process shall be interpreted to comply with Article X, Section 20 of the Colorado Constitution setting forth The Taxpayer's Bill of Rights which supersedes the City of Lakewood charter and Municipal Code. Thus, aAny provision of the Lakewood City Charter or Municipal Code that would violate a provision of TABOR cannot be applied.
- VII. The annual draft budget shall reflect a minimum ten percent (10%) General Fund balance.
- VIII. The Budget and Audit Committee, as established by the City Council, shall select a certified public accountant to conduct the City's annual audit in consultation with the Lakewood Chief Financial Officer. The Chair of the Budget and Audit Committee shall notify the City Council of its selection during any year in which a new certified public accountant is retained.

AUTHORITY

Resolution 2005-48.

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 [on or before April 1st of each year unless otherwise set forth within the Manager's employment agreement.](#)

AUTHORITY

Lakewood Home Rule Charter, Section 3.5.

PROCEDURE

[As the City Manager is the direct employee of the City Council it is in the City's Council's best interest to establish an employment relationship with the City Manager via employment contract, including setting general job performance standards.](#) The job performance of the City Manager is typically evaluated annually in accordance with the terms of the City Manager's contract, if any.

[If the City Manager is serving without an employment agreement](#) 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 the duties of the City Manager.

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 ~~during an executive session held on or before May 1st. and review each evaluation with the City Attorney in accordance with the terms of the City Attorney's contract.~~ The City Council shall set annual performance measures for the City Attorney and shall review, modify as needed and approve a draft version of the City Attorney's proposed budget for the upcoming fiscal year.

AUTHORITY

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

PROCEDURE

The Charter of the City of Lakewood identifies the City, and each of its component parts, as the client of the City Attorney and establishes the City Council as the supervisor of the City Attorney. ~~job performance of the City Attorney is to be evaluated annually.~~ As the City Attorney is the direct employee of the City Council it is in the City's Council's best interest to establish an employment relationship with the City Attorney via employment contract, including setting general job performance standards. ~~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.

~~Whether or not the City Attorney operates in accordance with an employment contract the City Council will participate in a annually review of the City Attorney on or before the first day of May and will be afforded the opportunity to provide comments and feedback on performance and process. Prior to the date of the City Attorney's performance review the City Attorney will provide the members of the City Council with a report showing how the performance standards were met, how the CAO budgeted dollars were spent, and any proposed updates to the following year's CAO departmental budget. When the information is compiled, the City Attorney will be given a copy of the written review and will meet in The City Council will meet with the City Attorney in Executive Session. At the Executive Session with the City Council to go over the review, will discuss any points of concern, and develop/accept performance measures for the subsequent year and review a draft of the CAO department budget for the following year. The City Council shall determine a merit increase for the City Attorney to be formally approved in an open session unless set forth within an employment contract.~~

~~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 first day of May.~~

COMMITTEES, BOARDS AND COMMISSIONS 04

POLICY 04.1

CITY COUNCIL COMMITTEE ASSIGNMENTS

POLICY

City 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.

City Council Committee appointments are made annually in the manner set forth in the procedure section below. Once a City Council Committee position has been assigned to a member of the City Council the position may be reassigned to a different member of the City Council during the term of appointment only if the Council Member holding that position requests the reassignment by notifying the Mayor in writing (i.e., letter or email) except pursuant to Policy 5.4.

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 liaisons for all committees will be designated by the City Manager.

Descriptions of each Committee, Commission and Board shall be maintained by the City Clerk's Office and shall be posted on the City's website.

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

City Council Committees

Housing Policy Commission

Legislative Committee

Screening Committee

Judges Salary Review Committee

Ad Hoc Committees as needed

Employee Boards that include a member of the City Council

Employee Money Purchase Pension Plan

Police Pension Board

External Intergovernmental Boards (All Council)

Head Start Executive Committee Governing Board

Note: This role is only applicable during a time period when the City of Lakewood is the provider of Head Start Services. The City Council may designate a smaller committee of the membership of the City Council to manage the regular responsibilities of this role.

External Intergovernmental Boards (By Appointment)

Colorado Municipal League Policy Committee

Denver Regional Council of Governments (DRCOG)

Jefferson County Community Corrections Board

Jefferson County Criminal Justice Committee

Sister Cities Committee

Police Seizure Fund Committee

Urban Drainage and Flood Control District

Jefferson County Transportation Advisory and Advocacy Group (JEFFTAAG)

~~**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 summarize the proposed legislation, summarize staff feedback and summarize 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

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

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

Housing Policy Commission

Lakewood Municipal Code 2.57.010

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

Budget and Audit Committee

By Resolution and adoption of the Policy and Procedures Manual.

Screening Committee

City Council Policies and Procedures

PROCEDURE

The Mayor shall make recommendations for [City Council](#) 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 [City Council member committee appointment](#) process begins when the Mayor sends a memo to [all members of](#) the City Council identifying the available committee assignments and asking [each](#) Council member 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.

The Mayor's recommendations [are generally ratified by a single formal action of the City Council](#). [Prior to ratification](#) any Council Member can request a recommendation [of appointment](#) be ~~pulled~~ removed from the [primary list](#) for separate consideration and ~~any City Council members can or may~~ nominate themselves or a fellow councilor to fill a committee assignment [in a manner different from that recommended by the Mayor](#).

