



# City of Aurora

## *Rules of Order and Procedure for the Aurora, Colorado, City Council*

Revised March 11, 2024\*

\*These rules supersede all previously adopted Rules of Order and Procedure

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## **RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL**

In accordance with Article III, Section 8, of the City Charter of the City of Aurora, Colorado, the following Rules of Order and Procedure for the City Council are hereby adopted.

### **PREFACE**

The election of an individual to City Council imposes a heavy responsibility to observe those tenets and requirements which flow from the solemn oath administered at the time of installation to office.

"Having been duly elected/to the City Council for the City of Aurora, Colorado, I, ( \_\_\_\_\_ ), do solemnly swear or affirm that I will faithfully and impartially administer the affairs of such office in accordance with the Constitution of the United States of America, the State of Colorado, and the charter and ordinances of the City of Aurora to the best of my judgment and ability, so help me God."

These Rules are predicated both upon the duties and responsibilities contained in the oath of office, and the four core attributes expected to be demonstrated by every City elected official, officer, and employee: integrity, respect, professionalism, and customer service.

### **A. City Council Meetings**

1. Regular City Council Meetings. The City Council<sup>1</sup> will meet in regular session in the Council Chambers of the Aurora Municipal Center on designated Mondays at 6:30 p.m., and on such other days and at such other times as may be chosen by City Council at the last meeting of the calendar year, unless otherwise determined at a prior meeting. Once defined, changes to the calendar can only occur under the Special Meeting Rules set forth in A(2) or with a 2/3 vote of the City Council. At least twenty-four (24) hours prior to the meeting, the City Council shall post the agenda of the meeting in the entryway at the east entrance of the Aurora Municipal Center. The posting location shall be redesignated annually at the last regular City Council meeting of each calendar year. ([R2022-79](#))
  
2. Special Meetings. A special meeting of the City Council may be called by the Mayor alone or by any six (6) other Council Members. The request shall be made on forms provided by the City Council's Management Analyst. The form shall indicate the Mayor or the names of the Council Members requesting the meeting and shall be transmitted to the City Manager's Office for filing with the City Clerk. The urgency for the meeting shall be set forth on the form as well as the need to vary from the procedure requiring a 2/3 vote under A(1). The notice The special meeting shall be held at a time and place designated in the Call; provided, however, that all Council Members shall be notified at least twenty-four (24) hours in advance of the date, time, place and subject matter of said special meeting. Council Members not receiving twenty-four (24) hours' notice may sign a waiver of this requirement at or subsequent to the meeting. The posting method described above for regular City Council meetings shall also be applicable to any special meeting.

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<sup>1</sup> Unless otherwise apparent from the context of a particular rule, the reference to "City Council/ Council Member" shall be construed to include the Mayor.

3. Special Study Sessions. A special study session of the City Council may be called by the Mayor alone or by any six (6) other Council Members. The request shall be made on forms provided by the City Council's Management Analyst. The form shall indicate the Mayor or the names of the Council Members requesting the meeting and shall be transmitted to the City Manager's Office for filing with the City Clerk. The urgency for the meeting shall be set forth on the form as well as the need to vary from the procedure requiring a 2/3 vote under A(1). The notice of the special meeting shall be held at a time and place designated in the Call; provided, however, that all Council Members shall be notified at least twenty-four (24) hours in advance of the date, time, place and subject matter of said special meeting. Council Members not receiving twenty-four (24) hours' notice may sign a waiver of this requirement at or subsequent to the meeting. The posting method described above for regular City Council meetings shall also be applicable to any special meeting.
4. Notice. Notice shall mean personal notification of the Council Member by any two of the following methods: phone; in person; or by transmitting a notice to the Council Member's City electronic mail address at least twenty-four (24) hours in advance of the scheduled meeting time or at the time the decision is made to call the meeting, whichever occurs first.
5. Study Sessions. The City Council will meet in study session at 5:15 p.m. on the same designated Mondays as the City Council meets in regular session, and on such other days and at such other times as may be chosen by City Council at the last meeting of the calendar year, unless otherwise determined at a prior meeting. Once defined, changes to the calendar can only occur under the Special Meeting Rules set forth in A(2) or with a 2/3 vote of the City Council. No formal legislative action other than the vote to go into an executive session shall be taken at any Study Session and no quorum shall be necessary. Formal legislative action shall be deemed to be the enactment of an ordinance or the promulgation of a resolution. However, efforts to arrive at a consensus position for the purpose of developing subsequent legislative action shall be permitted. Failure to notify all Council Members shall not adversely affect the calling of a Study Session, provided that the City Council's Management Analyst has used reasonable efforts to notify all Council Members at least twenty-four (24) hours in advance of a Study Session. ([R2023-165](#))
6. Executive Session. An executive session may be called in accordance with state law. Permissible topics for an executive session are:
  - a. The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except that no executive session shall be held for the purpose of concealing the fact that a member of the local public body has a personal interest in such purchase, acquisition, lease, transfer, or sale;
  - b. Conferences with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions. Mere presence or participation of an attorney at an executive session of the local body is not sufficient to satisfy the requirements of this subsection;
  - c. Matters required to be kept confidential by federal or state law or rules and regulations. The local public body shall announce the specific citation of the

statutes or rules that are the basis for such confidentiality before holding the executive session;

- d. Specialized details of security arrangements or investigations;
- e. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators;
- f. Personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting;
- g. Consideration of any documents protected by the mandatory nondisclosure provisions of part 2 of article 72 of title 24, C.R.S., commonly known as the "Open Records Act."

Prior to the time the members of the public body convene in executive session, the City Clerk or designee shall announce the topic(s) of the executive session in accordance with Section 24-6-402(4), C.R.S. Where possible, the agenda of an executive session which contains the topic(s) of the discussion shall be available for public inspection at the municipal records office located on the first floor of the Aurora Municipal Center. An affirmative vote of two-thirds of the quorum present shall be required before entering an executive session. State law governs the circumstances under which recording of an executive session is required. The City Clerk shall be responsible for securing the signature of the Mayor and the City Attorney, if applicable, on the mandatory certification of compliance at the conclusion of every executive session. Council Members shall keep all information, whether written or verbal, from an executive session confidential and shall not discuss or provide such information with/to anyone who was not present in the executive session. A Council Member who was not present during the executive session may listen to the recording of the executive session and shall be subject to the same provisions of confidentiality herein. When appropriate, only the Mayor, City Manager or designee and the Council Appointees may take action based upon activity in an executive session. Backup materials shall be submitted for each executive session item and will be distributed/transmitted to Council Members at least 24 hours prior to the executive session. Council Members may appear remotely at Executive Sessions for the limited purpose of accommodating conditions defined in Section A.9 or an emergency. Council Members appearing remotely for Executive Session shall participate using a secure, private phone line or electronic connection in a private area.

- 7. Seating. Unless an exception is made pursuant to A(9), only the Mayor, Council Members, the City Manager and City Attorney shall be seated on the dais. At the conclusion of: (i) the first regular meeting in December after the municipal elections in odd-numbered years; and (ii) the last regular meeting of the year in even-numbered years, seating locations (Ward and At-Large Council Members) for the subsequent calendar year shall be arranged according to seniority of the Council Members, calculated by the accumulation of the total years and months of Council Member service. The most senior Council Member shall be seated to the left of the City Attorney from the perspective of the dais. The next most senior Council Member shall be seated to the right of the City Manager, and thereafter the seating shall be arranged alternately between left and right until all seats are filled. Alphabetical selection using

the last name shall be utilized in lieu of seniority when multiple Council Members are seated at the same time with the same seniority status.

- a. City Council Members may voluntarily switch seats on the dais with the agreement of all parties involved.
8. Materials Submitted to City Council. The City Council acknowledges that parties appearing before the Aurora City Council frequently wish to provide materials to the City Council in support of a position or argument. However, the City Council is oftentimes unable to assimilate the materials in the context of the decision-making process occurring at the City Council meeting. The City Council will accept and receive into the record the following materials up to and including the City Council meeting itself: A reasonable number of pictures, graphs, petitions (with signatures only), and written materials not to exceed one page per speaker. On the other hand, multiple page materials delivered later than twenty-four (24) hours before the commencement of the City Council meeting will not be considered without a vote to accept. In order to accept and receive into the record materials not delivered by the deadline, the City Council must, by majority vote of the quorum, authorize the acceptance of materials.
  9. Reasonable Accommodation. Upon request of a Council Member, the City will provide reasonable accommodations for the Council Member to continue performing their official duties while they are disabled, as defined in the Americans with Disabilities Act and Colorado Civil Rights Act, or when a situation arises that would qualify for accommodation under the federal Family Medical Leave Act, Colorado's Pregnant Workers Fairness Act, or Colorado's Workplace Accommodations for Nursing Mothers Act, unless such accommodation would constitute an undue hardship or direct threat to the City. Such accommodations may include temporary modification of City Council Rules to allow for participation in and voting in City Council Meetings, Study Sessions, and Executive Sessions.
  10. Virtual Attendance at Meetings. Council Members may appear remotely, including off camera, at City Council Meetings, Special Council Meetings, Study Sessions, Special Study Sessions, Executive Sessions to accommodate conditions defined in Section A(9), in a declared emergency, or by giving notice to the City Clerk 24 hours in advance.

## **B. The Agenda – Study Sessions, Regular Meetings, & Special Meetings**

1. Final Agenda. The final agenda (without backup) will be distributed/transmitted to Council Members no later than the Thursday preceding the Monday of regular City Council meetings. Items may be deleted by their initiators prior to the formal adoption of the agenda during the Regular Meeting. No item shall be added after this date unless it has the approval of two-thirds (2/3) of the entire membership of the City Council. If a vote is taken on any item added to the agenda that does not require legal publication, said item must be on the agenda for reaffirmation at the next regularly-scheduled City Council meeting. If legal publication is necessary, the item shall be brought back in accordance with the publication schedule.
2. Authority to Place Items on Agenda.
  - a. Although items may be requested by other parties, Council Members, City Manager, City Attorney, Chief Public Defender, Presiding Judge, and Court Administrator are the only ones who have authority to place items on the Study

Session and Regular/Special Meeting agendas. Each such item shall indicate the party requesting the item.

- b. Backup materials shall be submitted for item in accordance with a schedule to be developed by the City Clerk. The backup materials must be submitted in sufficient time to allow the City Manager to prepare a summary of the item, a history and a fiscal analysis. The City Attorney shall provide a legal statement for each item. When an item is included on an agenda at the request of a Council Member, backup material to be presented by staff as part of the item shall be coordinated with that Council Member. Additionally, any informational presentations presented at Study Session or regular Council Meeting must be included in the backup packet provided to the public before the meeting. An estimated time for presentation shall be given. A request for outside speakers shall also be made. ([R2022-227](#))
    - c. A Council Member may request a matter brought forward by the City Manager, City Attorney, Chief Public Defender, Presiding Judge, or Court Administrator be sponsored by a Council Member. Prior to the matter being discussed, the sponsorship issue shall be resolved by a majority of those Council Members entitled to vote at that meeting. ([R2022-65](#))
3. Agenda Setting Meeting. The Clerk shall establish a meeting with the Mayor, City Manager and City Attorney to occur prior to the final agenda being sent to Council. The agenda shall be set and times established for each item. Items requested by a Council Member under B(2) shall not be removed from the Agenda without consent of the Council Member making the request.
4. Waivers of Reconsideration and Dual Listing of Agenda items. A request may be made to waive the reconsideration period in B(6) or matters may be listed on the Study Session and Regular Meeting for time sensitive matters. Parties making such a request shall provide the reason should be heard in this manner.
5. Reconsideration. If a motion, resolution or ordinance is passed or defeated by City Council action, it may be reconsidered at the same meeting, a special meeting, or at the next regular City Council meeting by motion from a member who was on the prevailing side. Reconsideration shall be granted only to consider new information and the motion to reconsider shall be made at the appropriate time when the agenda item "Reconsideration and Call-Ups" is under consideration. If the City Council authorizes reconsideration of an item which has previously been the subject of City Council deliberations, the City Council shall specify, as part of the motion, the scope of additional staff work-up and review prior to placement on the agenda. Discussion upon reconsideration shall be limited to the impact of the new information upon the item being considered by the City Council. Whenever a vote is taken to reconsider an item, the item to be reconsidered will return to the agenda for formal action at the next regular meeting unless the motion specifies a different time. Unless a contrary time limitation exists by reason of the Charter, ordinances or City procedures, an issue cannot be placed back on the agenda for six months unless sponsored by at least six (6) Council Members; provided, however, where such issue requires a super-majority<sup>2</sup> vote of the City Council for approval, the issue cannot be placed back on the agenda unless sponsored by a super majority of the Council Members. If any substantive changes are made to the motion, resolution or ordinance, then this will be considered



to be a new issue and can be placed on the agenda by an appropriate sponsor prior to the expiration of the six (6) month period.

