

**AGENDA
OURAY CITY COUNCIL**

Monday, July 6, 2026 - 4:00 PM

**Ouray Community Center
320 6th Ave
Ouray, CO 81427**

VIRTUAL OPTION - <https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878 Or dial: 408 638 0968 or 669 900 6833

Ouray City Council Work Session

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Notice is hereby given that a majority or quorum of the Planning Commission, Ouray Economic Development Committee, Beautification Committee, Tourism Advisory Committee, Main Streets Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER
2. DISCUSSION ITEMS
 - a. Ouray Hot Springs Fitness Center (1 hour)
 - b. Council Decorum / Code of Ethics (1 hour)

TOWN OF BASALT

TOWN COUNCIL GUIDING PRINCIPLES



Town Council Adoption:

- Resolution No. __, Series of 2020
- _____, 2020

Purpose:

- This Guiding Principles handbook is intended to give guidance to current and prospective Town Council members, as well as our constituents.
- This Guiding Principles handbook is designed to describe the manner in which Town Council members should treat one another, Town staff, constituents, and others they come into contact with in representing the Town of Basalt.
- The constant and consistent theme through all of the conduct guidelines is "respect." Demonstrating respect for each individual through words and actions is the touchstone that can help guide Town Council members to do the right thing in even the most difficult situations.

OUR ROLE

As elected officials of a Home Rule Town Council/Manager form of government, we are the legislative and governing body of the Town. As a group, we set policy and adopt laws, ordinances, resolutions, and an annual budget as we deem proper. The Town Charter enables the Town Manager and his or her staff to manage the day-to-day activities of our municipal government, such as preparing the annual budget, hiring staff, enforcing laws and regulations, and carrying out Council policy directives and vision.

OUR COMMITMENT TO WORK TOGETHER

As elected officials, we will:

Listen - We will listen to what fellow Council Members, staff, and citizens have to say and ensure all voices are heard. Listening with an open mind builds trust.

Seek Consensus - We will seek common ground among competing interests and strive for consensus.

Disagree Agreeably - We may disagree with each other but will treat the opinions of others with respect. Our constructive disagreements can lead to practical solutions.

Respect the Will of the Majority - While we may not all agree with the Council's final decision, we will support the decision of the majority and not attempt to undermine it. If we want to affect change, we will do so in a constructive manner consistent with Council policies and procedures.

Respect the Rights of the Minority - We will be sensitive to the feelings and concerns of those who do not agree with the majority. We will respect their position and not criticize them for disagreeing with the remainder of the Council.

Treat Everyone with Respect - We will not publicly embarrass, shame, or condescend our fellow Council Members, staff, or citizens. While disagreements are expected and acceptable, we will maintain an atmosphere of good will and respect. We will focus on ideas and suggestions rather than question motives, intelligence, or integrity.

Treat Staff as Professionals; Respect Role Discipline – We respect the role of staff as professionals and will not publicly criticize Town staff. We depend on the Town Manager to manage staff performance and shall not give orders directly to Town employees.

Be Honest – We will demonstrate honesty and integrity in our actions and statements.

Be Prepared – We will be prepared for Town Council meetings by reading packets and otherwise being familiar with the issues on the agenda.

Be Engaged – We will take the time to engage with the public and deliver on our responsibilities as elected officials.

Share Information - We will openly share relevant

information with fellow Council Members, so we all have the same information and can avoid surprises.

Provide Clear Direction and Support to Staff – We will provide clear direction to the Town Manager and Staff at Town Council meetings. We will support Staff in carrying out and implementing the direction provided by Town Council.

Make Decisions in the Open - We will be transparent and conduct our business consistent with the Open Meetings Law.

Communicate the Decisions of Council - We will accurately communicate the majority decisions of the Town Council, even if we disagree with the decision; and by so doing, affirm the respect and integrity of our decision-making process.

Be Consistent; Execute Plans – We will follow through on implementing and supporting the Strategic Plan, Master Plan, and other long-term plans of the Town, which respects the process of creating such plans. At the same time, Council is willing to be nimble when in the best long-term interests of the Town and upon consideration of affect on Staff workload/workplans.

Nurture the Value of the Individual and Recognize the Strength of the Team - We believe the Council's legal and political strength can only be realized when we work as a team. Citizens expect their elected officials will work together for the common good of the Town and our constituents.

Trust Your Judgment; Make Tough Decisions - The voters elected us to make informed decisions. We realize some of the most difficult decisions are those that represent the greater good, sometimes against the wishes and desires of individual citizens.

COMMUNICATION WITH STAFF

Routine questions or requests of staff should go through the Town Manager or Department Director (copying or with approval of Town Manager). Requests that require significant staff time or resources, e.g. research or preparation of a report, should be referred to the Town Manager.

ETHICAL STANDARDS

We are bound by the Code of Ethics contained in Chapter 2, Article VIII of the Basalt Municipal Code. Among other rules and principles of conduct, we will:

- Not accept gifts, money, or other consideration of any kind as a reward or inducement to perform an act, or refrain from performing an act.
- Not disclose confidential information that is not intended for public dissemination nor use such information to further a personal financial interest.
- Avoid conduct or actions as elected officials that benefit our personal or financial interests.

- Timely disclose conflicts of interest and not participate in official decisions which give rise to such conflicts of interest.
- Avoid *ex parte* communications.

COUNCIL ACTIONS AND OPEN MEETINGS

Our decisions to take formal action will be made at open public meetings, in compliance with the Open Meetings Law. All our “meetings,” which can include discussions held over email or phone, of three or more Council Members convened for the purpose of discussing “public business,” must be open to the public. We assume everything we write regarding Town business, including emails, is public and subject to an Open Records request. All executive sessions shall be conducted in accordance with the Open Meetings Law.

QUASI-JUDICIAL MATTERS AND EX PARTE COMMUNICATIONS

When we apply a specific law to certain facts to determine the rights of a particular person/entity regarding their property or business, we are acting like a judge and must ensure the applicant receives due process. Due process requires public notice, a hearing, and a fair and impartial decision-maker.

- We will follow applicable legal criteria and apply those criteria to the evidence we hear at the hearing, to arrive at our decision.
- We will refrain from “*ex parte*” or “outside the hearing” contacts regarding a pending quasi-judicial matter.
- We will not participate in decision-making in a quasi-judicial matter in which we have a conflict of interest.

Evidence of bias, conflicts of interest, or *ex parte* communications can subject our decisions to a legal challenge.