~~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 is a permanently established committee of the City Council which shall consist of five (5) City 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 [that are comprised of Lakewood citizens](#). 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.

[Citizen Boards and Commissions for which the Screening Committee shall be responsible for interviewing applicants and making recommendations to the City Council include:](#)

Budget and Audit Board	Planning Commission/Board of Adjustment
Board of Appeals	Victim Assistance Compensation Board
Design Review Commission	Historic Preservation Board
Judicial Review Commission	Judicial Review Commission
Lakewood Advisory Committee (LAC)	Noxious Weed Local Authority

[The Screening Committee is further authorized to review any request from a board or commission chairperson regarding removal of a member from such board or commission based upon excessive absences. To refer a request for removal to the Screening Committee the referring board or commission shall verify that such member has missed 30% of the meetings of such board or commission. The Screening Committee shall review the request including any statement submitted by the individual whose membership is in question. If, after reviewing all statements provided, the Screening Committee determines that such member is not currently able to fulfill the duties of such member’s assignment then they shall make a recommendation to the City Council to remove such member from the assigned board or commission. Upon the screening committee’s recommendation, the City Council may act to remove the board or commission member.](#)

AUTHORITY**Board of Adjustment**

[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](#)

Design Review Commission

[Lakewood Municipal Code 2.58](#)

Employee Money Purchase Pension Plan

[Lakewood Municipal Code 4.04](#)

[The Employee Money Purchase Pension Plan](#)

Lakewood Advisory Commission

[Lakewood Municipal Code 2.56](#)

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 04.3 ~~JUDICIAL PAY PROCESS~~ **SALARY REVIEW COMMITTEE**

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~~ **Human Resources**, 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 05.10

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." [This definition may be updated to remain in compliance with the COML.](#)

Regular meetings are defined as regularly scheduled meetings of the City Council held at City Hall at a day and at an hour established by ordinance. Business of the City Council may be conducted at any regularly scheduled meeting.

Special meetings are defined as meetings of the City Council which are set as needed pursuant to notification procedures established by ordinance. Business of the City Council may be conducted at any special meeting. 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. If notice is delivered to City Council members then they must sign a receipt for the Notice of Special Meeting which is to be returned to the City Clerk for record keeping purposes. Full and timely notice must be given to the public prior to a special meeting.

Emergency meetings are defined as meetings of the City Council which are needed to address an emergency situation of the City. An emergency meeting is different from a regular or special meeting in that it may not be able to be noticed to the public twenty-four hours in advance of the meeting. Limited business of the City Council may be conducted at an emergency meeting in accordance with the provisions of L.M.C. 2.02.050.

Study session meetings are defined as meetings of the City Council to provide an opportunity for the City Council to study a matter of the City. Full and timely notice must be given to the public prior to a study session. The purpose of a study session is No final decisions of the City Council may occur at a study session. Administrative decisions may be undertaken at a study session, including but not limited to, directing staff to place a matter on a future agenda of a regular or special meeting, setting a date for a future action, or seeking consensus on directing staff to undertake a future action.

Workshop meetings are defined as informal meetings of the City Council to meet a specific goal of the City Council. City Council retreats are one type of workshop meeting, but a workshop may be established in any format to meet the needs of the City Council including, but not limited to, site visitations within or outside the City. Full and timely notice must be given to the public prior to holding a workshop meeting. No public input is anticipated at workshop meetings. Minutes are not kept at workshop meetings due to the informal nature of the meeting. No formal action may be taken at a workshop meeting, but administrative decisions may be undertaken, including but not limited to, directing staff to place a matter on a future agenda of a regular or special meeting, setting a date for a future action, or seeking consensus on directing staff to undertake a future action. An audio recording of a workshop meeting shall be made. [\(See policy 05.16 regarding the City Council's annual planning retreat workshop meeting.\)](#)

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

AUTHORITY

Lakewood Home Rule Charter, Section 2.15 and 2.02.050.
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 [serially](#) 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~~ [matter discussed](#) and the City Council’s policy-making powers, such as a rule, regulation, ordinance or other formal action.

POLICY 05.1(A)
PARTICIPATION

VIRTUAL/ELECTRONIC (REMOTE) MEETINGS

POLICY

A public meeting includes any kind of gathering convened to discuss public business, in person, by telephone, electronically, or by other means of communication. All public meetings of the City may be conducted by telephonic, electronic or hybrid means in accordance with this Policy. The term “Mayor” also includes the Mayor Pro Tem and/or the presiding officer conducting a public meeting. If the Mayor is participating in a meeting by electronic means and the Mayor Pro Tem is participating in person, the Mayor Pro Tem (or other designated chair) shall preside over the meeting.

AUTHORITY

Lakewood Home Rule Charter, Section 2.15. C.R.S. 24-6-402, and C.R.S. 24-6-401 et seq.

PROCEDURE

I. Electronic (Remote) Participation.

Meetings of the City Council shall be primarily conducted in-person at City Hall. However, individual Councilpersons may participate in meetings by telephone or electronically using a platform approved by the City. Generally, a Councilperson’s participation in a meeting shall be in-person at City Hall unless said Councilperson has reason to be away for either personal or health reasons. A Councilperson may participate in meetings held by telephone or electronically if all of the following conditions are met:

- A. All members of the City Council, City staff and the public can hear one another clearly, can communicate with one another, and can hear or read all meeting information in a manner designed to provide maximum participation; and
- B. The member is in a physical location with good connectivity (telephone or internet) that is free from distractions; and
- C. Members of the public can hear the public meeting, including all members participating remotely ~~and are afforded opportunities to participate in public comment~~; and
- D. All votes are conducted in a manner that documents each member’s vote; and
- E. To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, ~~and~~ the fact that some members of the body may participate remotely.