6. Reservation of Right to Reconsider. If City Council minutes are not distributed for consideration and approval at the next regularly-scheduled City Council meeting, the right of reconsideration, as set out in subsection B.3., above, will be reserved until the next meeting when the City Council minutes are available for review by City Council.
7. Right of Mayor to Vote. Pursuant to Charter Section 3-2, the Mayor shall not be entitled to cast a vote upon any resolution or ordinance or amendments thereto unless it is to create or break a tie vote. However, the Mayor is entitled to vote on motions including motions regarding parliamentary procedure concerning a resolution or ordinance.

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<sup>2</sup> Unless otherwise apparent from the context of another rule, seven votes shall be required for a super majority or when a 2/3 vote is required.

### **C. Special Roles**

1. Mayor Pro-Tem. The Mayor Pro-Tem shall serve as Mayor in case of the absence of the Mayor. If both the Mayor and the Mayor Pro-tem are absent, the presiding officer shall be chosen from the remaining Council Members on the basis of seniority, calculated by the accumulation of the total years and months of Council Member service. In the event that two or more of the remaining Council Members should be of equal seniority, preference shall be given to an at-large member. If two or more of the Council Members of equal seniority are at-large members, the selection of the presiding officer shall be made by drawing lots. The Mayor Pro-Tem shall be elected from among the members of City Council at the first regular meeting of City Council in December. A Council Member who is interested in serving as Mayor Pro-Tem shall give written notification to the other Council Members on or before November 15 of each year. Among the duties of Mayor Pro-Tem is the duty to arrange location and other logistics for Council Workshops, including setting the agenda of the workshop, after asking for input from City Council. Another duty is to accept donations and make arrangements for special occasions that City Council wants to recognize (i.e., birthdays, deaths, etc.)
2. City Attorney. Any member of the City Council may at any time call upon the City Attorney for an oral or written opinion regarding any question of law.

### **D. City Council Committees**

1. Formation and Selection. The City Council shall establish itself into the following standing Committees:
  - a. Federal, State and Intergovernmental Relations
  - b. Parks, Foundations and Quality of Life
  - c. Housing, Neighborhood Services and Redevelopment
  - d. Management and Finance
  - e. Transportation, Airports and Public Works
  - f. Planning and Economic Development
  - g. Public Relations/Communications, Tourism, Libraries, Boards and Commissions and Citizen Groups
  - h. Public Safety, Courts and Civil Service
  - i. Water

No later than the conclusion of the second regular council meeting in December, each Council Member shall submit to the Mayor Pro-Tem his or her top four (4) choices for Committee assignments. Council Members should put as their first choice the Committee they would like to Chair. Wherever possible, priorities of Council Members should be accommodated. Appointments of Council Members to Committees shall take place and become effective on January 1. Each Council Member other than the Mayor and Mayor Pro-Tem shall serve on three (3) Committees. The Mayor, Mayor Pro-Tem, and City Manager serve as ex-officio to each Committee. Ex-officio status shall not entitle that person to act as a chair or vote at a committee meeting. Committee Chairs shall serve for one year, concurrent with the term of the Committee. Current Committee Chairperson(s) may serve subject to re-appointment by the Mayor Pro-Tem for successive terms on the same Committee(s). The Mayor Pro-Tem shall have the final authority in making the official assignments, including Chairpersons and Vice Chairpersons of each Committee. However, after the Mayor Pro-Tem has issued Committee assignments, Council Members may exchange assignments through mutual agreement. Council Members should immediately notify the Mayor Pro-Tem and the City Manager of such exchanges. If it is necessary to fill a vacancy on City Council through an appointment, the new Council Member shall serve on the Committees which were assigned to the Council Member whom he or she replaced. The City Manager shall assign a staff member and a Recording Secretary to work with each Committee. A member of the City Attorney's office shall be assigned to each Committee. The City Council's representative to the Denver Regional Council of Governments and the Colorado Municipal League Board shall serve as ex-officio members of the Federal, State and Intergovernmental Relations Committee if they are not already assigned to the Committee. They may take part in the deliberations but shall not be entitled to vote.

2. Ad Hoc Committees. Ad Hoc Committees may be formed and appointments shall be made at City Council Study Sessions or Workshops with the support of the majority of Council Members in attendance. The Mayor Pro-Tem shall chair any ad hoc committee formed for the purpose of amending the Rules of Order and Procedure for the City Council.
3. Protocol. Committees shall consider items and policy matters relevant to a Committee referred by the City Council as a whole, any Council Member, City Manager, City Attorney, Chief Public Defender, Presiding Judge, or Court Administrator. With the permission of the City Manager, a department director can sponsor an item. As a matter of general practice, proposed ordinances, resolutions or policy matters, other than those referred to executive session, shall be submitted to the appropriate Committee for its review and comment. If a Council Member submits a matter for consideration, and the Committee is thereafter unable to schedule the matter within 45 days, it shall be forwarded directly to a study session. A Committee meeting cannot be held unless a majority of Committee Members assigned to the Committee is present. Committee Members may participate by audio or video conference call. The only exception to this requirement shall relate to the Federal, State and Intergovernmental Relations Committee (FSIR) when, in the opinion of the Chair of the FSIR Committee, it is necessary to convene an emergency meeting in order to be able to respond in a timely fashion to state or federal legislative activity. Such emergency meeting may be held electronically or virtually after appropriate posting. Any Council Member may attend a Committee meeting and take part in the deliberations but shall not be entitled to vote. Members of the public may attend a

Committee meeting and may be permitted to address the Committee at the discretion of the Chair. Committees may not conduct executive sessions (see subsection D.7. for an exception). Committees shall not conduct public hearings unless authorization has been received in advance through a majority vote of the entire City Council at a study session. A "public hearing" shall be construed to be a meeting where public testimony, evidence, and input are actively encouraged through publicity prior to the hearing. A public hearing shall also be characterized by staff involvement in organizing and planning the hearing which will generally involve one subject/issue. It is the City Council's intention that matters which clearly affect the City Council as a whole or a policy with city-wide application should be brought to the whole City Council at a study session rather than having the Committee render a final decision. Committees and their activities and recommendations will not and do not represent the City's formal position which can only occur as a result of a decision(s) made in a study session or a Council meeting. The only exception is the legislative position recommendations made by the FSIR Committee. The recommendation sent forward from a Committee should represent the consensus of all Committee members present. Any dissenting Council Member may request that a minority report be submitted along with the recommendation of the group. If a Committee refers an item to a study session, the Committee should also determine if the item would be appropriate for review by a City board or commission or outside entity. Such review should take place prior to the study session. If an item is referred for review, the outcome of the review should be included in the Council packet provided for the study session.

4. Agenda. The staff, in conjunction with and final approval by the Committee Chair, shall develop an agenda for distribution/transmission to the Committee Members the Friday prior to the Committee meeting. The agenda shall contain, as a preface, the goals for the relevant policy committee. The agenda for every Committee shall conclude with a section entitled "Miscellaneous Matters for Consideration." Important policy issues should not be discussed and resolved during the "Miscellaneous" portion of the Committee agenda since other Council Members will not have had prior notice of the subject matter. This portion of the Committee meeting should be reserved for interaction and input from staff. In the development of the agenda, staff should be sensitive to the time constraints placed upon Council Members who are attending various Committee meetings. The agenda shall include all of the background materials which relate to the agenda item. The agenda for all upcoming Committee meetings shall be posted on the City of Aurora website and contained in the City Manager's weekly memorandum to all Council Members.
5. Consideration of Policy Matters. Each policy item should be assigned to only one Committee. When there is a question as to which Committee is the most appropriate, the Mayor Pro-Tem will consult with the Chairs of the Committees in question to determine which Committee should review the item. Conducting joint meetings shall not be permitted unless approved by a majority vote of the entire City Council. A Committee Chair may elect to bypass a Committee on any item and have it submitted directly to City Council in a study session. The minutes of Committees should be utilized by Council Members to determine whether further review by the City Council as a whole is warranted. If such matter or issue is referred by the City Council as a whole to a particular Committee, the Committee must then refer the matter back to the City Council as a whole at the conclusion of Committee consideration. If a matter has been referred back to a Committee for further study, the Chair of that Committee shall endeavor in good faith to arrive at an accommodation. Whenever a policy matter

is referred to a Committee at the request of a Council Member or Members, staff shall notify the Council Member(s) of the date and time of the Committee meeting.

6. City Representation upon Other Entities and Quasi-Governmental Agencies. The City of Aurora is entitled to have representation upon other entities and quasi-governmental agencies through the presence of one or more Council Members or other designees. For purposes of this section, other entities and quasi-governmental agencies shall be deemed to be the following:
  - a. Accelerate Colorado
  - b. Adams County Airport Coordinating Committee (ACC)
  - c. Aerotropolis Regional Transportation Authority (ARTA)
  - d. Aurora Economic Development Council (AEDC)
  - e. Aurora Mental Health
  - f. Centennial Airport Community Noise Roundtable
  - g. Cherry Creek Basin Water Quality Authority
  - h. Colorado Air and Space Port
  - i. Colorado Municipal League Policy Committee (CML)
  - j. Denver Regional Council of Governments (DRCOG)
  - k. E-470 Public Highway Authority
  - l. Fitzsimons Redevelopment Authority (FRA)
  - m. Highline Canal Working Group
  - n. I-70 Regional Economic Advancement Partnership (REAP)
  - o. Mile High Behavioral Health Care/Comitis
  - p. Sand Creek Regional Greenway
  - q. Sister Cities International
  - r. Spirit of Aurora
  - s. Urban Drainage and Flood Control District (Mayor Pro-Tem)

The Mayor shall appoint a representative(s) to the following ad-hoc and quasi-governmental agencies:

- a. Adams County Economic Development (ACED)
- b. Aurora Housing Authority
- c. Lowry Community Advisory Committee
- d. Lowry Denver/Aurora Coordinating Committee
- e. Lowry Redevelopment Authority
- f. Visit Aurora

Appointments as the City's representative to any outside entity or agency shall be accomplished by a majority vote of the entire City Council. The appointment may take place at the study session portion of the agenda. The City's representative to such entity or agency shall, at all times, pursue the best interests of the City with respect to any matter which comes before the entity or agency for decision, whether acting in his or her capacity as the City's representative or as a member of the entity's or agency's executive board or council. The representative shall not be required to obtain the advice and consent of the City Council prior to voting on any such matter. Nevertheless, the representative shall endeavor to report to the entire City Council items of significance to the interest(s) of the City whether prior to or after formal agency action. Expenses for Council Members to attend local dinners organized by nonprofit associations of local governments (e.g., Adams County Council of Governments (ADCOG), Colorado Municipal League (CML) and Denver Regional

Council of Governments (DRCOG)), or other local governing bodies (e.g., city councils and county commissions), or events where the Mayor is a featured speaker, will be covered by the City as a general expense.