HOW WE WORK WITH THE MEDIA

Any media requests received by the Mayor or Council Members regarding the official Town position/statement on a given topic are to be forwarded to the Town Manager for review. Upon review with the Town Manager, the Mayor determines whether to respond with an interview or written statement or delegate a Council Member to respond on his or her behalf. In the event the Mayor is inaccessible, the Town Manager determines how to respond and may otherwise respond to media requests. Comments from individual Council Members to the media should be clear about whether the comments represent the official Town position/statement or a personal viewpoint.

OUR COMMITMENT TO WORK WITH THE LOCAL COMMUNITY

Commissions, Boards and Committees

We are fortunate to have many dedicated volunteer residents to advise and assist the Town. Periodically, we will be asked to meet and work with our Commissions, Boards, and Committees. We will be open, thoughtful, and appreciate of the work our volunteers complete.

Special Events and Occasions

Council Members are also encouraged to attend numerous other community special events and occasions, including Town sponsored and partnership events, ribbon-cuttings, business grand openings and others.

OUR COMMITMENT TO WORK WITH OUR PARTNERS IN THE REGION AND BEYOND

We are more successful when we work with our partners in the region and beyond. Individual Council Members are assigned to represent the Town of Basalt on a selection of the various committees, boards, and other entities. Your active participation and preparation for meetings of these assigned entities is expected. Should you be unable to attend, request the help of an alternate or request assistance to make sure the Town is appropriately represented.

ROLE DURING EMERGENCIES OR DISASTERS

The Town Council as the duly elected leadership has the statutory responsibility for the management of an emergency or disaster within the jurisdiction. Some of those responsibilities include:

- Officially declare and Emergency or Disaster in the Town.
- Enact ordinances and resolutions authorizing the Town Manager to manage a disaster or emergency.
- Provide policy guidance and direction as necessary.
- Allow for incident command system to conduct emergency response.

**RESOLUTION NO. 8
SERIES 2025**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING
A POLICY FOR PUBLIC MEETING PROCEDURES AND CONDUCT FOR THE CITY OF
GUNNISON.**

WHEREAS, Resolution No. 6, Series 2024, adopted the City's Strategic Framework and formally committed to achieving our purpose and each imperative in a manner consistent with our shared values that function as our compass in all actions including integrity, stewardship, and collaboration;

WHEREAS, the Strategic Framework provides that Public Engagement is an imperative and that we will promote an engaged community environment where people feel informed, heard, and welcomed;

WHEREAS, Municipal leaders and employees play a crucial role in fostering respectful dialogue;

WHEREAS, Civility is the steadfast practice of respect, even in disagreement, that fosters constructive dialogue and connection, recognizing the inherent dignity of every person; and,

WHEREAS, the City's adopted aspirational position further provides that we prioritize and respect the dignity of each person as we work toward collective well-being.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, THAT:

Section 1. The Public Meeting Procedures and Conduct policy is intended to establish and define clear expectations for all those that participate in the City of Gunnison public meetings.

Section 2. The policy attached hereto and incorporated herein incorporates by reference additional policies adopted by prior resolutions to assist with clarity and continuity.

INTRODUCED, READ, PASSED AND ADOPTED by the City Council of the City of Gunnison, Colorado, this 25th day of March, 2025.

(SE)





Diego Plata, Mayor



Laura Buffington, Deputy City Clerk

CITY OF GUNNISON

PUBLIC MEETING PROCEDURES & CONDUCT

Authority and Applicability:

These Public Meeting Procedures and Conduct are adopted by the Gunnison City Council pursuant to the authority vested in the City of Gunnison Home Rule Charter (Charter). Any provision of these rules not governed by the Charter or Municipal Code may be temporarily suspended at any meeting of Council by a majority vote of all councilors. Unless otherwise noted, this policy shall apply to all public meetings hosted by the City of Gunnison, including but not limited to regular and special meetings of the City Council or other Council appointed commissions and committees and other applicable public meetings facilitated by City staff.

Policy 1 – Conduct, Civility and Rules of Decorum

This policy seeks to promote mutual respect, civility and orderly conduct among City of Gunnison elected officials, employees, and members of the public. It is not intended to deprive any person of their right to freedom of expression or free speech, but only to maintain, to the extent possible and reasonable, a safe, productive, and harassment-free workplace for City staff and a safe and non-threatening environment for visitors, customers and other members of the public. The City discourages hostile, intimidating, or otherwise disruptive actions and encourages professional, respectful, and courteous communication, seeking to embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and tools for forging sound decisions.

A. Rules of Civility.

1. All interactions between City staff, City elected officials and members of the public will be conducted in a respectful manner.
2. Threats, including threats of violence, will not be tolerated.
3. Members of the public will refrain from behavior that disrupts or threatens to disrupt City of Gunnison government operations, including any of the following:
 - a. Insulting, demeaning, intimidating, or offensive remarks or other communications;
 - b. Harassment or intimidation of any City of Gunnison staff, elected official, or other member of the public;
 - c. Willful destruction of damage to property;
 - d. Conduct that threatens or provokes a violent reaction;

e. Continually disruptive behavior in the lobbies, offices or meeting rooms of Gunnison City Hall or other facilities where official City business is being conducted by City officials or staff;

f. Repetitive calls, visits or correspondence to City offices or staff with an associated pattern of disruptive behavior, including verbal or physical aggression and/or threats, regarding an issue for which City officials or staff has already provided pertinent information or instructions.

4. Enforcement. The rules of civility set forth above shall be enforced in the following manner:

a. Warning. Any City of Gunnison official or employee who is directly affected by or witnesses behavior that disrupts or threatens to disrupt City of Gunnison government operations may direct the person engaging in such behavior to immediately remove themselves from the premises or otherwise cease such behavior.

b. Resisting Removal or Failing to Cease Behavior. Any person who resists removal or an order to leave the premises or to cease such behavior may be charged with a violation of CRS § 18-8-102.

B. Rules of decorum at public meetings.

1. Decorum.

a. City of Gunnison public meetings, including meetings of the City Council, Planning and Zoning Commission, and any other City commission, committee or board (hereinafter "Board" to describe any of the preceding or like bodies), shall be conducted in an orderly manner to ensure that the public has an opportunity to be heard and that the deliberative process of the Board is retained at all times. A City Council meeting or other like Board meeting is a governmental process with a governmental purpose. The Council/Board has an agenda to be addressed and dealt with and is not to be prevented from accomplishing its business in a reasonably efficient manner; order will be maintained, and the rules of decorum will be enforced.

b. General public oral communications, such as a public forum or other general public comment periods, are offered to the public at City Council and other Board meetings. Aside from official public hearings, these public comment opportunities during the Board's business meeting are not required by law or regulation and are at the discretion of the presiding officer.

c. The presiding officer of the Board shall be responsible for maintaining the order and decorum of meetings and shall, at the commencement of the meeting, recite aloud the rules and procedure for public participation during the meeting, or a summary thereof. The presiding officer of the meeting shall also identify the sergeant-at-arms or law enforcement officer responsible for enforcing the rules of decorum during the meeting.