II. Meeting Notices.

Meetings at which the members of the body are personally present, in whole or in part, which provide electronic means to allow for the public to participate remotely shall be known as “hybrid” meetings. Meeting notices shall advise the public when a public meeting is anticipated to be in a hybrid format, however, such notices shall also advise the public that unanticipated technological issues that prevent a meeting from being held in a hybrid format shall not be grounds for cancelling a public meeting.

III. Arranging for Electronic Participation.

- A. A Councilperson desiring to participate by telephonic or electronic means shall contact the City Clerk at least twenty-four hours in advance of a public meeting ~~to provide notice of a meeting conducted under this policy.~~
- B. Telephonic or electronic participation shall only occur using a telephonic or electronic platform approved by the City.
- C. The Mayor is authorized to discontinue a Councilperson's participation in a meeting if the communication of the Councilperson is unclear to the meeting participants. The Mayor shall state for the record the reason for discontinuing a Councilperson's participation and the time of such discontinuance. The member may be readmitted later in the meeting if such technological issues are corrected. The Mayor shall state for the record the time at which such member was readmitted to the meeting.

IV. Effect of Electronic Participation.

- A. **Effect of Electronic Participation.** A Councilperson who participates in a meeting by electronic means consistent with this Policy shall be considered "present" at the meeting for purposes of establishing a quorum and entitled to vote on matters coming before the City Council.
- B. **Executive Sessions.** In the event that the City Council holds an executive session, participants may be authorized to attend via telephonic or electronic participation. A Councilperson participating in an executive session remotely shall: (a) have a secure telephone or electronic connection, and (b) certify that they are located within a controlled area to which no other person has access (typically indoors, within a closed room). Executive sessions for personnel matters shall not be open for electronic participation except with the approval of the employee who is the subject of the executive sessions in accordance with the Open Meetings Law.
- C. **Quasi-Judicial Hearings.** A Council member may not actively participate in a quasi-judicial public hearing or vote upon the outcome of such quasi-judicial public hearing in recognition that virtual participation has inherent limitations, including limiting one's ability to fully evaluate a speaker's non-verbal language in assessing veracity or credibility, and observing nonverbal explanations (e.g., pointing at graphs and charts) during a speaker's presentation or testimony. A Council member who is not physically present at a quasi-judicial public hearing shall not be prohibited from monitoring/listening to the quasi-judicial public hearing through an electronic means.

V. Public Participation/Hybrid Meetings.

~~For meetings where it is practical for the City to utilize an electronic communication platform (e.g. Zoom, or other approved platform), members of the public may participate in as designated by the Agenda in accordance with the rules governing a limited public forum. The City may impose requirements on public participation by electronic means such as requiring a member of the public to the Clerk prior to the meeting or during the meeting expressing their desire to participate on a specific agenda item. Online participants may also be directed to use the City's online public comment portal City Council.~~

Reasonable Accommodations.

The City may provide reasonable accommodation and waive or modify provisions of this Policy for the benefit of any meeting participant or member of the public in accordance with the Americans with Disability Act or to address a situation not otherwise addressed by this policy.

POLICY

All City Council meetings shall be open to the public and, [with the exception of emergency meetings](#), 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's [website](#).

AUTHORITY

Lakewood Home Rule Charter, Section 2.15.

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

[L.M.C. 2.02.050](#).

~~By adoption of the Policy and Procedures Manual.~~

PROCEDURE**I. Public Meetings.**

- A. A “[public](#) meeting” occurs, and must be open to the public, whenever three or more [City](#) 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~~ [other form of workshop meeting](#) is attended by three or more [City](#) Council members and either of the situations identified in “A” above occur, it ~~may qualify as~~ [is](#) a meeting that must be open to the public.
- C. City staff meetings are not subject to public meetings requirements, and therefore staff meetings not attended by three or more [City](#) 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 [public](#) meeting shall be considered full and timely [when](#) posted no less than twenty-four hours before the meeting.

POLICY

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

If, after lawfully convening a regular or special meeting of the City Council, less than six members of the City Council are present at the meeting and sitting in the space assigned to the City Council, the meeting is considered temporarily recessed. If after ten minutes six members of the City Council fail to be present at the site of the meeting and sitting in the space assigned to them the City Council meeting shall be formally adjourned. The only action that a group of less than six members of the City Council may take prior to adjournment is to set the date of the next meeting of the governing body.

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. A quorum is the number of City Council members present at a formally convened meeting necessary for the City Council to conduct business.

Notwithstanding this quorum requirement, any discussion of public business, *i.e.* a matter that will be formally acted upon by the City Council, involving three or more members of the City Council, is considered a public meeting subject to the Open Meetings Law because the business of the governing body is being discussed in anticipation of the matter being presented to the City Council for action even if no formal action may be taken at the time of the discussion.