7. Council Appointee Evaluation and Compensation Committee. In order to assure a comprehensive approach to Council Appointee evaluations and compensation decisions, a Council Committee on Evaluations and Compensation is established with the following duties and obligations. The Committee shall be composed of the Mayor, the Mayor Pro-Tem, and the Chair of the Management and Finance Committee. The Committee shall also be responsible for initially handling any complaints and/or discipline involving a Council Appointee and, for purposes of the City Council Respectful Workplace Policy set forth in Appendix I, any complaints and/or discipline involving a Council Member or the Mayor, for the purpose of making recommendations to the full City Council. The Committee may ask the City Attorney to retain outside counsel and may ask the City Manager to retain Human Resources consulting services to provide guidance on personnel matters stemming from Council Appointees, whether or not those matters fall under the Respectful Workplace Policy set forth in Appendix I. The Committee shall conduct any relevant research for purposes of determining compensation, benefits, and if applicable, severance package(s) utilizing data from other governmental agencies. The Committee shall be responsible for receiving input from the Council Appointees and providing feedback to the Appointee relative to performance issues on a timely basis in cooperation with the full City Council. After the full Council has made their decision concerning Appointee compensation and benefits for the ensuing year, the Committee shall schedule and hold a meeting with each Appointee to convey the decision and any other pertinent information within seven working days. Notwithstanding any other provision of the Council Rules of Order and Procedure, the Committee shall be entitled to go into executive session for the discussion of personnel matters involving the Appointees, so long as all applicable aspects of the State Open Meetings Law, C.R.S. Section 24-6-401, *et seq.* are followed. In the absence of the Mayor, or after a briefing with the Mayor, any member of the Committee shall be empowered to execute written authorizations to administrative staff reflecting official decisions of the City Council regarding Appointee performance reviewed in this subsection D.7. Council comments for Appointees are to be developed collaboratively. The Committee shall also be responsible for evaluating the need for and making recommendations concerning the level and nature of staff support for the Mayor and City Council so as to insure adequate levels of support for the City's elected officials.

## **E. Parliamentary Procedures**

1. Parliamentarian. The City Attorney shall serve as official Parliamentarian and advise the Mayor pertaining to parliamentary procedure, but a final ruling shall be made by the Mayor. The Mayor's ruling shall be final unless overturned by a successful appeal.
2. Debate. Appropriate debate among Council Members shall be limited to the issue or issues before the Council. Attacks of a personal nature by a Council Member against another Member during a Council meeting, Study Session, Workshop, or a Policy Committee Meeting are inappropriate. It shall be the role of the Mayor or Chairperson, as applicable, to stop and redirect the discussion as needed. ([R2022-63](#))
3. Guide of Procedures. The Mayor and City Attorney shall use as a guide for parliamentary procedures O. Garfield Jones, *Parliamentary Procedures at a Glance*,

unless it is in conflict with City Council's Rules of Order and Procedure herein set forth, in which event these Rules shall prevail. The provisions of the Rules of Procedure, including the right to reconsider an item, may be suspended by a two-thirds vote of those present and voting.

4. Order of Business. Council meetings are to conduct business for the city. All citizens are encouraged to contact their Councilperson for matters outside the agenda. The business of all regularly-scheduled meetings of the City Council shall be conducted in the following order: ([R2022-238](#))
  - a. Call to Order
  - b. Roll Call
  - c. Invocation/Moment of Silence
  - d. Pledge of Allegiance
  - e. Approval of Minutes
  - f. Proclamations or Ceremonies
  - g. Public Invited to be Heard (This agenda item shall be limited to one hour on a first come basis unless extended by a majority of Council Members present)
  - h. Adoption of Agenda
  - i. Consent Calendar
    - i. Motions (Mayor may vote upon)
    - ii. Resolutions (Mayor may not vote upon Resolutions or Ordinances)
    - iii. Finalizing of Ordinances that were unanimous on the prior reading
  - j. Public Hearings With or Without Related Ordinances
  - k. Introduction of Ordinances
  - l. Finalizing of Ordinances
  - m. Annexations
  - n. Reconsiderations and Call-Ups
  - o. General Business
  - p. Appointments to Boards and Commissions
  - q. Reports
  - r. Mayor
  - s. City Council
  - t. Adjournment
5. Persons wishing to address Council at a public comment session shall sign up to do so with the City Clerk prior to the session on a first-come, first-served basis. Speakers shall be limited to a maximum of three minutes. In addition to appearing in-person, the City Manager will provide means for the public to participate in City Council meetings remotely via videoconference and/or telephone. However, the meeting will continue as scheduled should technical issues arise. . ([R2023-11](#))
6. Public Comment on Agenda Items. In addition to the public comment session on nonagenda items, persons may speak during any item scheduled for consideration on the regular meeting agenda. Persons wishing to address the City Council on any scheduled item shall sign up to do so with the City Clerk prior to the consideration of such item. Speakers shall give their first and last name, what city they live in and contact information to the City Clerk (phone and/or email). Speakers shall be limited to a maximum of three minutes. ([R2022-85](#))
7. Council Dialog Limited. Council shall be given opportunity to address staff to exchange contact information when the speaker is at the podium. Council may clarify statements

related to any speaker's comments at the conclusion of Public Invited to be Heard but shall not enter into debate with the speakers. ([R2022-85](#))

8. Use of Consent Calendar. Items eligible for consent calendar consideration will be limited to approval of general business items by motion, including contracts, resolutions, ordinances on final reading which were introduced by a unanimous vote of those present on the first reading and final plats approved by the planning commission. Prior to the consideration of the Consent Calendar, the Mayor will ask if any speakers slips have been presented. If so, the Mayor may remove the item from the Consent Calendar and require that a separate vote be taken on the item. In addition, any Council Member may remove an item from the consent calendar for individual discussion and require that a separate vote be taken on the item. Otherwise, all items on the Consent Calendar may be taken under consideration and voted upon as a single item. ([R2022-238](#))
9. Public Hearings. The following public hearing procedures have been adopted in an effort to expedite, accelerate and increase efficiency of meetings at which the public appears to speak on items of a quasi-judicial nature before the City Council, and to attempt to avoid unnecessary confusion, length and dissension at such meetings:
  - a. Public Hearings.
    - i. The Mayor declares the public hearing open and outlines the general
    - ii. procedures under which the item will be considered.
    - iii. Staff introduces the item, enters all exhibits into the hearing record, presents an analysis of the item, summarizes comments of referral agencies where applicable, and makes a recommendation for City Council action. The Applicant presents the content of the item, including relevant written materials that are submitted in accordance with the requirements of Paragraph A.8. The Applicant's presentation shall be limited to 15 minutes, which time may be apportioned among multiple speakers as the Applicant so chooses.
    - iv. Members of the public may speak, provided that they have submitted a speaker's slip to the City Clerk prior to the opening of the public hearing. Each speaker shall state their name and indicate whether support, oppose, or are neutral about the proposal. Presentations by members of the public shall be limited to three (3) minutes.
    - v. After hearing all testimony, Council Members may ask questions of those individuals who have testified at the public hearing, including Staff and the Applicant. Both Staff and the Applicant will be given a full opportunity to respond to all questions raised by Council Members and members of the public.
    - vi. After the question and answer period, the Mayor shall declare the public hearing closed.
    - vii. After the public hearing is closed, the City Council will discuss the merits of the item. Following the discussion, the Council shall take such action on the item before them as may be permitted by law.
  - b. Public Hearings for Appeals.
    - i. The Mayor declares the public hearing open and outlines the general procedures under which the item will be considered.
    - ii. Staff introduces the item, enters all exhibits into the hearing record, presents the history of the item on appeal, an analysis of the item, and makes a recommendation for City Council action.

- iii. The Applicant presents the content of the item, including relevant written materials that are submitted in accordance with the requirements of Paragraph A.8. The Applicant's presentation shall be limited to 15 minutes, which time may be apportioned among multiple speakers as the Applicant so chooses.
- iv. The Appellant presents their reasons for the appeal, including relevant written materials that are submitted in accordance with the requirements of Paragraph A.8. The Appellant's presentation shall be limited to 15 minutes, which time may be apportioned among multiple speakers as the Appellant so chooses.
- v. Members of the public may speak. Each speaker shall state their name for the record and indicate whether they support, oppose, or are neutral about the item on appeal. Presentations by members of the public shall be limited to three (3) minutes.
- vi. After hearing all testimony, Council Members may ask questions of those individuals who have testified at the public hearing, including Staff, the Applicant, and the Appellant. Staff, the Applicant, and the Appellant will be given a full opportunity to respond to all questions raised by Council Members and members of the public.
- vii. Both the Applicant and the Appellant shall be given the option to make closing remarks, which shall be limited to three (3) minutes each. Neither party is required to provide closing remarks.
- viii. After the question and answer period and any closing remarks, the Mayor shall declare the public hearing closed. At this time, at the request of City Council, Staff may review the criteria for reviewing the item on appeal.
- ix. After the public hearing is closed, the City Council will discuss the merits of the item on appeal. Following the discussion, the Council shall review the appeal based on the standards and criteria and the record of decision and shall act to uphold, modify, or overturn the decision as necessary to bring the decision into compliance with the standards and criteria. (R2023-126)

10. Nominations and Appointments to Boards and Commissions. Unless otherwise provided by Charter all boards and commissions shall be appointed by City Council. All members shall be subject to removal by Council at Council's pleasure and at any time without cause. Section 2-765 of the City Code has a summary list of all boards and commissions and has a reference to their enabling legislation so that appointment requirements, if any, other than the general rule are indexed and can be easily accessed.

Boards and commissions shall follow standard interview procedures established by the City Clerk unless a Charter or Code provision dictates otherwise. At a minimum each board or commission shall interview two applicants per vacancy so long as that number has applied. The minimum number of interviews may be waived if there are an insufficient number of qualified applicants at the time the vacancy is to be filled. City Council maintains full discretion to nominate and appoint whomever they desire, within the established parameters of the enabling legislation, to fill any vacancy.

Nominations and appointments by City Council at a Regular Session of City Council to boards and commissions shall be done according to the board/commission selection process for appointments and nominations found in Appendix F.