2. Rules of Decorum. During a public meeting, the following rules of decorum shall be observed:

a. Board Members. The members of the Board shall preserve order and decorum, and a member shall not by conversation or other means delay or interrupt the Board's

proceedings or disturb any other member while speaking. Board members shall not communicate electronically with one another or any member of the public using a mobile phone, computer or other such device about any City business during the meeting.

b. City Staff Members. Employees of the City shall observe the same rules of order and decorum as those which apply to the members of Board.

c. Persons Addressing the Board. General public oral communications are not a substitute for any item that can be handled during the normal business hours of the municipal government. The primary purpose of such oral communication during a meeting is to allow citizens the opportunity to address the Board as a whole regarding matters that cannot be handled during the regular business hours of the City government. Each person who addresses the Board shall exercise self-control, shall do so in an orderly manner, shall focus on the issues and avoid personalizing debate, and shall not make personal, impertinent, slanderous or profane remarks to any member of the Board, staff or general public. Any person who conducts themselves in such a manner or otherwise impedes the orderly conduct of any meeting shall, at the discretion of the presiding officer or a majority of the Board, be barred from further audience before the Board during that meeting.

d. Members of the Public. No member of the public shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, speaking out of turn, applause or clapping (when not led by the presiding officer), stamping of feet or other similar acts which disturb, disrupt or otherwise impede the orderly conduct of any meeting. Any person who conducts themselves in such a manner or otherwise impedes the orderly conduct of any meeting shall, at the discretion of the presiding officer or a majority of the Board, be barred from further audience before the Board during that meeting.

e. Addressing the Board. A person wishing to address the Board during the meeting shall submit a request on a public comment form or otherwise follow the process provided. No person shall address the Board without first being recognized by the presiding officer or by the clerk with the permission of the presiding officer. The following procedures shall be observed by persons addressing the Board:

(1) The presiding officer may, at their discretion, limit or extend the time for public comment at the meeting, as time permits. Any extension or limit shall be applied equally and fairly to all members of the public.

(2) When called by the presiding officer or clerk, the individual who wishes to speak shall introduce themselves, stating their name and whether they reside within Gunnison city limits and also stating the name of the organization, if any, they represent. If speaking during the general oral communications or public forum portion of the meeting, the person speaking shall also state the subject on which they wish to comment.

(3) During general public comment portions of the meeting, any subject which is deemed irrelevant or repetitious by the presiding officer shall be immediately concluded.

(4) All remarks shall be addressed to the Board as a whole and not to any single member thereof, unless in response to a question from such member. The person speaking shall address only the Board and shall not address members of City staff or other members of the audience.

(5) No question may be asked of a member of the City Council or of City staff. Public hearings and other opportunities afforded for public comment are for comments only.

(6) In Council chambers, once the meeting is underway, members of the public are not to approach the dais, the clerk or any other staff member situated at the front of the room near the dais, as this disrupts the meeting and the work that is being undertaken by these staff members.

3. Enforcement. The rules of decorum set forth above shall be enforced in the following manner:

a. Warning. The presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If, after receiving a warning from the presiding officer, a person persists in such conduct, the presiding officer shall order that person to leave the meeting.

b. Removal. The sergeant-at-arms or any law enforcement officer shall carry out all orders and instructions of the presiding officer for the purpose of maintaining order and decorum during the meeting, including removal of any such person from the proceedings.

c. Resisting Removal. Any person who resists removal by the sergeant-at-arms or officer shall be charged with a violation of CRS § 18-8-102.

4. Adjournment. If a meeting is disturbed or disrupted in such a manner as to make it infeasible or improbable to restore order, the meeting may be adjourned or continued by the presiding officer or a majority of the Board, and any remaining business may be considered at the next meeting.

C. Trespass and Penalty.

1. Notice of Trespass. Any person who violates the provisions of the Rules of Civility in the lobbies, offices or meeting rooms of Gunnison City Hall or other City facilities or property where official City business is being conducted by City officials, or violates the Rules of Decorum during a public meeting, may be trespassed from City facilities and/or from City meetings for a period not to exceed one (1) year. In all such cases, such person shall receive a written notice, signed by the City Council, identifying the conduct giving rise to the trespass, and further providing that such person may enter City property for emergency purposes only or to access emergency personnel, and may only contact City employees by U.S. Mail, email or other means acceptable to the City.

2. Right to Appeal.

a. Any person trespassed from City property or facilities has the right to appeal said trespass order by submitting a statement to the City Clerk's office by email, U.S. Mail or other means acceptable to the City within ten (10) calendar days of the date of the trespass order, which statement shall be forwarded to and considered by the City Council. The City Council will consider and make a decision based on information presented by City staff and the statement submitted by the appellant. If no statement is received by the City Clerk's office within 10 calendar days of the date of the trespass order, no appeal will be considered.

b. Any person trespassed from a City public meeting has the right to appeal said trespass order by submitting a statement to the City Clerk's office by email, U.S. Mail or other means acceptable to the City within ten (10) calendar days of the date of the trespass order, which statement shall be forwarded to City Council and considered during their next available regular meeting or at a special meeting of the Council. No oral/verbal testimony will be allowed; Council will consider and make its decision based on information presented by City staff and/or members of the applicable City commission, committee or board and the statement submitted by the appellant. If no statement is received by the City Clerk's office within 10 calendar days of the date of the trespass order, no appeal will be considered.

c. The right to appeal under subsections a and b, above, is not applicable to any citations for trespass under CRS § 18-8-102.

3. Access to Meetings. Any person trespassed from City property or from attendance at City meetings shall have the right to attend such meetings by electronic means offered by the City; provided that the same Rules of Civility and Rules of Decorum shall apply to attendance at such meetings.

4. Criminal Trespass/Penalty. Any person who resists removal or an order to leave the premises or to cease disruptive behavior may be guilty of a misdemeanor under CRS § 18-8-102 punishable as provided by Colorado law. This penalty provision is not intended to supplant any provision of Colorado law which may render additional or more serious punishment for threats against public officials or public servants as proscribed by § 18-8-102 , CRS. Nothing contained herein shall preclude a person trespassed from entering upon City property in case of an emergency only or to access emergency personnel.