POLICY

Attendance at City Council Meetings. City Council members are expected to serve the public by attending all meetings of the full City Council for the entire length of the meeting regardless of the form of the meeting. ~~regular, special meetings and study sessions.~~ Absences equal to or greater than 30%, during the calendar year may be cause for removal from the City Council in accordance with the City Home Rule Charter and Municipal Code. ~~, and require a vote of not less than three-fourths of all members of the City Council.~~ Briefly leaving a meeting for less than ten minutes shall not be considered an absence from the meeting but may be recorded in the minutes for purposes of establishing quorum.

Attendance at committee meetings. Failure to attend City Council committee meetings may result in the chair of such committee requesting that the Mayor visit with the absentee council member to assess their ability to uphold their responsibilities associated with such committee membership and determine solutions including removal from the committee. Alternatively, committee members may seek approval of any absences from the chair of such committee.

AUTHORITY

Lakewood Home Rule Charter, Section 2.15.

Lakewood Municipal Code [2.13](#), 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, [workshops](#) or the City Council member's assigned committee meetings is at the discretion of the individual City Council member.

Notification of an absence should be made by email to the Mayor or Committee Chair City Council and the City Clerk prior to the meeting. The City Clerk shall notify the City Council by email prior to the meeting of any absences from meetings of the full governing body of which the Clerk has been informed.

POLICY 05.5

PREPARATION FOR CITY COUNCIL MEETINGS

POLICY

The position of a City Council member is a demanding one. It is the overall responsibility of each member of the City Council to prepare for meetings and engage in relevant community conversations outside of scheduled meetings. Specific preparation for each meeting of the City Council is critical to assure the most effective meeting of the governing body.

1. City Council members should, if possible, avoid surprising their colleagues or staff. To the maximum extent possible, City Council members should advise the Mayor and the City Manager in advance of any substantive issues, questions, or changes they intend to bring up at the public meeting which would likely require staff research and response. This refers to issues and questions that the staff would not normally anticipate or have researched for that particular meeting.
2. City Council members should advise the Mayor and the City Manager in advance of pulling items from the consent calendar. This will allow the Mayor and City Manager to prepare staff for the additional steps necessary to address such item.
3. City Council members should be prepared for City Council and committee meetings, which includes having read all agendas and supporting documentation or presentations prior to the meeting.
4. City Council members are each allotted five minutes in which to ask their initial questions about each topic listed on an agenda.
5. To the extent feasible, City Council members should stay abreast of regional issues affecting neighboring cities, counties, and the operations of other districts or agencies.

AUTHORITY

Charter § 2.1 and 2.10.

POLICY 05.5

SPECIAL MEETINGS

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 [C.R.S. 24-6-402\(4\)](#). ~~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, [the intention to call for an executive sessions](#), including the topic and statutory citation [which authorizes such executive session](#), should be identified on the City Council agenda for the meeting during which the City Council ~~will seek to~~ [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~~ [a vote two-thirds of those present](#).

Topics for executive sessions shall be limited to those set forth in [C.R.S. 24-6-402\(4\)](#) and 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 [City 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 motion is approved upon an affirmative vote of two-thirds of the City Council members present](#). 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).

The City Council sets the legislative priorities for the year during the annual planning session retreat and that agenda informs those legislative priorities are the basis of the City staff's work assignments, and City Council initiatives and agenda items. Agenda items and staff direction are also created through study sessions, committees, and requests for council action.

The City Manager, through the course of managing City business and under direction of the City Council, puts forth agenda items creates and establishes City Council agendas that ensure the efficient and uninterrupted services that our citizens expect and depend on.

The Mayor and Mayor Pro-Tem, under direction of the City Council, and advice of the City Manager, manage the City Council agenda and calendar to ensure that the annual planning retreat goals are met, and new agenda items are accommodated.

The Mayor and Mayor Pro-Tem should advise the Council regularly on the progress of the agenda setting.

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

City Council members may submit requests for agenda items during the annual planning session retreat and throughout the year by filling out a request form and submitting such to the City Manager (or designee) for review. 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 of such request. Requests submitted outside of the annual planning retreat should also be self-assessed as to whether such request should supersede resources otherwise directed to the previously adopted policy priorities.

Requests submitted outside of the annual planning session retreat are added to the next in progress* regular City Council meeting agenda and meeting packet under General Business for consideration by the City Council as a whole. The timing of the submittal determines when the request will be reviewed by the City 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 City Council meeting but instead may be reviewed at the one after.

New requests for agenda items that are approved by the City Council to move forward for future action will either be prioritized by action of the City Council, or will then be evaluated and prioritized by administrative staff against the backlog of open, prioritized items.

All of the City Council's priorities as established at the annual planning retreat will be added to an online dashboard that provides visibility to key information and organization of priorities and key information.

The City Council priorities dashboard will ~~may be updated to include also list~~ unprioritized “parking lot” items that have been approved for such addition by the City Council as priorities. General items that are outside of the City Council’s approved list of priorities will be prioritized by the City Manager in relation to available City resources. ~~that await prioritization at a later date.~~

POLICY 05.8 PROCEDURAL RULES/PUBLIC COMMENT/LEGISLATIVE

PUBLIC HEARINGS

POLICY

Procedural Rules. The Mayor may, at ~~his/her~~ their 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 the adopted rules of Parliamentary Procedure and isn't in conflict with any constitutional provisions, law, statute, or ordinance or resolution heretofore or hereafter adopted. Members of the City Council who wish to make electronic presentations, such as PowerPoint slides or videos regarding any topic on the agenda must submit such presentation to the Mayor by noon the day of the meeting so that the Mayor will be aware of how much time to allot to each agenda item.