## **F. Ordinances, Resolutions, Amendments**

1. Ordinances. An ordinance is the formal legislative document which establishes the law of the City and remains in effect until otherwise rescinded or amended by the City Council. The City Clerk shall read the title of the ordinance for consideration by City Council. Related ordinances may be acted upon as one item after the titles are read in series by the City Clerk.
2. Resolution. A resolution may be used for a statement of policy or other matters which are not required to be adopted by ordinance. The topic of any resolution shall not include International Issues or Concerns. (R2024-29)
3. Amendment. Whenever possible, Council Members are encouraged to prepare and distribute any proposed amendments to ordinances and resolutions at least 24 hours in advance of the meeting at which such ordinance or resolution is being considered. Occasionally, an informal procedure may be followed whereby the proponent of a motion may accept, with the consent of the seconder, amendments to the motion without submitting the same to a vote.
4. Motions. Motions are the mechanism by which items are brought before City Council for its consideration or action thereon. A motion to defer or to table an item shall be debatable.
5. Proclamations. A Proclamation is a document signed by the Mayor, which proclaims a special event, or recognition of a person or group, usually for a specific time period. (See Appendix F for process) ([R2022-85](#))
6. Voting; Conflicts of Interest. Every Council Member present at a City Council meeting must vote on every item before City Council unless it would constitute a conflict of interest. A Council Member may abstain from a vote on the approval of the minutes if the Council Member was not present at the prior meeting. A Council Member who has a conflict of interest as otherwise defined in these rules, the City Charter, the City Code and the City's Standards for Conduct, in any matter proposed or pending before the City Council shall disclose the fact to the members of City Council and shall not vote thereon, and shall refrain from attempting to influence the decisions of the other Members of the governing body in voting on the matter. Even though a financial conflict of interest may not exist, a Council Member shall disclose if they sit on the board of directors or a hold a similar position before voting on a matter involving that entity. Council Members may consult with the City Attorney to obtain an advisory opinion prior to any such vote. If a Council Member chooses to vote and utilize the notification to the Secretary of State provision found in state law and City Resolution, the Council Member shall notify the Secretary of State pursuant to state law and notify the Mayor and other members of City Council prior to the commencement of the City Council meeting. ([R2022-85](#), [R2023-29](#))
  - a. Rule Statement. This City Council conflict of interest rule is designed to provide a procedure and identify potential conflicts of interests in decisions made by the City Council. Since it is not possible to write a rule that covers all potential conflicts, the members of City Council are expected to be alert for and avoid situations that might be construed as conflicts of interests. ([R2022-85](#))

- b. Conflicts of interest are specifically addressed in Section 1-44 of the Aurora Municipal Code and are defined therein. ([R2022-85](#))
  - c. Violations of the Conflict of Interest Rule. If the City Council has reasonable cause to believe an interested person has failed to disclose an actual or possible conflict of interest, the City Attorney shall inform the interested person, provide an opportunity for explanation and investigate further, if necessary. The City Council may take appropriate disciplinary and corrective action against any interested person in violation of the conflict of interest rule as outlined in the conduct guidelines in Appendix G. ([R2022-85](#))
7. Tie Votes. If any matter is defeated by reason of a tie vote, it shall be rescheduled for action at the next regularly-scheduled City Council meeting unless a motion to reschedule it to a different time is adopted. If the subsequent consideration again results in a tie vote, the item shall be considered defeated and the item shall only be considered again in conformance with the provisions of subsection B.3 of these Rules.
  8. Sixth Vote. If, due to the absence of one or more Council Members at any regular or special meeting of the City Council, the final passage of any ordinance supported by the majority of Council Members then present fails for lack of a sixth vote, such ordinance shall be rescheduled for action at the next regularly-scheduled City Council meeting.

**G. City-Supplied Equipment and Expenses for Official Business**

1. Equipment. The City shall provide the following equipment to members of the City Council - everything else is to be paid for from the stipend:
  - a. Complete computer set-up (including software, modem, monitor, and printer/fax; additional equipment or accessories may be provided as technology warrants)
  - b. iPad or equivalent
  - c. Name tags (as required) ([R2022-84](#))
  - d. Stationary products (including paper, envelopes, business cards, labels file folders etc.)
  - e. Information technology department support for equipment used for official city business
2. Expenses. The City shall provide a monthly stipend to members of the City Council for the following services:
  - a. Portable voice and data services for portable devices and for the home
  - b. High-speed internet
  - c. Other incidental elected official-related expenses

Council members shall receive a monthly automobile expenses allowance, the amount to be established by the Finance Director, which shall fund anticipated monthly vehicle related expenditures including insurance, fuel, parking and maintenance. ([R2022-84](#))

3. Community Meetings. In order to hold Ward or community meetings, City Council shall be provided up to \$400 per calendar year for Ward Council Members and \$200 per calendar year for At-Large Council Members for reimbursement of expenses associated with the holding of the meeting. The cornerstone of successful

representative government is the ability of an elected official to effectively communicate with their constituency. The City will provide for printing and mailing costs of constituency education. In order to conserve limited resources, the maximum mailing support service shall be one time per month with a maximum number of 2,400 pieces per year and with any item costing in excess of regular first class postage counting double. Annual printing support shall be limited to 3,600 pieces. Council Members shall be provided with a proof prior to any printing or mailing. The City will provide staff support and resources to Council Members wanting to distribute newsletters on a monthly basis. To ensure adherence to state laws and city ordinances, a legal review of content shall occur within three business days of city staff receiving the newsletter from a Council Member. Any publications/postage supported by any City funds shall not urge voters to support or vote in favor or against any ballot issue or candidate.

#### **H. Listing of Appendices**

1. Appendix A: City Council Policy Committees
2. Appendix B: Council Committee Meeting Minutes and Notes
3. Appendix C: Conference and Travel
4. Appendix D: Council Workshop Guidelines
5. Appendix E: Tables at Sponsored Events
6. Appendix F: Public Acknowledgements
7. Appendix G: Conduct Guidelines
8. Appendix H: Boards/Commission Selection Process Appointments and Nominations
9. Appendix I: City Council Anti-Harassment Policy

**APPENDIX A  
CITY COUNCIL POLICY COMMITTEES**

The following guidelines should be utilized in determining the subject matter assigned to each Council Policy Committee. In addition to the topics listed, all improvements, facilities or equipment to be financed should be brought forward to the committee assigned to the division or department. These are to be considered guidelines only. Issues and programs may be considered by or referred to Committees based on the overall best interest of the Council policy process by mutual agreement of the Committee Chairs and the City Manager.

**A. Federal, State and Intergovernmental Relations Committee (FSIR)**

The Federal, State and Intergovernmental Relations Committee shall recommend objectives and initiatives in the following areas:

1. Liaisons
  - a. Colorado Municipal League
  - b. National Organization to Insure a Sound-Controlled Environment (NOISE)
  - c. Denver Regional Council of Governments (DRCOG)
  - d. Adams County Council of Governments (ADCOG)
  - e. Arapahoe County Council of Governments
  - f. Metro Mayors Caucus
  - g. Colorado Department of Transportation (CDOT)
  - h. Cherry Creek Basin Water Quality Authority
  - i. National League of Cities
2. State Legislature
3. Ballot issue resolutions
4. Federal matters (grants, legislative lobbying strategies, etc.)
5. Collaboration with the Aurora Public School and Cherry Creek School Districts, Community College of Aurora (CCA) and other educational institutions on issues which improve efficiency as well as educational outcomes
6. Aurora Sister Cities International

**B. Parks, Foundations and Quality of Life Committee**

The Parks, Foundations, and Quality of Life Committee shall recommend objectives and initiatives in the following areas:

1. Partnerships with the non-profit community, task force and other jurisdictions concerning healthy community initiatives and housing needs
2. Spirit of Aurora
3. Parks, Recreation and Open Space
4. Golf Enterprise
5. New regional and community park plans

6. Major parks capital improvements
7. Annual reports from the following boards and commissions:
  - a. Golf Course Advisory Committee
  - b. Open Space Board
  - c. Parks & Recreation Board

**C. Housing, Community Services and Redevelopment Committee**

The Housing, Community and Redevelopment Committee shall recommend objectives and initiatives in the following areas:

1. Neighborhood stability and code enforcement
  - a. City housing and animal codes
  - b. Policies and procedures of code enforcement
2. Youth Service Programs ([R2022-85](#))
3. Incentives for redevelopment
4. Urban renewal projects
  - a. Redevelopment policies
  - b. Economic development and business/Chamber groups (urban renewal)
5. Community housing needs
  - a. Community development programs (including housing counseling and homelessness prevention programs)
  - b. Programs to address the foreclosure issue (including vacant property registration and the Neighborhood Stabilization Program)
6. Homelessness concerns ([R2022-85](#))
7. Programs to strengthen and enhance neighborhood organizations and address neighborhood and business community issues including:
  - a. Neighborhood liaison programs, including the Neighborhood Fence Replacement Program
  - b. Graffiti
  - c. Citizens' Code Enforcement Academy
  - d. Learn about Aurora, Neighbor to Neighbor roundtables, and the Neighborhood Referral Program
8. Annual reports from the following boards and commissions:
  - a. Aurora Housing Authority
  - b. Building Code, Contractors Appeals & Standards Board
  - c. Citizens Advisory Committee for Housing & Community Development

**D. Management and Finance Committee**

The Management and Finance Committee shall recommend objectives and initiatives in the following areas:

1. Financial Matters including:
  - a. Budget

- b. Long-term financial planning/strategies
  - c. Debt policy and management
  - d. Investment policy and management
  - e. Serve as Council's Audit Committee, including review of audits
  - f. Internal controls
  - g. Pensions
  - h. Purchasing and contracting
2. Human Resources matters including:
    - a. Personnel rules and regulations
    - b. Risk management
  3. Information Technology and general automation matters including:
    - a. E-government policy/strategy and associated services to citizens (where not operationally specific)
    - b. Automation improvements for efficiency and effectiveness
  4. City Clerk operations, including:
    - a. Election processes
    - b. Redistricting
    - c. Council Rules and Procedures
    - d. Document storage and retention policies
  5. Marijuana Funding ([R2022-85](#))
  6. Annual reports from the following boards and commissions:
    - a. Career Service Commission
    - b. Citizens' Advisory Budget Committee
    - c. Election Commission
    - d. General Employees Retirement Board

**E. Transportation Airports and Public Works Committee**

The Transportation, Airports and Public Works Committee shall recommend objectives and initiatives in the following areas:

1. Transportation
  - a. Regional Transportation District (RTD) FasTracks – I-225 light rail transit (LRT) and east corridor commuter rail
  - b. CDOT – I-225 widening, I-225/Colfax/17th Place interchange, I-70
  - c. E-470 Public Highway Authority
  - d. CDOT
  - e. Denver regional council of governments (DRCOG)
  - f. Aerotropolis Regional Transit Authority
2. Airports
  - a. Denver International Airport (DIA)
  - b. Centennial Airport
  - c. Colorado Air and Space Port
  - d. Federal Aviation Authority (FAA) airport noise
3. Public Works
  - a. Street overlays

- b. Annual snow removal plan
- c. Major capital improvements
- d. Street conditions/maintenance

**F. Planning and Economic Development Committee**

The Planning and Economic Development Committee shall recommend objectives and initiatives in the following areas:

1. City/development task force
2. Comprehensive plan
3. Annexations
4. Land use
5. Growth and development policies
6. Working with economic development and business/Chamber groups (primary)
7. Incentives for economic development
8. Creating a climate for positive business development
9. Job creation and retention
10. Agreements with Xcel, Comcast, Qwest (excluding franchises)
11. Development regulations
12. Environment, energy and sustainability
13. Retail and small business development
14. Oil and gas regulations
15. Environmental sustainability
16. City building codes
17. City zoning (Includes noise, after-hours uses and sign regulations)
18. Annual reports from the following boards and commissions:
  - a. Board of Adjustment & Appeals
  - b. Business Advisory Board
  - c. Oil and Gas Advisory Committee
  - d. Planning & Zoning Commission

**G. Public Relations/Communications, Tourism, Libraries, Boards and Commissions and Citizen Groups Committee**

The Public Relations/Communications, Tourism, Libraries, Boards and Commissions and Citizen Groups Committee shall recommend objectives and initiatives in the following areas:

1. External community relations
2. Communications
3. Libraries and cultural services
4. Special and/or cultural events and venues
5. Visit Aurora
6. Citizen groups
7. Annual reports from the following boards and commissions:
  - a. Art in Public Places Commission
  - b. Aurora Commission for Seniors
  - c. Aurora Fox Arts Center Board
  - d. Aurora Youth Commission
  - e. Cultural Affairs Commission
  - f. Historic Preservation Commission
  - g. Human Relations Commission
  - h. Immigrant and Refugee Commission
  - i. Library Board
  - j. Veterans Affairs Commission
8. Buckley Air Force Base

**H. Public Safety, Courts and Civil Service Committee**

The Public Safety, Courts and Civil Service Committee shall recommend objectives and initiatives in the following areas:

1. Traffic ordinances
2. Courts
3. Police
4. Fire
5. Jail
6. Restorative Justice/Diversion/Teen Court ([R2022-85](#))
7. Homeland security
8. Department of Justice (DOJ) investigation ([R2022-85](#))



9. Office of Emergency Management
10. Public Safety Communications
11. Surcharges and NEXUS funding
12. Annual reports from the following boards and commissions:
  - a. Civil Service Commission
  - b. Independent Review Board
  - c. Judicial Performance Commission
  - d. Public Defender Commission

**I. Water Committee**

The Water Committee shall recommend objectives and initiatives in the following areas:

1. Water demand/supply determinations
  - a. Protection of existing water rights portfolio
  - b. Development of integrated resource plan
  - c. Monthly supply tracking
2. Water/Wastewater compliance requirements
  - a. Compliance with Clean Water Act and Safe Drinking Water Act
  - b. Compliance with Endangered Species Act, National Environmental Policy Act (NEPA), Wild and Scenic Act, etc.
  - c. Compliance with state, county and local permitting requirements
3. Water conservation programs
4. Capital project construction/operation
  - a. Storage
  - b. Pumping and conveyance
  - c. Treatment
5. Development of rates and fees
6. Storm Water
  - a. Compliance with state and federal permits
  - b. Storm water rates and charges
7. Annual reports from the following boards and commissions:
  - a. Citizens Water Advisory Committee
  - b. Metropolitan Wastewater Reclamation District Board (City’s representatives)

If there is a question about the appropriate Committee for a given item, the following chart provides general guidance. In the event of a conflict, the Mayor Pro-Tem shall consult with the relevant Committee Chairs to make the final determination on Committee jurisdiction.

<b>DEPARTMENT/PROGRAM</b>	<b>COMMITTEE</b>
Aid to Agencies With a Nexus to Law Enforcement	Public Safety, Courts and Civil Service
Aurora Water	Water

Boards and Commissions	Public Relations/Communications, Tourism, Libraries, Boards and Commissions and Citizen Groups
City Attorney	Management and Finance
City Council	Management and Finance
Civil Service Commission	Public Safety, Courts and Civil Service
Communications	Public Relations/Communications, Tourism, Libraries, Boards and Commissions and Citizen Groups
Court Administration	Public Safety, Courts and Civil Service
Finance	Management and Finance
Fire	Public Safety, Courts and Civil Service
Fleet and Purchasing	Management and Finance
Facilities Management	Transportation, Airports and Public Works
General Management	Management and Finance
Human Resources	Management and Finance
Information Technology	Management and Finance
Judicial	Public Safety, Courts and Civil Service
Library and Cultural Services	Public Relations/Communications, Tourism, Libraries, Boards and Commissions and Citizen Groups
Neighborhood Services	Housing, Neighborhood Services and Redevelopment
Parks, Recreation and Open Space	Parks, Foundations and Quality Of Life
Planning and Development Services	Planning and Economic Development
Police	Public Safety, Courts and Civil Service
Public Defender	Public Safety, Courts and Civil Service
Public Safety Communications Center	Public Safety, Courts and Civil Service

## **APPENDIX B COUNCIL COMMITTEE MEETING MINUTES AND NOTES**

### **A. Format of Minutes**

- a. Times New Roman 12-point type is the standard font.
- b. Topics should be all caps and bold with a divider line above each topic.
- c. Attendance of committee members should be shown at the beginning with a "members present" line.
- d. Attendance of key staff and visitors should be shown in a separate line "others present." This line includes any non-member council members (first in this list).
- e. Time stamps ([R2022-85](#))

### **B. Structure and Content of Minutes Regarding Individual Topics**

1. Headings. Each discussion topic header should be capitalized and preceded by a double line or other marker to indicate the change of subject. The approval of minutes from the previous meeting should not be identified as a topic. Each discussion topic is summarized into one of three sub-headings:
  - a. Summary of Issue and Discussion,
  - b. Outcome, and
  - c. Follow-up Action.

The minutes should be page-numbered and have a header line that identifies the name of the committee, the date of the meeting and whether the minutes are "Draft – Subject to Approval" or "Final."

2. Summary of Issue and Discussion. The main subject and key elements of the discussion are to be identified in this section. However, the section should be kept as short as possible; brevity will help the reader to identify the issues and key elements more quickly. The focus is on a summary of the material presented in writing or verbally and the issues raised by questioning. Presenters may be quoted when there are key points. Individual Council Members are not normally quoted unless policy issues are being discussed (see additional discussion on this topic later in this section). The key presentation items can often be paraphrased from hard copy documentation backup that is provided since that is typically what the presenter goes over. Ancillary questions and answers that are not closely related to the topic or issue being discussed should not be included in the minutes. In general, questions and responses should be rephrased when appropriate for both brevity and clarity. The minutes should include only those discussions that a reader would find directly relevant to the issues and questions that Council is being asked to resolve. An exception is when a new item is raised during the discussion where Council Members wish to suggest a direction to staff or provide information to the full Council. Such discussion needs to be reported in the minutes. The basis for the Committee's recommendations should be apparent from this section; however, no explanation is needed for non-controversial items where the Committee had no significant comments. This section is usually one to four relatively short paragraphs.

When a topic is controversial, this section may be expanded and individual Council Members' questions and positions may be identified. This allows the reader (including other Council Members and staff) to see what positions or issues individual Council Members have. Expanding this section of the minutes is a subjective decision and will typically be made by the staff person assigned to the Committee.

3. **Outcome.** This should only be a sentence or two long. It briefly reports the Committee's decisions or recommendations. Typical wording is: "The Committee recommended the changes to [the subject matter] and forwarded the matter [or ordinance or resolution] to Study Session for consideration." Any other recommendation, direction or comment that the Committee wishes to forward to Council should also be included here. However, the rationale for the Committee's recommendation should always be reported in the Summary of Issue and Discussion.
  4. **Follow-Up Action.** This is usually a one-sentence description of the follow-up that staff should take and the expected timeframe for that action. Often, the typical wording would be: "Staff will submit the ordinance [or resolution] to Study Session by [estimated timeframe]."
- C. Timing.** Draft minutes should be prepared as soon as practical after the Committee meeting has been held. If an item discussed at Committee needs to be forwarded to Council in the near future, the item should be prepared separately and reviewed so that the minutes can be attached to the appropriate Council packet.
  - D. Review of Preliminary Draft.** Prior to release of the draft minutes, the preliminary draft of each discussion topic should be reviewed by the Committee Chair for accuracy.
  - E. Attachment to Council Commentary.** When minutes of a Committee meeting are required to be attached to a Council Commentary, the minutes custodian should attempt to provide only that section of minutes appropriate to the Council Commentary subject by temporarily inserting page breaks before and after the appropriate topic and denoting the section of the minutes pertaining to that category. The Committee, the date of the Committee meeting, and whether final or subject to approval minutes should all be part of the minutes header so when the temporary page breaks are inserted, the date and status of the minutes is still printed and identified without additional effort.
  - F. Circulation of Committee Minutes.** The draft minutes should be circulated to the Committee members, Deputy City Manager and staff of the Committee. The draft minute document should have a header line that says: "Draft – Subject to Approval." The draft minutes (which have previously been reviewed by the primary presenters) may be released for purposes of providing required attachment of minutes to appropriate Council Commentaries. Within two weeks of the policy committee meetings, draft minutes should also be distributed/transmitted to all Council Members in the City Manager's weekly memorandum to Council Members prior to their final approval by the Committee. After final approval at the next Committee meeting, the header on the draft-minute document should be changed to "Final." Final minutes should be included in the Council packets, when practicable, as the item moves forward to the City Council and maintained as part of the record for the meeting.
  - G. Follow-up Re: Assignments.** The staff to the committee is responsible for distributing an assignments "follow-up" memo to ensure that the follow-up is timely handled.
  - H. Recording.** A CD, digital recording, or tape of the proceeding should be made. The primary purpose of the recording is to assist the recording secretary preparing the written minutes.

- I. **Retention.** Copies of the final minutes, Committee packets and recordings of the Committee meetings should be sent to the City Clerk's office for retention in accordance with the City's retention schedule.

## **APPENDIX C CONFERENCE AND TRAVEL**

### **A. Conferences**

1. Attendance. City Council encourages the attendance of Council Members and the Mayor at conferences which will serve to enhance directly their knowledge and ability to carry out their responsibilities in governing the City.
2. Expenses Eligible for Reimbursement. Council Members and the Mayor may use their city credit card or be reimbursed for the following expenses incurred in attending conferences:
  - a. Travel. Actual economy class air to destinations outside the State of Colorado, including baggage fees for one standard item and travel insurance, and land travel costs, including taxis, buses and associated tips. Upgrades within economy class are allowed; upgrades from economy class air travel to a higher-level outside of economy for medical conditions or unusual circumstances may be considered and approved by City Council prior to travel.
  - b. Registration. Actual conference fees excluding optional entertainment events.
  - c. Lodging. Actual lodging costs, including taxes and associated mandatory assessments, may include lodging costs for the night before and the night of the last day of the conference, and any additional period of time necessary to ensure lower travel costs, provided that such costs are less than the travel costs. Weather or other emergency may extend the period of time eligible for reimbursement.
  - d. Meals and Incidentals. Council Members and the Mayor will receive a per diem to cover the costs of meals and incidentals in accordance to the reasonable cost for meals and incidentals as determined by the General Services Administration ("GSA").

The per diem allowance will be used to cover the cost of meals and incidentals on overnight travel. Receipts are not required to support per diem expenditures. Incidentals include meal-related and miscellaneous tips (e.g. baggage handlers, bell hops and housekeeping). The maximum per diem rates for reimbursement of expenses incurred during official travel are established by the United States General Services Administration (GSA) and are based on the fiscal year of October 1 through September 30.

The per diem is reduced under the following circumstances:

- When meals have been purchased by the City as part of the registration fee; or
- When meals have been purchased in relation to the conduct of City business, subject to the submission of a Travel Expense Report including persons in attendance, business purpose and receipts detailing all items purchased.

The reduction should be computed on the Travel Authorization/Expense Report and will equal the per diem rate for the applicable location multiplied by the percentage indicated below. The meal percent reduction is as follows:

MEAL	PERCENT REDUCTION
Breakfast	22%
Lunch	25%
Dinner	53%

Per diem allowances are reduced to 75% of the daily rate on the actual travel dates.