Policy 2 – City Council Regular Sessions

The City Manager shall prepare and set the Council agenda in consultation with the Mayor. Agenda materials containing the agenda and applicable documents shall be distributed to councilors on the Friday preceding the Tuesday business meeting or study session, or 2 days before a special meeting. Any delayed materials will be noted when the agenda is distributed and provided prior to the Tuesday meeting, as reasonably practicable.

City Council will generally consider business in the following order:

- 1) Call to order
- 2) Silent roll call by the City Clerk
- 3) Brief announcements by Councilors, City Manager, and/or designated staff
- 4) Western University Liaison Update
- 5) Public comment, items not included on the agenda
- 6) Consent matters
- 7) Items removed from consent agenda
- 8) Proclamations, recognitions, awards, and appointments
- 9) Public Hearings, if applicable and properly noticed
- 10) Old business from a previous meeting
- 11) New business
- 12) Adjournment

Adjustments to the agenda and order of business

- 1) Prior to 24 hours in advance of the meeting, in order to consider items in a manner that is most convenient for the public, staff, and Council, the City Manager may adjust the order of business.
- 2) No changes to the agenda may be made within 24 hours of the meeting unless a unique or emergent circumstance exists
- 3) At the meeting, changes to the agenda may be considered by City Council in accordance with Bob's Rules of Order.

Approval of consent matters

- 1) Consent matters are considered routine in nature. A Consent Agenda allows the meeting to proceed in an efficient and timely manner. The agenda items will not be separately discussed unless a Councilor requests an item be removed and discussed separately.
- 2) When a motion is made to approve the Consent Agenda, the Councilor making the motion does not need to list each item any may instead reference, "as presented."
- 3) Consent matters shall be adopted by voice vote upon a single motion.
- 4) Items may be taken off of the consent agenda by any one councilor.
- 5) Councilors are encouraged to inform the City Manager and Mayor of their intent to remove an item from the consent agenda at least 24 hours in advance to accommodate relevant staff attendance at the meeting.

Announcements

Councilors and staff are encouraged to keep their remarks brief, and share lengthy or detailed reports in writing to the City Manager for proper distribution and/or discussion as applicable. Announcements should be limited to information obtained at outside meetings, events, or conferences which may impact the City; or announcements of general interest to draw awareness to Council.

Policy 3 – City Council Special Meetings and Work Sessions

The City Manager may schedule a special meeting or work session, subject to Open Meeting Laws. A special meeting is defined as any meeting scheduled outside the regularly scheduled meeting. A work session is an opportunity to informally discuss matters in greater detail than time typically allows for in a regular business meeting. No decisions may be made at a work session. Work sessions may be conducted jointly with other Boards.

Policy 4 – General Meeting Procedures

Meeting Commencement and Adjournment

Generally, City Council regular meetings shall begin at 5:30 pm to facilitate consistency for the public, elected officials, and staff. Special meetings and work sessions of the City Council may begin at alternative times later or earlier as deemed appropriate by the City Manager. Other commission or committee meetings may begin at times deemed

appropriate by the Chair. All meetings shall adjourn no later than 10 p.m., or as soon thereafter as the hour may be brought to the attention of the Chair, unless:

- 1) A majority of Board present approve a motion to extend the meeting to 10:30 p.m.; or
- 2) A majority of Board present approve a motion “to suspend the Timely Adjournment rule”, in which case the meeting may extend past 10:30 p.m.

Recognition

- A) Councilors should be recognized by the Chair prior to commenting, except in the case of a ‘point of order’ question which can be addressed without being recognized by the Chair.
- B) When a councilor is speaking, no other councilor shall interrupt, conduct a private conversation, or engage in any conduct that interferes with the ability of the recognized speaker to be heard by those present.

Professionalism

- A) To foster a respectful and professional decorum, councilors and staff are encouraged to address councilors by their title and last name (e.g. Mayor Smith or Councilor Jones).
- B) No councilor shall engage in conversation or commit any other act which may distract the attention of another councilor from the business before Council.
- C) During quasi-judicial matters, councilors shall not use electronic devices except to review the agenda, meeting packet and supplemental materials provided by staff or for the purposes of calendaring or calculating.
- D) During non-quasi-judicial matters, councilors may use electronic devices to look up relevant factual background material, as appropriate.

Policy 5 - Absence from Attendance at Council Meetings

- A) In accordance with the Municipal Charter, Councilors may not be absent from more than 4 meetings per calendar year. Councilors are hereby excused from 4 meetings per calendar year, regardless of reason. Any absence in excess of 4 meetings per calendar year shall be authorized by City Council in accordance with the Municipal Charter.

Policy 6 – City Council Regular Session, Agenda Item Requests

- A) Generally, City staff coordinate to present agenda items for City Council’s consideration based upon the adopted strategic framework, budgets, plans, and regulations.
- B) A councilor or the public may request a matter be brought forward for Council’s discussion in accordance with this policy.
- C) The requester shall complete the City Council Agenda Item Form. To the extent practicable, the form shall detail the procedural steps necessary to see the proposal through to its completion. The City Manager has sole authority in approving an agenda request for City Council’s consideration, unless two or more councilors have

requested the item be added to an agenda. The City Manager shall not unreasonably deny a request. The City Manager may consult with the City Attorney and request legal advice in an executive session prior to approving an agenda request.

- D) Personnel matters shall not be considered by City Council, except as provided by law.
- E) The City Manager or designee will arrange to meet with the requester to discuss the matter in detail and/or to request additional details. The City Manager may also suggest alternative approaches to address the policy proposal topic and the proponents may elect to withdraw their proposal from further review by staff and consideration at a Council meeting.
- F) Following discussions with requester(s), as necessary, and the full staff and legal review, the City Manager will proceed with the item to the agenda.

Policy 7 – Public Hearings

Public Hearings shall be conducted in accordance with Exhibit A.

Referenced Policies:

The following policies are related to Public Meetings and referenced herein for clarity and continuity:

- **Electronic Participation:** Electronic participation shall be conducted in accordance with Resolution 20, Series 2023.
- **Parliamentary Procedures:** Parliamentary procedures shall be in accordance with Resolution 26, Series 2023.
- **Designating Public Notice Posting Place:** Public Notice Posting procedures shall be in accordance with Resolution No. 1, Series 2024.
- **Designating Audio Recording as the Official Record of Public Meetings:** meetings shall be recorded in accordance with Resolution No. 2, Series 2024.
- **Issuance of Proclamations:** proclamations shall be administered in accordance with Resolution No. 10, Series 2024.
- **Issuance of Letters of Support:** letters of support shall be administered in accordance with Resolution No. 11, Series 2024.