It is the Mayor's responsibility to uphold the decorum of the meeting which includes prohibiting actions which are disruptive to the conduct of the business of the meeting.

Check-in. The City Council will conduct a check-in at 11:00 p.m. and every hour thereafter to evaluate whether it is appropriate to continue the meeting. The City Council may extend the time for public comment during a check-in or may determine that due to the lateness of the hour the meeting should be recessed or adjourned.

City Council Meetings include both closed and limited public forums. City Council meetings are generally closed public forums (i.e. limited to the work of the City Council) unless the agenda specifically establishes a limited public forum by designating an opportunity for members of the public to participate in a City Council meeting. Limited public forums will be recognized for both Public Hearings and for General Public Comment. The time, place and manner of how limited public forums will be carried out shall be either as set forth within this policy or as otherwise indicated upon the face of the meeting agenda or by the Mayor. Speakers should note that public comment opportunities are provided for the City Council to receive public comment. Public comment is not an opportunity for the members of the City Council to engage with the public.

Nothing within this policy shall be construed to require the City Council to subject itself and its citizens to online commenters taking advantage of an online opportunity to violate the limited public forum established by the City Council. The goal of public comment is to create a welcoming, safe and inclusive community for all that encourages members of the community to share any concerns with the City of a local government nature and for the public to influence and provide community expertise on items on the agenda and any other community issues.

Public Hearings.

Legislative/Administrative Public Hearings. The primary role of the City Council is legislative which involves the development and implementation of laws and policies that apply citywide. Examples of legislative action include the adoption of new zoning regulations or amendments to Municipal Code provisions concerning parking restrictions on public streets. With legislative actions, a legislative/administrative public hearing is held prior to the City Council taking final action on the legislative item. During a legislative/administrative public hearing anyone can comment on the merits of the proposed law or provide any other general testimony. The "legislators", i.e. the members of the City Council, may also obtain evidence from other sources, including resident input received in

person, by phone or email. City Council Members may consider any of that evidence, as well as their own personal beliefs, in deciding whether to adopt the legislation.

Testimony/commentary from the Public at Legislative Public Hearings. A public hearing shall be scheduled for every item shown on the agenda upon which the City Council will take formal and final action by Ordinance or Resolution at which members of the public may present up to three minutes of testimony on the item. Resolutions consolidated upon the Consent Agenda for final action may be testified upon by the public during the public hearing to accept testimony on consent agenda items. Ordinances placed on the consent agenda for notification purposes are not available for public testimony. The time for speakers to speak may be reduced from three minutes to less than three minutes for items with an unusually large public interest to allow for all interested parties to have an opportunity to provide testimony.

Online Viewers at Public Hearings. Online viewers of regular or special City Council meetings will be given the opportunity to provide verbal testimony at such public hearings upon the topic set forth upon the face of the agenda if they register in advance with the City Clerk prior to noon of the day of the meeting. Any departure from the specific topic of the public hearing is outside the scope of the public hearing and not permissible. If the Mayor ends any virtual commentary that has gone outside the scope of the public hearing the Mayor will make a brief statement for the record explaining why the speaker's commentary was impermissible. The advance registration system for online public comment/testimony will be established by the City Clerk's Office.

Time limits at Public Hearings for HOA representatives and Registered Neighborhood Associations. A formally selected representative of a registered neighborhood association or neighborhood organization who wishes to speak in-person shall be allowed to speak for up to ten minutes at a public hearing regarding a matter on the agenda impacting such neighborhood association.

"Pooling" agreements. In-person speakers may use "pooling" of time to add to the length of their comment period for public hearings. To pool time so as to be granted up to ten minutes of speaking time, a speaker must present the names of at least three individuals who are present in the audience when the speaker is speaking and who wish to yield their three minutes to the speaker. All supplemental three people must be present when the speaker is called to speak. At any time before the speaker is called to approach the podium, an individual who yielded such person's time to the speaker may reclaim the time from the speaker and may preserve it for later in the meeting. Such action shall terminate the pooling agreement.

Virtual attendees shall not be afforded the opportunity to pool time as there is no ability to verify that other individuals are present and seeking to pool their speaking time. Additionally, virtual attendees have the alternative of submitting a statement via the City's online comment portal which does not have a limitation on the length of a comments submitted.

General Public Comment.

Public comment. The City's agenda will provide an opportunity for general public comment (public comment) at which members of the public may present up to three minutes of commentary on any matter of a public nature. Public Comment will be scheduled on the agenda in a manner that best balances the needs of the City Council to hear from members of the community with the needs of the City Council to complete the business of the City established by the meeting agenda. The Public Comment period may be established as a single agenda item or may be split to allow for 1) some public comment earlier in the meeting, and 2) all remaining public comment to be heard later in the meeting.

Speakers are only permitted to speak one time during public comment irrespective of whether public comment is divided into two places on the agenda.

Public Comment may be made in-person at a regular meeting of the City Council or via an online forum for written public comment or an established City telephone messaging system. Online viewers of City Council meetings will be directed to use the City's online written public comment portal or the telephone messaging system.