Expenses for meals of non-city employees related to City business are reimbursed at actual cost provided that the reimbursement of such expenses is disclosed to the City Council. ([R2022-84](#))

- e. Miscellaneous. Other travel-related expenses may be reimbursed if requested. Receipts are required for expenses equal to or greater than \$25.00 each. Reimbursable travel-related expenses include:
    - i. Rental car costs (including insurance and fuel) upon arrival at a conference site outside the State of Colorado; ([R2022-84](#))
    - ii. Parking fees;
    - iii. Any other expenses necessary for the conduct of City business; and
    - iv. Use of a personal automobile for (i) out-of-state meeting/conference travel or (ii) in-state travel to the Colorado Municipal League (CML) annual conference. Such use of a personal vehicle may be reimbursed at the actual cost of the use of the personal automobile or at the standard mileage reimbursement rate. For out-of-state meeting/conference travel, mileage shall be calculated from the Colorado state border to the destination. For travel to the CML annual conference, mileage shall be calculated from the border of the nine-county membership area of DRCOG (i.e., the counties of Adams, Arapahoe, Boulder, Clear Creek, Douglas, Gilpin, and Jefferson, and the cities and counties of Broomfield and Denver) to the destination.
3. Expenses Not Eligible for Reimbursement. Council Members and the Mayor may not be reimbursed for:
    - a. Any expenses incurred in the use of a personal automobile for in-state meeting/conference travel. ([R2022-84](#))
    - b. Alcoholic beverages, including those purchased as part of a meal.
  4. Credits. In the event that the conference or other travel plans are canceled and result in a credit being issued the credit for future services, Council Members should notify Council Administrative staff of the credit holder (airline or hotel), amount and expiration date. Council Members should utilize any travel credits from city trips for future city related business. If the Council Member wishes to, they may reimburse the city for the cost and use the credit for their personal travel. If the Council Member's term ends any unused travel credit should be reimbursed or allowed to expire. ([R2022-84](#))

5. Attendance of Guests. City funds shall not be used to pay any expenses incurred by a spouse or guest of a Council Member or the Mayor in attending any conference except where the conference is deemed to be a special occasion for the Council Member or the Mayor, and the reimbursement of such expenses is approved in advance by the City Council.
6. Travel Authorization/Expense Reports. Council Members and the Mayor, with the assistance of the Mayor/City Council staff, should complete Travel Authorization/Expense Reports no later than thirty (30) days after returning from the conference. Such reports should include all required receipts as provided in this Appendix C. ([R2022-84](#))
7. Reimbursement of the City. If the completed Travel Authorization/Expense Report indicates an amount due, Council Members and the Mayor should reimburse the City within thirty (30) days. Additionally, Council Members using their personal cards may be required to reimburse the city for any advances if their travel plans are canceled and refunds are issued. ([R2022-84](#))
8. Use of City Purchasing Card. The City purchasing card may only be used to pay for travel/meeting/conference expenses. All such expenses shall be shown as having been prepaid by the City on the Travel Authorization/Expense Report. Copies of all related receipts shall be attached to the Travel Authorization/Expense Report.
9. Travel Advances. Advances may be requested for expenses for travel, conference registration, lodging and the amount of the per diem to be spent during the trip, or Council Members and the Mayor may use personal funds and request reimbursement. Any request for an advance shall include all required receipts and other documentation. Requests for a travel advance submitted with all required receipts and other documentation before the close of business on a Wednesday can be expected to be processed within ten (10) business days.
10. Budgeting. Each year, as part of the budget development process, the City Manager shall allocate \$7,000 to each Council Member and \$11,000 to the Mayor annually, or such other amount as may be determined by the City Council as the budget allows, for attendance at meetings/conferences. Such meetings/conferences must be relevant to issues facing local government. In addition, Council Members that serve on the National League of Cities Policy Steering Committee shall receive an additional allowance to cover expenses for attendance at one Policy Steering Committee meeting per year. It is not permissible to utilize travel and training moneys for attendance at fund raising events sponsored by other organizations.

Any costs for attendance at meetings/conferences that exceed the dollar limits listed in this paragraph (I) shall be the responsibility of each Council Member and the Mayor with reimbursement of city-paid cost to be made by January 31 following the year of City payment unless otherwise approved by the City Council.

Individual reporting of year-to-date travel expenditures shall be provided on no less than a quarterly basis to each Council Member and the Mayor by the Mayor/Council staff.

11. Use of Unspent Funds. In the event that Council Members or the Mayor do not use their annual allocation, the total unused amount can either be carried over to the next



year, only for use by the Council Member or the Mayor who individually carried forward the unused allocation, or returned to the General Fund, subject to appropriation in the ensuing fiscal year. It is impermissible for a Council Member to transfer, loan or otherwise provide funds as between one Council Member's account and another Council Member's account. At the time a Council Member is no longer holding their office, any remaining funds shall escheat to the City General Fund. Council Administrative staff shall maintain records of the unspent funds discussed in this section. ([R2022-84](#))

12. Reporting. Within thirty (30) days following attendance at a meeting/conference, Council Members and the Mayor are encouraged to present an oral report on the meeting/conference at Council Study Session or Council Committee meeting, whichever is appropriate. For any meeting/conference with multiple attendees, a single Council Member or the Mayor may present such report on behalf of the other attendees.

Council Members and the Mayor shall report appointment to any intergovernmental groups within thirty (30) days at Council Study Session and may seek approval by the City Council to serve as the City's official representative. Such approval shall be recorded in the list of Council Intergovernmental Appointments. The list of Council Intergovernmental Appointments shall be updated as changes occur and shall be reviewed annually by the City Council. ([R2022-84](#))

13. Local Business Expenses: Council and the Mayor may receive a per diem to pay for reasonable cost of meal an incidental prior to attending local business expenses to be deducted from their annual allotment. Local business expenses refer to meetings within the Denver Metro Area to discuss matters of local concern with individuals or persons who have an interest in Aurora local matters. For local business expenses the per diem allocated to the Mayor and Council Members shall be approved in accordance to the reasonable cost for meals and incidentals as determined by the General Services Administration ("GSA") for the Denver/Aurora primary destination. ([R2022-84](#))
14. Review: This policy will be automatically reviewed every two years by the Management and Finance Policy Committee with a recommendation to the full City Council in Study Session. ([R2022-84](#))

**APPENDIX D  
COUNCIL WORKSHOP GUIDELINES**

1. Frequency. In general, Council workshops shall be held three times each year, typically in February, May, and September.
2. Location. Unless modified by Council, two of the workshops shall be held within the City limits of Aurora. With respect to the out-of-town workshop, Council shall endeavor to coordinate the timing and location so as to facilitate interaction with individuals and agencies who are knowledgeable with current issue(s) of importance to the City.
3. Format. Prior to the holding of the workshop(s), Council shall at a study session consider and set the format/protocol of the workshop(s).
4. Open Meetings. In keeping with the City Council's policy of conducting its meetings in an open forum, the time and place of Council workshops shall be made public with notification given, and the press shall be invited to attend all sessions, except those executive sessions which are exempt under state law.

**APPENDIX E  
Tables at sponsored events**

As part of the annual budget development process, the City Council shall allocate sufficient funds as designated items to cover only Council Members' expenses in attending civic organization events. The City shall only purchase a City Council table at a civic organization event where there is a 60% commitment from Council Members to attend the event. If there is no such 60% commitment, a Council Member may utilize funds from his or her monthly stipend or travel and training budget to cover the expenses of attending a civic organization event. Otherwise, where the primary purpose of the civic organization event is fundraising, Council's contingency funds shall not be used to cover Council Members' expenses to attend such an event. If the City has paid expenses to attend a civic organization event and seats are still available five business days prior to such event, the seats shall be available to Council Member guests or City staff on a first-come first-served basis. Otherwise, guests are welcome to attend all such events at their own expense. Any reasonable dues or donations that are required or expected for the Council Member's official representation as a member of another entity or quasi-governmental agency shall be covered or reimbursed by the City as a general expense.

## **APPENDIX F PUBLIC ACKNOWLEDGEMENTS**

### **A. Proclamations.**

1. Purpose. A Proclamation is a document signed by the Mayor, which proclaims a special event, or recognition of a person or group, usually for a specific time period. Requests are generally received from clubs, organizations, non-profit groups and individuals (internally, locally, statewide and nationwide).
2. Process. Requests are received in the mail, in person and over the phone. Such requests must be accompanied by a Request for Proclamation form. Requests are to be submitted to the Mayor Pro-Tem. The Mayor Pro-Tem will notify, and take comment from, the Council on pending Proclamation requests. The Mayor Pro-Tem will coordinate such requests with the Mayor who will have final approval over Requests for Proclamations. The Mayor Pro-Tem will then report back to Council on the actions taken on proclamation requests. Requests for Proclamations should be acted upon within four weeks from the date of such request.
3. Pick-up/Mail the Proclamation. After approval and completion of the Proclamation document by the Mayor's office, the organization will be contacted by the Council's Management Analyst to arrange for either pick up or mailing to a representative.
4. Presentation prior to a Council Meeting (Pre-record). The Mayor's office will give the original Proclamation (along with the completed Request for Proclamation form) to the Assistant City Manager. The Assistant City Manager will contact the group and inform them of the date and time of the pre-record for presentation of their proclamation, and will also get the name(s) of the person(s) who will be present to receive the proclamation.
5. Presentation during Council Meeting. The Assistant City Manager will contact the requesting group and confirm a Council meeting date for the presentation. The completed Proclamation document will be given to the Assistant City Manager for the presentation at the Council meeting.

**B. Ballot Issue Resolutions.** A ballot issue resolution either supports or opposes a ballot issue having a direct impact on the City of Aurora or an associated organization. A ballot issue resolution shall first be presented at a study session for a determination whether the resolution has the majority support of Council, which shall be a requirement to the passage of any such resolution. ([R2023-82](#))

**C. Letters from the City Council.** Letters on behalf of the City Council shall be presented at a study session, and approved by a majority of the entire Council (six members) prior to the distribution of the letter. The Mayor on behalf of the Council shall sign such letter unless otherwise directed by a majority vote.

**D. Amazing Aurorans.** The Amazing Auroran award is presented to citizens for their personal effort in helping make our community a better place to work and live. Each Council Member may present two awards per quarter. The quarters are established as January-March, April-June, July-September and October-December. Award preparation and distribution will be coordinated with the Council support staff.

## **APPENDIX G CONDUCT GUIDELINES**

The following items relate to City Council activity and in some cases, City Council – City staff interactions. These guidelines possess the authority of law in the sense that they derive directly from either State statutes or City Charter and Code provisions and City Resolutions; therefore, they are important principles. These guidelines are aspirational in nature; however, the censure of a member of Council by the City Council, acting as a body politic, could occur where a transgression was found to be intentional or reckless. Any potential discipline by the Council can be either mitigated or eliminated by consultation with the City Attorney’s Office in cases where the conduct comports with the advice provided by the City Attorney’s Office.

- A. Treatment of City Staff and the General Public.** When interacting with City employees or members of the general public, individual Council Members shall conduct themselves in a professional manner at all times.
- B. Decorum.** Council members shall limit their discussion or debate to the issue or issues before the Council. Attacks of a personal nature by a Council Member are not permitted. ([R2022-63](#))
- C. Treatment of City E-mails.** The efficient governance of the City is predicated upon the unfettered ability to communicate among and between City Council and City staff. Much of this communication occurs via the utilization of e-mail. The sharing of City-related e-mail(s) with anyone other than City officers and employees should be carefully considered. For example, a staff-generated e-mail may represent work in progress and/or not a final determination of City management's official position. Any doubt regarding the public dissemination and propriety and sensitivity of a particular e-mail should be discussed with the City Manager's Office prior to disclosure. This provision shall not apply to requests for information from City staff that are contained within the "Council Request" format. Any correspondence, including e-mails, between the City Council and the City Attorney’s Office may not be shared without preauthorization by the City Attorney.
- D. Use of City-Supplied Computers/Laptops at a Place of Residence or Business.** City-supplied computers, laptops, and iPads together with a printer and file cabinet are provided from public funds. Technical support is also provided by City staff. City Council acknowledges that these computers, laptops and iPads, and the data contained therein, may not be assumed to be confidential. Extreme care should be taken in the subject matter of data, either from an output or input perspective from these computers, laptops or iPads. There exists a potential for significant embarrassment to both the individual Council Member and the City Government as a whole, should misuse of these devices occur. Whenever an elected official leaves office, he or she may ask for an evaluation of the market price for any City-supplied equipment for the purpose of purchasing such equipment.
- E. Council Letterhead.** Council Members should never use their individualized letterhead for a purpose where it could be perceived that preferential treatment is being solicited as a result of having the status of an elected official. The use of City letterhead can be misinterpreted by others as constituting an explicit or implicit endorsement by the City of Aurora. The use of City letterhead is an area where input by the City Attorney’s Office may be especially valuable.