Exhibit A

QUASI-JUDICIAL PUBLIC HEARINGS

Summary of the order and procedure for the public hearing:

1. Open the public hearing; state requested action.
2. Explanation of the subject by City staff.
3. Presentation by Applicant. The Applicant has 30 minutes to speak. Councilors should address their questions to the Applicant at that time.
4. Open the public comment portion of the public hearing, at which time the public may provide testimony. Each person wishing to provide testimony shall be allowed three minutes to speak. Any questions should be asked of those testifying at that time.
5. Applicant's rebuttal testimony, if any, at which time final questions may be asked of the Applicant. If new facts are elicited during rebuttal, the public will be given an opportunity to comment on any new facts.
6. Close the public comment portion of the public hearing.
7. No new information may be provided. Only questions directed to City staff shall occur during deliberation. City Council deliberates and considers a decision in accordance with the City's adopted Rules of Order. Roll call vote.
8. Close the Public Hearing.

SCRIPT:

Before we proceed any further, I would like to ask for confirmation from each Councilor, please, that you have had no ex parte contact or conflict of interest as pertains to this request. If you have received any ex parte contacts in any form, please disclose at this time.

[Councilor confirmations]

The order of the public hearing will go as follows:

1. We will hear an explanation of the application by City staff.
2. Followed by a presentation by the Applicant.
3. We will then open of the public comment portion of the public hearing, at which time the public may provide testimony. For those in attendance here in chambers this evening, if you would like to speak, you will need to complete a sign-up form and turn it into the City Clerk. The form is on the table by the door. Individuals will be called upon by the City Clerk in the order received. Each person wishing to provide testimony shall be allowed three minutes to speak.
4. The applicant will have an opportunity to respond to any comments from the public.

5. We will then close the public comment portion of the public hearing and City Council will deliberate and consider a decision on the application, followed by closing of the public hearing.

We will now hear from City staff, who will introduce the application.

[staff introduction]

Next will be the Applicant's presentation. As a reminder, Councilors should address their questions to the Applicant at this time. Applicant, you're welcome to come forward to the podium at this time.

[Applicant's presentation]

Do the Councilors have any additional questions for the Applicant before we proceed?

[Councilor questions for Applicant]

We will now prepare to proceed with the public comment portion of the public hearing. I will now provide details regarding the public comment portion of this public hearing.

Please note, for the record, any written comment submitted prior to agenda posting was included with the meeting packet. Any written comment received after agenda posting but prior to the meeting was forwarded and provided to the Councilors.

The public hearing is for comments only. Please do not address any questions to the Councilors or to City staff. If Councilors have questions for the person testifying, they should ask those questions at the time of their testimony.

Again, for those in attendance here in chambers this evening, if you would like to speak and have not already completed a sign-up form, you will need to do so and turn it into the City Clerk. The form is on the table by the door. Please do not approach the dais. If you have any written materials for the Councilors, please hand those to the City Clerk.

For those participating on Zoom, please note that you will need a working microphone on your phone or computer to speak. When your name is called, you will see a prompt on your screen, asking whether you would like to unmute, then you will need to unmute yourself in order to be heard.

Each speaker will be allowed 5 minutes. Please state your first and last name and whether you reside within the City of Gunnison.

THE PUBLIC COMMENT PORTION OF THE PUBLIC HEARING IS NOW OPEN.

We will begin with any testimony from those attending in person. City Clerk has anyone in attendance signed up to speak?

[called on by the City Clerk in order received]

We will now take any testimony from those attending online. City Clerk has anyone signed up to speak online?

[called on by the City Clerk in order received]

Is there anyone else who would like to speak?

[final testimony]

Before the public comment portion of the public hearing is closed, would the Applicant care to offer any rebuttal testimony? Just a reminder that if any new facts are elicited during rebuttal, the public will be given an opportunity to comment on any new facts.

[rebuttal testimony, if applicable]

[additional testimony from the public on new facts, if applicable]

Do Councilors have any additional questions of the applicant? As a reminder, once the public comment portion of the public hearing is closed, no new information may be provided, and questions may only be directed only to City staff.

[Councilor final questions of the applicant]

THE PUBLIC COMMENT PORTION OF THE PUBLIC HEARING IS NOW CLOSED.

At this time, the City Council will deliberate.

[Councilor questions of staff, if applicable]

Discuss, Motion/Second, deliberate, and vote.

This will be a roll call vote. City Clerk?

Roll Call Vote:	Moved by:		Seconded by:	
	YES	NO	ABSENT	
Name				
Name				
Name				
Name				
Name				

Motion passes / fails.

The Public Hearing is now closed at _____.

Suggested Motions formatting:

I move the Gunnison City Council, after consideration of the criteria, standards, and City Code, APPROVE/DENY the STATE APPLICATION/REQUEST

(Optional: subject to the following changes:)

- 1) _____
- 2) _____

Based on evidence, records, and testimony, the reasons for approving this request are:

1. _____
2. _____

NON-QUASI-JUDICIAL PUBLIC HEARINGS

Summary of the order and procedure for the public hearing:

1. Open the public hearing; state requested action.
2. Explanation of the subject by City staff.
3. Open the public comment portion of the public hearing, at which time the public may provide testimony. Each person wishing to provide testimony shall be allowed three minutes to speak. Any questions should be asked of those testifying at that time.
4. Close the public comment portion of the public hearing.
5. No new information may be provided. Only questions directed to City staff shall occur during deliberation. City Council deliberates and considers a decision in accordance with the City's adopted Rules of Order. Roll call vote.
6. Close the Public Hearing.

SCRIPT:

The order of the public hearing will go as follows:

1. We will hear an explanation of the application by City staff.
2. We will then open of the public comment portion of the public hearing, at which time the public may provide testimony. For those in attendance here in chambers this evening, if you would like to speak, you will need to complete a sign-up form and turn it into the City Clerk. The form is on the table by the door. Individuals will be called upon by the City Clerk in the order received. Each person wishing to provide testimony shall be allowed three minutes to speak.
3. We will then close the public comment portion of the public hearing and City Council will deliberate and consider a decision on the application, followed by closing of the public hearing.

We will now hear from City staff, who will introduce the application.

[staff introduction]

We will now prepare to proceed with the public comment portion of the public hearing. I will now provide details regarding the public comment portion of this public hearing.

Please note, for the record, any written comment submitted prior to agenda posting was included with the meeting packet. Any written comment received after agenda posting but prior to the meeting was forwarded and provided to the Councilors.

The public hearing is for comments only. Please do not address any questions to the Councilors or to City staff. If Councilors have questions for the person testifying, they should ask those questions at the time of their testimony.

Again, for those in attendance here in chambers this evening, if you would like to speak and have not already completed a sign-up form, you will need to do so and turn it into the

City Clerk. The form is on the table by the door. Please do not approach the dais. If you have any written materials for the Councilors, please hand those to the City Clerk.