- Public Comment shall be limited to sixty (60) total minutes during any regular or special meeting of the City Council, but that limit may be extended by action of the City Council.
- When Public Comment is divided on the agenda the initial period of public comment will be scheduled prior to the consent agenda. This initial period of public comment allows for up to ten total in-person speakers to provide their public comment earlier in the meeting and shall prioritize those with special needs. There shall be no pooling of time. Limited public comment requires signing up to speak in advance of the meeting.

Recordings of Public Comment shall be kept by the City Clerk's Office. Public comment that is provided in-person or through the City's verbal messaging system will not be transcribed (i.e. recorded verbatim) but will be summarized for the City's official record. Public comment that is received via the City's online public comment forum be copied verbatim into the City's official record.

Presentation aides. To conform to the Open Meeting law and Open Records Act no handouts or other reference items will be accepted by the City Council during a City Council meeting. Any items to be shared with the City Council for reference at a City Council meeting must be provided to the City Clerk in advance of the meeting. Electronic presentations for use by members of the public during any public hearing or public comment period, such as PowerPoint slides or video, must be submitted to the City Clerk's office by noon the day of the meeting to assure that such items will conform to the technology available. Any items provided to the City Clerk will be published for viewing both by the City Council and the public. Presentations at a study session must be related to the study session topic on the agenda.

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 at the request of a member of the City Council. Additionally, the Mayor is authorized to modify the agenda at the Mayor's discretion. The basis for making any modification to the agenda shall be stated for the record. ~~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.~~

POLICY 05.9

MOTIONS/GENERAL BUSINESS

Motions. Any council member may make or second a motion to approve, amend, table or continue any matter before the City Council ~~in accordance with the adopted Rules of Parliamentary Procedure.~~ To assure that the agenda is carried out in the most efficient manner possible, the Mayor Pro Tem will generally make the necessary motions regarding matters placed on the agenda for action.

General Business.

General business is an agenda item intended to allow members of the City Council to present an item to the City Council for proposed future action.

Any member of the City Council may make a motion during general business to seek consensus from the body as a whole to schedule an item for future action or send the matter for review by an appropriate advisory body. No off-agenda item may be introduced for final action by the City Council during general business.

Requests submitted as a Request for Council Action outside of the annual planning retreat are added to the next regular City Council meeting agenda and meeting packet under General Business for consideration by the City Council as a whole. A Request for Council Action that is placed on the agenda may be forwarded to all members of the City Council in advance of a meeting to educate the members of the City Council about the proposed action. No final action may be taken upon a matter placed on the agenda as a result of a request for a Council Action.

Members of the City Council and staff may participate in the discussion of an off-agenda item or a matter submitted through the Council Action Request process and shall attempt to identify and request any additional support that will be needed to prepare the matter for further action.

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

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

POLICY 05.10

FIRST READING ORDINANCES

POLICY

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

Upon an affirmative vote of a majority of those members present, such proposed ordinance shall be ordered published in full and a day and time fixed for a public hearing at a subsequent 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 [to be approved for publication](#) and scheduled for second reading.

POLICY 05.11 **SECOND READING ORDINANCES/****OPTIONAL THIRD READING**

POLICY

Second Reading. 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.

Action Upon an Ordinance. The standard action upon an agenda item shall follow that set forth in the adopted Rules of Procedure. Typically, the actions shall be as follows:

1. Agenda Item “Opened”. The Clerk reads the item into the agenda.
2. Presentation. Information relevant to the agenda item is presented.
3. Public Hearing. Members of the public are invited to provide testimony/commentary upon the item pursuant to the scope of a limited public forum.
4. Discussion. The members of the City Council ask questions of staff or other topic area experts to collect information needed to decide a possible course of action.
5. Motion and second. The Mayor Pro Tem, or another member of the body, states the motion. Another member of the body seconds the motion to indicate the governing body should act upon the item.
6. Debate. The members of the City Council engage in debate regarding the proposed action. Members may deliberate or express support or opposition to the motion. Debate may result in amendment, continuation, postponement, or a vote on the motion.
7. Vote. A vote is taken on the motion. If the motion fails, the Body may return to discussion and a potential new motion or may move on to the next agenda item.

Referendum Period. Upon approval by the City Council, publication by title, publication of amendments and signature by the Mayor:

- regular ordinances shall be subject to a thirty day referendum period before becoming effective;
- ordinances that zone, rezone, or change any zoned district shall be subject to a forty-five day referendum period before becoming effective;
- emergency ordinances established in accordance with Charter Section 7.4(b) shall take effect and be in force immediately, although approval must be by two-thirds of all members of the City Council.

Ordinances not subject to a Referendum Period. In accordance with Charter Section 13.2 (a) the following ordinances shall not be subject to a referendum period:

- any emergency ordinance;
- an ordinance fixing the rate of general property taxation for any year;
- an ordinance related to the issuance of securities;
- an ordinance adopting the budget;
- an ordinance making an appropriation for the ensuing fiscal year;
- an ordinance calling for a special election;
- an ordinance levying special assessments,

- an ordinance initiating improvement districts.