As opposed to the use of letterhead denominating individual Council Members, a generic letterhead denominating with the Mayor and City Council is also available. The use of this type of letterhead must not occur unless the Mayor has been notified of its intended use. If the Mayor disapproves of the use of this letterhead, a study session discussion must occur to determine whether its use is appropriate.

When a Council Member writes on City stationary, the communication needs to clearly state that the letter is being sent representing only that specific Council Member and does not represent the Council's opinion.

- F. Utilization of City Staff.** The City Charter clearly and unequivocally directs that no "orders" shall ever be given by a member of the City Council to any City employee other than through the Office of the City Manager. Council requests shall be limited to requests that comport with budgeted activities and projects. While it is common for individual Council Members to interact with City employees, there is the potential for such interaction to be characterized as an "impermissible order" regardless of the motivation or intent of the Council Member. Interaction with a rank and file City employee gives rise to a greater possibility that an order was transmitted to the employee by the Council Member, therefore violating the Charter provision.

In order to ameliorate any claims of improper activity, individual Council Members must use the established Council Request System administered by the staff of the Office of Mayor and City Council and the City Manager's Office. The City Manager or his/her designees shall be responsible for reviewing all Council requests in order to identify those requests which could constitute an impermissible order or direction of City staff or questionable expenditure of city funds. Examples of appropriate Council requests processed through the City Manager's Office would be: a request to investigate a Code infraction; a request to repair a pothole; a request to weed a park, etc. Requests which would not be appropriate Council requests would be: a request that a specific employee handle a call or situation; a request that a person or organization be allowed to violate City laws or policies; a request for a department to handle a complaint or situation in a non-standard way or within an accelerated time; etc. Council will not ask staff to intervene in or work on any issues where the Aurora City Government is not a direct participant.

Final determination of utilization of City staff on both specific Council requests and day-to-day processes shall be the decision of the City Manager or the applicable Council Appointee. City staff shall be given up to three (3) business days within which to respond to specific Council requests. In those instances where a Council Member wishes to meet directly with one or more City employees below the level of department director, such requests shall be coordinated through the City Manager's Office. In those instances where a Council Member wishes to meet or otherwise correspond directly with a Department Director, the City Manager and appropriate Deputy City Manager shall be notified of such meeting or copied on such correspondence. Contact with the administrative support in the Mayor and City Council Office shall not be subject to the protocol requirements of this section.

- G. Public Communication.** Council Members retain all their rights to freedom of speech granted them under the Federal Constitution and the Bill of Rights. Nevertheless, when a Council Member speaks to a member of the public, the Council Member should be careful to emphasize the fact that the Council Member is expressing his or her own views, unless the City Council has formally, as a body, adopted a position on the issue being discussed.

- H. Council Committee Chair – Committee Agendas.** In order to ensure that Council committee meetings are run efficiently and effectively, the Chair of the committee must be given the authority to strictly control the agenda for a particular meeting. This has two advantages: (i) City staff will be prepared to make effective presentations; and, (ii) the other Council Members on the committee will be informed in advance of the subject matter for the meeting. This will allow Council Members an opportunity to raise important questions or make suggestions during the committee meeting. Under no circumstances shall an item be removed or added by a non-chair committee member or City staff without the express approval of the Chair. If a request is made with more than two weeks' notice before the committee meeting date, then the Chair may allow the item on the agenda. If a request to add an agenda item is made with less than two weeks' notice, at the Chair's discretion the item may be delayed until the next month's meeting.

Policy Committees will not represent that they have taken a position on behalf of the City; that authority rests only with the Council as a whole, acting in public Study Session or the formal Council agenda. Policy Committees will not communicate, or authorize communication, on behalf of the City. The Chair of the committee and only the Chair of the committee shall determine the ability of a non-committee member, including staff or members of the public in attendance, to make a comment or respond to questions. When written materials are submitted by a member of the public, they shall be forwarded with the minutes as back-up for consideration by the Council as a whole.

- I. Quasi-Judicial Matters.** When speaking with individuals or groups on topics which may come before the City Council for a decision, Council Members may not make commitments on how they will vote. When doubt exists as to the permissible pre-Council meeting comments, the City Attorney should be consulted for advice. Recommendations from the City Attorney's Office can also be found in the following Quasi-Judicial Decisions and Ex Parte Communications memo link: <https://www.auroragov.org/common/pages/DisplayFile.aspx?itemId=18468181>

- J. Censure for Violation of City Charter, City Code or Rules of City Council.** Censure is a disciplinary procedure that may be imposed upon a member of the City Council for violating the City Charter, City Code, or Rules of the City Council, in accordance with the following process:

1. Any Member of City Council may place and present a censure resolution on a Council Meeting Agenda pursuant to that Council Member's authority found in Rule B (2). ([R2022-87](#))
2. The City Attorney will assist in the drafting the censure resolution in consultation with the Council Member presenting the resolution. ([R2022-87](#))
3. A censure resolution shall address the conduct of one Member only. If the conduct of more than one Member is in question, a separate censure resolution shall be presented to address the allegation for each subject Member. ([R2022-87](#))
4. The Council Member placing the Resolution shall provide notice to the entire Council, by email or other means, at least ten (10) days prior to the Council meeting when the resolution is to be presented. Such notice shall include the specific City Charter, City

Code, or Rule provision alleged to have been violated, and details giving rise to the alleged violation. ([R2022-87](#))

5. The City Attorney shall answer questions of law and process for the presenting Council Member, the subject Council Member and the Council body, but shall not advocate in support or in opposition to the Censure. ([R2022-87](#))
6. The process used by the Council to consider and debate the censure resolution shall follow the same process and debate and amendment procedure as any other resolution presented by a Council Member, except that an affirmative vote of two-thirds (2/3) of the those Council Members eligible to vote on the censure resolution shall be required to pass the resolution. When there are no Council vacancies, the 2/3rd vote requirement is satisfied with six affirmative votes of the nine eligible Members. This is due to City Charter Art. 3-1 limiting the Mayor's ability to vote only to make or break a tie as well as Art. 5-2 prohibiting the Council Member subject of the resolution from voting, as the resolution is involving the consideration of that Member's own conduct. ([R2022-87](#))

**K. Avoidance of an Appearance of Preferential Treatment or Benefits.** Council Members shall not solicit or accept discounted or free goods and/or services for which citizens must pay an established fee, except:

- a. A member of City Council may sponsor, free of charge, the utilization of a meeting space at a City facility during normal operating hours and days when City facilities are open to the public by contacting the City Manager. The use/rental of City facilities, during the times and days referenced above, is available to recognized groups and registered HOAs free of charge.
- b. Goods and/or services generally offered to the general public (and not just elected officials) as part of a marketing technique, e.g., entertainment passes or discounts offered through businesses or others, that are not provided to receive favorable or preferential treatment by Council Members or the provider of the goods and/or services. The value of the goods and services provided should generally be less than \$100.00 per occurrence and not exceed \$300.00 per year from the same person and/or organization. ([R2022-88](#))
- c. Acceptance of items such as food or beverages is permitted, if there is no expectation of favorable or preferential treatment by the Council Member or the provider of the items. The value of these items provided should generally be less than \$100.00 per occurrence and not exceed \$300.00 per year from the same person and/or organization. ([R2022-88](#))
- d. Complimentary gifts provided to other organizations besides the City Council or other elected officers are not prohibited. Examples include calendars, appointment books, pens, t-shirts, books, flowers, etc., but not including cash or gift cards. ([R2022-88](#))

Included in examples of these prohibitions are requests for data from City officials relating to election or reelection activity. Nothing in this section is intended or should be construed to conflict with Sec. 1-43 of the Aurora City Code ("Gifts to elected officials.").

**L. Mass E-mail to All City Employees.** During the holiday season, the Mayor and City Council may send a joint mass e-mail to City employees expressing holiday greetings.

On other special occasions where it is suitable to provide a mass e-mail to City employees, the City Council may authorize the sending of such mass e-mail. No mass e-mails to City employees may be sent by an individual Council Member.

- M. Reporting by Elected Candidates - Gifts, Honoraria, and Other Benefits.** In compliance with C.R.S. Section 24-6-203, Council Members shall file quarterly reports with the City Clerk. If no reportable activity has taken place in the reporting quarter (January 15th, April 15th, July 15th, and October 15th), the Council Member shall, nevertheless, file a report with the notation "no reportable activity." The City Clerk shall be responsible, during the reasonable time before the end of each reporting quarter, for affirmatively contacting the Council Members to solicit the filing of the report.



**APPENDIX H  
BOARD/COMMISSION SELECTION PROCESS  
APPOINTMENTS AND NOMINATIONS**

**A. Appointments:**

1. When the number of applicants is equal to the number of available openings, the motion shall be for appointment:

“I move to appoint (individual(s)) to (name of board).”

2. The motion must be seconded.
3. At this point, the vote is for appointment and having achieved six votes, no further action need be taken.
4. A motion for appointment may include the names of all persons under consideration for appointment.

**B. Nominations:**

1. When the number of applicants is greater than the number of available openings, the first step shall be to nominate a person. Nominations do not require a second:

“I move to nominate (individual) to (name of board).”

2. Multiple nominations can be made by motion.
3. When all the applicants have been nominated, there shall be a motion to close the nominations with a second.
4. Upon an affirmative vote to close the nominations, the Mayor shall call for a vote on the nominations.
5. Voting shall occur as follows:

- a. Each person’s nomination shall be voted on separately, in the order nominated.
- b. Each Council Member gets one vote.
- c. Nominees receiving six votes shall be considered eligible for appointment. (It may take several rounds to reach this threshold. At each round, the applicant receiving the fewest votes is removed from consideration.)

6. When the number of persons nominated equals the number of available openings, then one motion can be made (and seconded) to appoint those persons to the board:

“I move to appoint (individual(s)) to (name of board).”

Please Note: When the number of applicants is greater than the number of available openings, it is possible to make a motion to appoint instead of a motion to nominate. If that motion is seconded, then the appointment process takes precedence over the nomination process.

## **APPENDIX I CITY COUNCIL RESPECTFUL WORKPLACE POLICY**

The Aurora City Council is committed to providing and maintaining a professional work environment and to preventing and addressing discrimination, harassment, and retaliation in the workplace. This Policy applies to all Members of City Council, the Mayor, and Council Appointees.