For those participating on Zoom, please note that you will need a working microphone on your phone or computer to speak. When your name is called, you will see a prompt on your screen, asking whether you would like to unmute, then you will need to unmute yourself in order to be heard.

Each speaker will be allowed 5 minutes. Please state your first and last name and whether you reside within the City of Gunnison.

THE PUBLIC COMMENT PORTION OF THE PUBLIC HEARING IS NOW OPEN.

We will begin with any testimony from those attending in person. City Clerk has anyone in attendance signed up to speak?

[called on by the City Clerk in order received]

We will now take any testimony from those attending online. City Clerk has anyone signed up to speak online?

[called on by the City Clerk in order received]

Is there anyone else who would like to speak?

[final testimony]

Do Councilors have any additional questions from those in attendance this evening? As a reminder, once the public comment portion of the public hearing is closed, no new information may be provided, and questions may only be directed only to City staff.

[Councilor final questions of the applicant]

THE PUBLIC COMMENT PORTION OF THE PUBLIC HEARING IS NOW CLOSED.

At this time, the City Council will deliberate.

[Councilor questions of staff, if applicable]

Discuss, Motion/Second, deliberate, and vote.

This will be a roll call vote. City Clerk?

Roll Call Vote:	Moved by:		Seconded by:	
	YES	NO	ABSENT	
Name				
Name				
Name				
Name				
Name				

Motion passes / fails. The Public Hearing is now closed at _____.

CODE OF CONDUCT FOR ELECTED OFFICIALS

Town of Johnstown Code of Conduct for Elected Officials

The Three Rs of Johnstown Government Leadership: Roles, Responsibilities and Respect

State law and Article I of Chapter 2 of the Johnstown Municipal Code provide detailed information on the roles and responsibilities of Board members, the Mayor Pro-Tem, and the Mayor. The Town's Code of Ethics provides guidance on ethical issues and questions of right and wrong. Until now, what has not been clearly written down is a Code of Conduct for Johnstown's elected officials.

This Code of Conduct is designed to describe the manner in which Board members should treat one another, Town staff, constituents, and others they come into contact with in representing the Town of Johnstown. It reflects the work of the Town Board and defines more clearly the behavior, manners, and courtesies that are suitable for various occasions. It also provides clarifications designed to make public meetings and the process of governance run more smoothly.

The contents of this Code of Conduct includes:	Pages
• <u>Overview of Roles & Responsibilities</u>	3
• <u>Policies & Protocol Related to Conduct</u>	4
• <u>Town Board Conduct with One Another</u>	5
• <u>Town Board Conduct with Town Staff</u>	7
• <u>Town Board Conduct with The Public</u>	8
• <u>Town Board Conduct with Other Public Agencies</u>	10
• <u>Town Board Conduct with Boards and Commissions</u>	10
• <u>Town Board Conduct with The Media</u>	11
• <u>Sanctions</u>	12
• <u>Principles of Proper Conduct</u>	13
• <u>Checklist for Monitoring Conduct</u>	13
• <u>Glossary of Terms</u>	14

The constant and consistent theme through all of the conduct guidelines is "respect." Board members experience stress in making decisions that impact the lives of the citizens. At times, the impacts of the entire community must be weighed against the impact of only a few. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Board members to do the right thing in even the most difficult situations.

Overview of Roles & Responsibilities

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in the Johnstown Municipal Code and in the Handbook for Municipal Elected Officials, published by the Colorado Municipal League.

MAYOR

- Recognized as head of the Town Government for all ceremonial purposes
- Presides over meetings of the Town Board
- Has same speaking and voting rights as any other member
- Executes and authenticates legal instruments requiring signature
- Leads the Town Board into an effective, cohesive working team

MAYOR PRO-TEM

- Elected by the Town Board at the first meeting following the election
- Performs the duties of the Mayor if the Mayor is absent or disabled

ALL BOARD MEMBERS

All members of the Town Board, including the Mayor and Mayor Pro-Tem, have equal votes. No Trustee has more power than any other Board member, and all should be treated with equal respect.

All Board members should:

- Fully participate in Town Board meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others.
- Prepare in advance of meetings and be familiar with issues on the agenda.
- Represent the Town at ceremonial functions at the request of the Mayor
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in Town government.
- Provide contact information with the Town Administrator or Town Clerk in case of an emergency or an urgent situation arises while the Board member is out of town.
- Demonstrate honesty and integrity in every action and statement.
- Participate in scheduled activities.

Policies & Protocol Related To Conduct

Ceremonial Events: Town staff will handle requests for a Town representative at ceremonial events. The Mayor will serve as the designated Town representative. If the Mayor is unavailable, then Town staff will determine if event organizers would like another representative from the Board. If yes, then the Mayor Pro-Tem will be recommended to serve as the substitute. Invitations received at Town Hall are presumed to be for official Town representation. Invitations addressed to Board members at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures: Board members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Board meetings. Town staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor or the appropriate Town staff. Anonymous letters will not be accepted nor acknowledged by either the Board or staff.

If correspondence is addressed only to one Board member, that correspondence will be shared with the rest of the Board.

Endorsement of Candidates: Board members have the right to endorse candidates for all Board of Trustee seats or other elected offices. It is inappropriate to mention endorsements during Board meetings or other official Town meetings or functions.

Intergovernmental Relations: The Board values intergovernmental relations with neighboring communities and other entities. As a result, Board members should make a concerted effort to attend scheduled meetings with other entities to further promote intergovernmental relations.

Legislative Process: The Town generally follows Roberts Rules of Order for meeting management.

Public Meeting Hearing Protocol: The Mayor will open the public hearing. Staff will make the initial presentation. The applicant or appellant shall have the right to speak first. The Mayor will determine the length of time allowed for this presentation. Speakers representing pro points of view will be allowed to follow. Speakers representing opposing points of view will then follow. The Mayor will determine how much time will be allowed for each speaker, with three (3) to five (5) minutes the standard time granted. The Mayor will then ask the Board if any issues need clarification before the public hearing is closed. The Mayor has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly.

Board members will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Board members are not appropriate until after the close of the public hearing. Board members should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Main motions may be followed by amendments. Any Board member can call for a point of order. Only Board members who voted on the prevailing side may make motions to reconsider.

Travel Expenses: The purpose of this regulation is to establish the policies and procedures for Board members who travel on official Town business either in state or out-of-state. Such travel shall include attendance at conferences, seminars, and training sessions on behalf of the Town. The Town shall pay reasonable expenses for registration fees, lodging, meals, transportation, and all allowable miscellaneous expenses.