Optional Third Reading of Ordinance Procedure. Upon motion and approval by a majority of the City Council, any ordinance may be moved to a third reading following the public hearing. Adding a third reading is intended to provide an opportunity for the City Council to consider implications of substantial amendments and to consider any public comment received at second reading. If the public hearing is completed at second hearing then no further public hearing is required to be scheduled for such item if moved to a third reading unless directed by the City Council. If the public hearing is not completed before the end of the meeting where the ordinance is set for second reading then it will be completed at third reading before any action by the City Council. At the third reading the City Council may take any lawful action, including but not limited to discussion, consideration, amendment and voting upon the adoption of the ordinance.

Ordinance Amendment Process: Any member of the City Council may submit proposed amendments to any ordinance to the City Manager, or designee, for distribution to the City Council as a whole. Members of the City Council are encouraged to work with the City Attorney's Office to review proposed amendments in advance of distribution. Amendments may also be submitted verbally or written during the consideration of an ordinance in conformance with the adopted rules of procedure.

AUTHORITY

Lakewood Home Rule Charter, Section 7.4(3) and 13.2(a).

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 City 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) City Council members voting to approve.~~

Emergency ordinances shall require a separate section setting forth the emergency nature of such ordinance and must be approved by two-thirds of all members of the City Council regardless of how many members of the City Council are present and voting. An ordinance presented as an emergency ordinance that receives the approval of a majority of the City Council members present but does not receive approval of at least eight members of the City Council shall be deemed adopted as a regular ordinance and not an emergency ordinance.

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

POLICY

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

In addition, a written record of each meeting in summary form ([action minutes](#)) shall be prepared by the City Clerk for City Council approval at a later Regular Meeting [and shall serve as the official minutes of the meeting](#). All audio and video recordings will be permanently retained by the City Clerk.

[Public testimony or public comments that are made verbally may be summarized into a document that is incorporated into the meeting agenda/packet but not made part of the official meeting minutes as the minutes are limited to "action minutes". The City Clerk's Office is not equipped to transcribe verbal statements, nor clarify what comments provided in any form are intended to convey. Therefore, members of the public may review the video or audio recordings to hear the speaker to better understand what the speaker was seeking to convey. However, for recording purposes, to avoid conflicts between what was stated/written and what the commenter meant to say/write, all public comments will be collected in the most efficient and practical manner available which shall be a summary of verbal comments or a copy/paste of written comments. All comments shall be combined into a document labeled "Public Comments of {date} meeting of the Lakewood City Council". Such document shall be attached to the associated meeting minutes.](#)

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 City Council votes will be recorded on the City website within 14 days of the meeting [as a best practice with the understanding that staff workload may necessitate a delay](#).

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.

A quasi-judicial public hearing is a public hearing that includes rules established to protect the due process rights of the person/entity holding a protected interest.

- Holding an ownership interest in a specific parcel of property (right to develop, change in zoning, etc.) is an example of a protected interest.
- The members of the City Council acting as hearing officers need to be able to clearly articulate the basis for their decision.
- The individual holding the protected interest must have a full opportunity to be heard on the subject and must have an opportunity to hear and respond to any information which is the basis for the decision impacting their protected right.
- Neither a hearing body, nor any of its members, are permitted to have predecided the matter based upon information not made known in the public hearing (ex parte communications)

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, City 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 05.15

RECESSES/ADJOURNMENT

POLICY

Any City Council member may call for a recess or adjournment at any time during a regular, [special or emergency](#) City Council meeting or Study Session.

During any recess, City 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. City 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 may be approved by a simple majority.

If a meeting is adjourned and public comment [on a matter set for public hearing \(not public comment\)](#) 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 [before further action on such item is taken by the City Council](#).

The [city clerk](#) ~~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 public hearing held](#) at a future meeting should an adjournment and reconvening take place.

POLICY

Effective governance and fiscal prudence requires that City policy be developed from a long-range perspective in order to anticipate and effectively meet the needs and goals of the City over time. The Annual Planning Retreat of the City Council is established to provide an opportunity early in the fiscal year for the City Council to work collaboratively to establish annual policy priorities in conformance with the current and following year's budgets, and to work with the City's administrative staff to determine how and when such policies priorities shall be addressed. By setting aside time for a structured discussion away from the normal work environment, members of the City Council can explore issues in depth and exchange ideas with each other in a relaxed environment.

See "The Retreat as a Management Tool." ICMA. VOLUME 33 / NUMBER 1 JANUARY 2001 ITEM NUMBER E-43021. (https://icma.org/sites/default/files/308775_E-43021.pdf for additional information regarding the seven steps for successfully holding a City Council planning retreat.

AUTHORITY

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

PROCEDURE

Seven steps to success provided by ICMA.

1. Plan the retreat from beginning to end. Identify the goals of the retreat including the objectives for the meeting.
2. Designate a facilitator (preferably a neutral party trained and skilled in facilitation techniques). Develop an agenda.
3. Find an off-site location. Provide a comfortable environment with adequate refreshments that is conducive to work.
4. Agree on ground rules that promote a safe and courteous environment.
5. Encourage active participation throughout.
6. Be specific about follow-up. Develop an implementation plan that designates responsibility and timelines.

All of the City Council's priorities as established at the annual planning retreat will be added to an online dashboard. The dashboard shall be developed to provide public visibility about the establishment of the priority as well as key information about such priority. The dashboard will also indicate the prioritization of each of the established City priorities.