### **A. Definitions.**

1. "Council Appointee" for purposes of this Policy means any person appointed to their position, whether an employment position or volunteer position, directly by the Aurora City Council and includes but is not limited to the City Manager, the City Attorney, the Court Administrator, the Presiding Judge, and members of the City of Aurora's Boards and Commissions.
2. "Discrimination" means an adverse employment action taken based on one or more of an employee's protected characteristics. Adverse employment actions include, but are not limited to, termination, suspension, demotion, pay determinations, and failure to promote.
3. "Harassment" means verbal, visual, or physical conduct directed toward a person or group that: (1) was directed at a person or group because of that person's or group's membership in, or perceived membership in, a protected class; (2) was offensive to the other person or group; (3) would be offensive to a reasonable individual who is a member of the same protected class; and (4) one or more of the following applies: (a) submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment; (b) submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting that person; or (c) such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile, or offensive working environment.
4. "Protected characteristics" means a person's race, color, religion, creed, national origin or ancestry, sex, sexual orientation, gender identity, gender expression, disability, genetic information, military status, age, marital status, pregnancy or related condition, or any other status protected under federal, state, or local law.
5. "Retaliation" means materially adverse action taken because a person has opposed any practice prohibited by this Policy or under federal, state, or local equal employment laws; or because they filed a complaint under the Policy or a charge of discrimination or harassment with a government agency; or because they testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted pursuant to this Policy or federal, state, or local equal employment laws. For purposes of retaliation, an action is considered to be materially adverse if it would dissuade a reasonable employee from making a complaint of discrimination or harassment.
6. "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature where: (1) submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment; (2) submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting that person; or (3) such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile, or offensive working environment.

**B. Harassment, Including Sexual Harassment, Prohibited.**

1. Members of City Council, the Mayor, and Council Appointees are prohibited from harassing, or sexually harassing, other Council Members, the Mayor, Council Appointees, City employees or other individuals with whom they come into contact.
2. Harassment encompasses a broad range of conduct and can be verbal, visual, or physical in nature; no exhaustive list is possible, but the following examples illustrate types of conduct that are prohibited by the Policy:
  - a. Cartoons, posters, calendars, notes, letters, objects, e-mails, or texts containing sexual content or innuendo or that stereotype, demean, or show hostility toward a person or group because of their protected characteristics or are directed at a person due to their protected characteristics;
  - b. Comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted request for dates;
  - c. Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging and brushing up against another's body;
  - d. Epithets, derogatory comments, or slurs directed at a person or group because of their protected characteristics;
  - e. Acts, jokes, gestures, or physical aggression directed at a person or group due to their protected characteristics.
3. A series of incidents considered together may constitute harassment even if individual incidents on their own would not rise to the level of unlawful harassment. Harassing conduct need not rise to the level of unlawful harassment to warrant corrective action under this Policy.

**C. Discrimination Prohibited.**

1. The City of Aurora and Aurora City Council prohibit discrimination in all aspects of employment, including the application and selection process, during employment, and separation from employment.
2. The following non-exhaustive examples illustrate actions that are prohibited by this Policy:
  - a. An employee is not promoted because of their race.
  - b. An employee is chosen for a layoff due to their age (40+).
  - c. A qualified employee with a disability is denied reasonable accommodation or the ability to engage in the interactive process so that they can perform the essential functions of their job, except where the denial is due to an undue burden or direct threat.
  - d. A candidate is not hired for a position because they are pregnant.

**D. Retaliation Prohibited.**

1. The City of Aurora and Aurora City Council prohibit retaliation.
2. Examples of Retaliation: The following non-exhaustive examples illustrate actions that are prohibited by this Policy where taken, in whole or in part, due to a person's protected activity:
  - a. Demotion, suspension, termination, or denial of a promotion;
  - b. Exclusion from beneficial networking or other opportunities;
  - c. Abusive verbal or physical behavior;
  - d. Disparaging a person to colleagues or peers, potential new employers, or the media; or
  - e. Changing the person's job assignment or responsibilities.
3. Retaliatory conduct need not rise to the level of a materially adverse employment action to warrant corrective action under this Policy.

**E. Reporting of Harassment, Discrimination, and Retaliation.**

1. The Aurora City Council encourages anyone subject to or witnessing conduct in violation of this Policy to immediately report the conduct as outlined in this Subsection. The reporting party may take the following actions:
  - a. If the reporting party is comfortable addressing the issue directly with the subject of the complaint, the reporting party may explain to the subject that the behavior is offensive to the reporting party and request that such behavior be discontinued.
    - i. If the same or similar behavior occurs in the future, the reporting party must report the behavior as outlined in this Subsection.
  - b. If the reporting party is not comfortable addressing the issue directly with the subject of the complaint, the reporting party should immediately report the conduct as outlined in this Subsection.
2. Regardless of what action the reporting party chooses to take, anyone receiving a report of a violation of this Policy must follow the reporting procedures as outlined in this Subsection; however, the Council Evaluation Committee may take into account that the reporting party has already addressed the issue with the subject as well as the subject's response and subsequent actions when determining whether investigation and/or corrective action is warranted.
3. A person subject to this Policy who knows of, or receives reports or complaints of, harassment, discrimination, or retaliation by individuals subject to this Policy must immediately report it to the City Manager or City Attorney, who must forward it to the Council Evaluation Committee. If Council Appointee(s) engage in or become aware of acts, or potential acts, of harassment, discrimination, or retaliation and do not take appropriate action pursuant to this Policy or City policy, as applicable, the Council

Appointee(s) may be subject to disciplinary action, up to and including termination of employment, or removal from an appointed volunteer position.

4. Members of the public and employees of the City who are not subject to this Policy may also report harassment, discrimination, or retaliation by individuals subject to this Policy by filing a complaint with the City Manager, City Attorney, or Mayor. A complaint may also be filed with the City's Human Resources Department, which must forward the complaint to the City Manager or City Attorney.
5. Reports of harassment, discrimination, or retaliation by a person subject to this Policy received by the City Manager, City Attorney or Mayor shall be forward on to the Council Evaluation Committee. The Council Evaluation Committee which is comprised of the Mayor, the Mayor Pro-Tem, and the Chair of the Management and Finance Committee shall be responsible for handling any complaints concerning a Council Member, the Mayor, or Council Appointee violating this Policy.
6. Should a member or members of the Council Evaluation Committee have a conflict of interest related to a matter that falls under this Policy, the Council Member(s) having the most seniority and not having a conflict shall be responsible for fulfilling the duties of the Council Evaluation Committee member that had the conflict under this Policy.

**F. Investigation of Harassment, Discrimination, or Retaliation.**

1. The Council Evaluation Committee will take prompt and appropriate action in response to a complaint of harassment, discrimination, or retaliation in violation of this Policy. Upon receipt of a complaint pursuant to this Policy, the Council Evaluation Committee will convene a meeting, which may be virtual, within seven (7) calendar days to review the complaint and determine appropriate action.
2. The Council Evaluation Committee may request the City Attorney to retain outside counsel to advise as to whether an investigation is warranted. If the Council Evaluation Committee determines no investigation is warranted, it will notify the complainant and the subject of the complaint of that determination, and its reasons, in writing. If the Council Evaluation Committee determines an investigation is warranted, the City Manager's designee in the City's Human Resources Department will engage an independent investigator. If the Council Evaluation Committee determines no investigation is warranted, the City Manager's designee in the City's Human Resources Department may engage Human Resources consulting services to provide recommendations to the Council Evaluation Committee to resolve the issues brought out in the complaint.
3. The Council Evaluation Committee will notify the complainant and the subject of the complaint once an investigation has begun. Prior to contact from the investigator, the City Manager's designee in the Human Resources Department will send a Notice of Investigation to each complainant, subject, and witness notifying of the investigation and of this Policy, to specifically include the anti-retaliation provisions of this Policy.
4. Upon completion of the investigation, the investigator will send to the outside counsel retained by the City Attorney a report of the investigator's findings. The City Attorney will forward the investigator's report to the Council Evaluation Committee, which will convene a meeting, which may be virtual, within seven (7) calendar days to review the report and determine what recommendations it will make to the full City Council as a result of the investigator's findings. The Council Evaluation Committee may

request that the City Manager, or designee, review the report and provide to the Committee in advance any comparable discipline of City employees for consideration. Within fourteen (14) calendar days of the report of findings meeting, the Council Evaluation Committee will distribute the report and make recommendations to the full City Council. The full City Council shall meet with the subject of the complaint at the next scheduled Regular City Council meeting.

5. When the subject of the complaint is a Council Appointee employed by the City, the report and recommendations may be discussed in an executive session, except where the Council Appointee has requested an open meeting. The Council Appointee may attend the executive session.
6. When the subject of the complaint is a Council Member, the Mayor, or a volunteer Council Appointee, an Executive Session may be held to obtain legal advice or to discuss potential settlement negotiations if there is pending or threatened litigation. The Council Member or Mayor accused of violating this Policy may attend the executive session should one be held. No action or decision may occur in the executive session.
7. When the subject of a complaint is the City Attorney, the Council Evaluation Committee should work with the Deputy City Attorney over the Civil Division and may request that outside counsel be appointed to provide legal advice to the Council Evaluation Committee and City Council.

#### **G. Notice of Investigation Results**

1. At the conclusion of the investigation, and within seven (7) days after the Regular City Council meeting referenced in Paragraph (f)(4) above, the Council Evaluation Committee will notify the complainant whether their complaint was sustained. The complainant and witnesses will not be informed as to what discipline, if any, was administered.
2. At the conclusion of the investigation, the subject will be provided a copy of the investigation report, with names and other identifying information of the complainant and witnesses redacted.
3. All other requests for a copy of the investigation report must be submitted through the open records request process, and responses shall comply with the requirements of the Colorado Open Records Act (CORA), C.R.S. § 24-72-201, et seq.

#### **H. Further Action by Council**

1. The City Council is obligated to prevent harassment, discrimination, and retaliation, and to correct any such conduct once discovered.
2. If it is determined that a Council Appointee has violated this Policy, the Council Appointee is subject to disciplinary action up to and including termination of employment. A volunteer Council Appointee may be removed from their appointed position. In addition to any discipline, the City Council may also require that the Council Appointee comply with conditions such as additional training.
3. If it is determined that a Council Member or the Mayor has violated this Policy, they are subject to censure under the rules and procedures set forth in the Conduct Guidelines of the Rules of Order and Procedure for the Aurora, Colorado, City Council

or recall by the voters. City Council may also request that the Council Member or Mayor voluntarily comply with recommendations for remediation such as additional training.

**I. Record Keeping**

1. Records of complaints (whether oral or written), investigations, and associated documents such as Notices of Investigation, Notices of Investigation results, investigation findings report, Council Evaluation Committee recommendations, and any resulting remedial actions, shall be provided to the City's Human Resources department for retention and tracking in compliance with the requirements of C.R.S. § 24-34-408.
2. Records of such complaints are not public records, as defined in C.R.S. § 24-72-202(6), and are considered personnel records, as defined in C.R.S. § 24-72-202(4.5), and are not open to public inspection pursuant to C.R.S. § 24-72-204(3)(a)(II)(A). Additionally, in accordance with C.R.S. § 24-72-204(3)(a)(X), any record of a sexual harassment complaint or investigation is not open to public inspection except as specified in C.R.S. § 24-72-204(3)(a)(X).

**J. Defense of Harassment, Discrimination, or Retaliation Claims.**

1. Legal defense of the City and any Member of Council, the Mayor, or a non-volunteer Council Appointee is governed by Article X of the Charter. Defense of harassment, discrimination, or retaliation claims before administrative agencies or in civil litigation shall be treated in the same manner as all other administrative actions and civil litigation.
2. Council Member(s) and non-volunteer Council Appointee(s) will be provided a defense against harassment, discrimination, or retaliation claims only if they have completed harassment/discrimination prevention training provided by the City prior to any alleged acts of harassment, discrimination, or retaliation.
3. Legal defense for any Member of Council, the Mayor, or non-volunteer Council Appointee will be provided during the investigative process, and may be present during investigatory interviews.
4. Payment of legal fees concerning censure shall follow the rules and procedures set forth in the Conduct Guidelines of the Rules of Order and Procedure for the Aurora, Colorado, City Council.