Travel at vendor's expense is prohibited for Board members as the possibility exists for the trip to be misconstrued as a gratuity or that favoritism will be shown to a particular vendor in future award of contracts.

The expense of attending Town related functions shall be limited to individual Board member attendance only and shall be evaluated in terms of alternative methods and consequences of failing to attend. If others attend such functions with a Board member, such as a family member, their expense shall be the responsibility of the Board member.

Board members shall follow the same rules and regulations required of Town employees for travel expenses.

Board Member Conduct with One Another

Boards are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as the Board may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Board members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Board members should conduct themselves in a professional manner at all times, including dress.

Honor the role of the Mayor in maintaining order. It is the responsibility of the Mayor to keep the comments of Board members on track during public meetings. Board members should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

Avoid personal comments that could offend other Board members. If a Board member is personally offended by the remarks of another Board member, the offended Board member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Board member to justify or apologize for the language used. The Mayor will maintain control of this discussion.

Demonstrate effective problem-solving approaches. Board members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Be punctual and keep comments relative to topics discussed. Board members have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Board members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

IN PRIVATE ENCOUNTERS

Continue respectful behavior in private. The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

Be aware of the insecurity of written notes, voicemail messages, and e-mail. Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speakerphone in a full office? What would happen if this e-mail message was forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

Even private conversations can have a public presence. Elected officials are always on display-people around them that they may not know monitor their actions, mannerisms, and language. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

Board Conduct with Town Staff

Governance of a Town relies on the cooperative efforts of elected officials, who set policy, and Town staff, who implement and administer the Board's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Limit contact to specific Town staff. Questions of Town staff and/or requests for additional background information should be directed to the Town Administrator, Town Attorney, or Department Heads. The Town Administrator should be copied on or informed of any request.

Requests for follow-up or directions to staff should be made only through the Town Administrator or the Town Attorney when appropriate. When in doubt about what staff contact is appropriate, Board members should ask the Town Administrator for direction. Materials supplied to a Board member in response to a request will be made available to all members of the Board so that all have equal access to information.

Do not disrupt Town staff from their jobs. Board members should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

Never publicly criticize an individual employee. Board members should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the Town Administrator through private correspondence or conversation.

Do not get involved in administrative functions. Board members must not attempt to influence Town staff on the making of appointments, the awarding of contracts, selecting of consultants, processing of development applications, or granting of Town licenses and permits.

Check with Town staff on correspondence before taking action. Before sending correspondence, Board members should check with Town staff to see if an official Town response has already been sent or is in progress.

Do not attend meetings with Town staff unless requested by staff. Even if the Board member does not say anything, the Board member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

Limit requests for staff support. The Town Clerk opens all mail for Board members. Mail addressed to the Mayor is reviewed first by the Town Administrator who notes suggested action and/or follow-up items.

Requests for additional staff support – even in high priority or emergency situations -- should be made to the Town Administrator who is responsible for allocating Town resources in order to maintain a professional, well-run Town government.

Do not solicit political support from staff. Board members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Board Conduct with the Public

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Board members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with care and gentleness. Speaking in front of the Board of Trustees can be a difficult experience for some people. Some issues the Board undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that the Board treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.

Be fair and equitable in allocating public hearing time to individual speakers. The Mayor will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three (3) minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Board requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Mayor reopens the public hearing for a limited and specific purpose.

Give the appearance of active listening. It is disconcerting to speakers to have Board members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

Ask for clarification, but avoid debate and argument with the public. Only the Mayor – not individual Board members -- can interrupt a speaker during a presentation. However, a Board member can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Board member finds disturbing.

If speakers become flustered or defensive by Trustee questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Board members to members of the public testifying should seek to clarify or expand information. It is never appropriate to challenge or belittle the speaker. Board members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

No personal attacks of any kind, under any circumstance. Board members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

Follow parliamentary procedure in conducting public meetings. The Town Attorney serves as advisory parliamentarian for the Town and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor, subject to the appeal of the full Board of Trustees.

IN UNOFFICIAL SETTINGS

Make no promises on behalf of the Board. Board members will frequently be asked to explain a Board action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Board action, or to promise that Town staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

Make no personal comments about other Board members. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Board members, their opinions and actions.

Remember that despite its impressive recent growth, Johnstown is a small community at heart. The community is constantly observing board members every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town of Johnstown. Honesty and respect for the dignity of each

individual should be reflected in every word and action taken by Board members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Board Conduct with Other Public Agencies

Be clear about representing the Town or personal interests. If a Board member appears before another governmental agency or organization to give a statement on an issue, the Board member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the Town; 2) whether this is the majority or minority opinion of the Board. Even if the Board member is representing his or her own personal opinions, remember that this still may reflect upon the Town as an organization.

If the Board member is representing the Town, the Board member must support and advocate the official Town position on an issue, not a personal viewpoint.

If the Board member is representing another organization whose position is different from the Town, the Board member should withdraw from voting on the issue if it significantly impacts or is detrimental to the Town's interest. Board members should be clear about which organizations they represent and inform the Mayor and Board of their involvement.

Correspondence also should be equally clear about representation. Town letterhead may be used when the Board member is representing the Town and the Town's official position. A copy of official correspondence should be given to the Town Clerk to be filed as part of the permanent public record.

It is best that Town letterhead not be used for correspondence of Board members representing a personal point of view, or a dissenting point of view from an official Board position.

Town Board Conduct With Other Boards and Commissions

The Town has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Town Board. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

If attending a Board or Commission meeting, be careful to only express personal opinions. Town Board members may attend any Board or Commission meeting, which are always open to any member of the public. However, if the Board or Commission is conducting a public hearing, the Town Board member shall remove themselves from the

proceedings. Town Board members should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Town Board member at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Town Board. Also, a Town Board member's presence may affect the conduct of the Board or Commission and limit their role and function.

Limit contact with Board and Commission members. It is inappropriate for a Town Board member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. Town Board members should contact staff in order to clarify a position taken by the Board or Commission.

Remember that Boards and Commissions serve the community, not individual Board members. The Town Board appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Town Board. But Board and Commission members do not report to individual Town Board members, nor should Town Board members feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

Be respectful of diverse opinions. A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Town Board with advice based on a full spectrum of concerns and perspectives. Town Board members must be fair and respectful of all citizens serving on Boards and Commissions.

Keep political support away from public forums. Board and Commission members may offer political support to a Town Board member, but not in a public forum while conducting official duties. Conversely, Town Board members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Town Board member.

Inappropriate behavior can lead to removal. Inappropriate behavior by a Board or Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Town Board and the individual may be subject to removal from the Board or Commission.