Policy 05.16STUDY SESSION/WORK SESSION/

PLANNING SESSION/ SITE VISIT

POLICY

Study Sessions are used as a regular procedure to familiarize the Council members with detailed aspects of subjects on upcoming agenda items. This allows members of the City Council time to consider the topic fully before the item is brought before the City Council for formal action, thus saving valuable time in a 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

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

General Conduct

The City 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.
- Hold the floor for no longer than five minutes, then wait to request the floor again until after all other City Council members have been given the opportunity to hold the floor.
- ~~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.
- [At the conclusion of a meeting agenda the Chair may adjourn the meeting without taking a vote.](#)

Conduct in Public Meetings in General

At ~~Other~~ [all Public Meetings and Non-Official Encounters](#), 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~~ [avoid interfering in job duties](#) or [giving](#) direction to staff. Any concerns should be directed to City manager.
- Avoid public criticism of individual staff members.
- [Do 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~~ City Manager's designee, who will be the Deputy City Manager unless otherwise designated in writing to the members of the City Council. Suggestions, policy issues, opinions and criticism should be kept between Council members and the City Manager and/or City Attorney.
- Do not disrupt City staff from their jobs in order to have the Council member's 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

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 of Lakewood is dedicated to, and promotes, a work environment that is free from unlawful discrimination and harassment for all of our employees, at every work location in the City, and in any work environment. To meet this goal 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. 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.

GENERAL HARASSMENT. To "Harass" or general "harassment" means to engage in, or the act of engaging in, any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual or group of individuals because of that individual's or group's membership in, or perceived membership in, a protected class, resulting in an employer refusing to hire, or to discharge, to promote or demote, to harass during the course of employment, or to discriminate in matters of compensation, terms, conditions, or privileges of employment against any individual otherwise qualified because of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, religion, age, national origin, or ancestry, which conduct or communication is both 1) subjectively offensive to the individual alleging harassment and 2) objectively offensive to a reasonable individual who is a member of the same protected Class. The conduct or communication need not be severe or pervasive to constitute a discriminatory or an unfair employment practice under this section and is a violation if:

(i) submission to the conduct or communication is explicitly or implicitly made a term or condition of the individual's employment;

(ii) submission to, objection to, or rejection of the conduct or communication is used as a basis for employment decisions affecting the individual; or

(iii) the conduct or communication has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Petty slights, minor annoyances, and lack of good manners do not constitute harassment unless the slights, annoyances, or lack of manners, when taken individually or in combination and under the totality of the circumstances, meet the standards set forth in this section.

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~~ **themselves to have** ~~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~~ **their** complaint to any one of the following: the City Manager, Deputy City Manager, the City Attorney's Office, or Director of ~~Employee Relations~~ **Human Resources** (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 **forward that complaint to the Director of Human Resources who will** commence an investigation of the complaint as soon as practicable. All such investigations shall be conducted in the following manner: the ~~Receiving Official~~ **Human Resources Director** 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 **an initial review of the complaint, including an interview with the complainant. If after the initial review the investigator finds that there are no grounds to conduct a full investigation of the complaint due to lack of evidence or such complaint failing to meet the requirements of this policy, the investigator will inform the Director of Human Resources of such finding and conclude the initial review. The Director of Human Resources and/or the investigator will follow up with the complainant to explain the determination as to the complaint.**

If following an initial review the investigator finds that there are grounds to conduct an investigation of the complaint the investigator will conduct interviews with the complainant and other individuals with knowledge of relevant facts, and ~~to~~ **will** 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~~ **Human Resources**

Director as necessary. The City Council's goal is ~~to employ an~~ **for the** investigation process ~~that is to be~~ 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. The 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 **if there are legal grounds to discuss such matter in executive session pursuant to C.R.S. 24-6-402(4).** If there are no legal grounds to discuss this matter in executive session than an overview of the report shall be provided to the City Council. To protect the unintended disclosure of the identity of the complainant or witnesses the report itself shall not be distributed. The confidentiality of the overview provided to the City Council shall be determined on a case-by-case basis.

If the investigator determines that the facts and evidence support a finding that the complainant, or other, did suffer an act of harassment or sexual harassment the City Council may meet in executive session with the City Attorney to discuss potential legal ramifications to the City of such actions. The City Council may also consider the matter in an open session and direct any or all of the following actions in response to a finding that a complaint of harassment **sexual 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 **in which an investigator completes a full investigation of a complaint**, 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

City 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. Staff is strongly discouraged from ~~and never using a form letter~~ when responding to Lakewood citizens. A communication should be a direct response to each citizen's concerns.

AUTHORITY

By adoption of the Policy and Procedures Manual.

PROCEDURE

City Council members can access the Direct Response program by sending an email to DirectResponse@Lakewood.org or by calling 303-987-7134. If this system or telephone number are updated this policy may be updated without further action by the City Council to reflect updated contact information or updated websites.

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 City Council travel budget is reviewed and approved by the City 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. **City** 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. **The Council member** 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 [\(set time\)](#)
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 [hearing](#) on consent agenda [items of final action](#), 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
- ~~8-9.~~ [Public comment on items not appearing on the agenda \(remaining speakers\)](#)
- ~~9-10.~~ General business
- ~~10-11.~~ [Ward](#) Reports
- ~~11-12.~~ 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. [Committee](#) Reports
7. Adjournment