Board Member Conduct with The Media

Board members may be contacted by the media for background and quotes.

The best advice for dealing with the media is to never go "off the record." Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

The Mayor is the official spokesperson for the official Town position. The Mayor is the designated representative of the Town Board to present and speak on the official Town position. If the media contacts an individual Board member, the Board member should be clear about whether their comments represent the official Town position or a personal viewpoint.

Choose words carefully and cautiously. Comments taken out of context can cause problems. Be especially cautious about humor, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

Sanctions

Public Disruption. Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Town Board meeting room.

Inappropriate Staff Behavior. Board members should refer to the Town Administrator any Town staff that does not follow proper conduct in their dealings with Board members, other Town staff, or the public. These employees may be disciplined in accordance with standard Town procedures for such actions.

Board Members Behavior and Conduct. Town Board members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Town Board. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by the Town Board.

Staff members who are present during Board meetings shall abide by appropriate standards of conduct and may be disciplined if they act inappropriately. Arguing with or challenging Town Board members is strictly prohibited.

Board members should point out the offending Board member's infractions of the Code of Ethics or Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro-Tem.

It is the responsibility of the Mayor to initiate action if a Board member's behavior may warrant sanction. If the Mayor takes no action, the alleged violation(s) can be brought up with the full Board in a public meeting.

If violation of the Code of Ethics or Code of Conduct is outside of the observed behaviors by the Mayor or Board members, the alleged violation should be referred to the Mayor. The Mayor should ask the Town Administrator to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Board to consider in a public meeting; or forming a Town Board ad hoc subcommittee to review the allegations; the investigation and its findings, as well as to recommend sanction options for Board consideration.

Principles of Proper Conduct

Proper conduct IS ...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT ...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

It all comes down to respect

Respect for one another as individuals . . . Respect for the validity of different opinions
. . . Respect for the democratic process . . . Respect for the community that we serve.

Checklist for Monitoring Conduct

- Will my decision/statement/action violate the trust, rights or good will of others?
 - What are my internal motives and the spirit behind my actions?
 - If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
 - How would people whose integrity and character I respect evaluate my conduct?
 - Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
 - Is my conduct fair? Just? Morally right?
 - If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
 - Does my conduct give others reason to trust or distrust me?
 - Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
 - Do I exhibit the same conduct in my private life as I do in my public life?
 - Can I take legitimate pride in the way I conduct myself and the example I set?
 - Do I listen and understand the views of others?
 - Do I question and confront different points of view in a constructive manner?
 - Do I work to resolve differences and come to mutual agreement?
 - Do I support others and show respect for their ideas?
 - Will my conduct cause public embarrassment to someone else?
-

Glossary of Terms

Attitude	The manner in which one shows one's dispositions, opinions, and feelings
Behavior	External appearance or action; manner of behaving; carriage of oneself
Civility	Politeness, consideration, courtesy
Conduct	The way one acts; personal behavior
Courtesy	Politeness connected with kindness
Decorum	Suitable; proper; good taste in behavior
Manners	A way of acting; a style, method, or form; the way in which things are done
Point of order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under

		consideration
Point of privilege	personal	A challenge to a speaker to defend or apologize for comments that a fellow Board member considers offensive
Propriety		Conforming to acceptable standards of behavior
Protocol		The courtesies that are established as proper and correct
Respect		The act of noticing with attention; holding in esteem; courteous regard

TOWN OF KIOWA

Policy Area: Standards of Conduct	Title of Policy: BoT Code of Ethics
Number: 22-056	Number of Pages: 7
Effective Date: February 13, 2024	Revised by:
Approved Date: February 13, 2024 Revision Date:	Approved by: Town BOT

Policy Statement:

The Town of Kiowa, a Colorado home rule town, is committed to the principles of good governance and endorses the following code of ethics and conduct to provide guidance for its elected and appointed officials, including advisory boards and other volunteers (hereafter referred to collectively as "public servants") to perform their duties in a way that best serves public interest and honors public trust.

Roles & Responsibilities:

The Town of Kiowa operates under a Board of Trustees-Town Administrator (Administrator) form of government. The Board of Trustees is composed of six Trustees and one Mayor. The role of the Board is to set policies and planning, while the Town Administrator carries out those policies and plans at the pleasure of the Board. The Town Administrator is the sole employee of the Board of Trustees and is responsible for staff management and day-to-day operations; the Board of Trustees is responsible for legislative functions such as interacting with the public and working to reach consensus on policy making and planning.

Principles of Good Governance

The Town of Kiowa is committed to adhering to the principles of good governance to better serve its constituents. The following good governance checklist should be used when making decisions:

1. Am I being accountable to the community and the public?
2. Will my decision/statement/action violate the trust, rights or goodwill of others?
3. What are my ulterior motives and the spirit behind my actions?
4. If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
5. How would my conduct be evaluated by people whose integrity and character I respect?
6. Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
7. Is my conduct fair? Just? Morally right?
8. If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
9. Does my conduct give others reason to trust or distrust me?
10. Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?

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11. Can I take legitimate pride in the way I conduct myself and the example I set?
 12. Do I listen and understand the views of others?
 13. Do I question and confront different points of view in a constructive manner?
 14. Do I work to resolve differences and come to mutual agreement?
 15. Do I support others and show respect for their ideas?

Public servants should endeavor to align their behavior, actions, and decisions with these principles of good governance.

Conflicts of Interest

As a general rule, Trustees have a fiduciary duty to the people who reside in the Town of Kiowa. A Trustee who has a personal or private pecuniary (monetary) interest in any issue proposed or pending before the Town of Kiowa or has a spouse or family member who has a pecuniary (monetary) interest in any issue proposed or pending before the Town of Kiowa, must disclose the fact to the board and recuse him or herself from any discussion or vote on the issue. However, absent a pecuniary (monetary) interest, simply hearing an issue while serving on another board does not create a conflict of interest that requires recusal.

In the case of a spouse or family member serving on a board, which may create a conflict for the Trustee, voluntary disclosure on the record is suggested. The Trustee should take care not to discuss any matters with their spouse or family members that may come before the Town.

The Trustee should always be mindful of appearing neutral. When an issue comes before the Town and a Trustee has heard the issue while serving on another board, the Trustee should voluntarily disclose their previous involvement with the issue and make an affirmative statement that the Trustee will not consider any matters outside of the Board of Trustee meeting when voting on an issue. This voluntary disclosure acts as a defense to later allegations of impropriety.

The only time a Trustee should recuse him or herself for a conflict arising from serving on another board is if the matter before the Town is quasi-judicial, such as rezoning. A quasi-judicial decision is one which a court may review. In these cases, the Trustee should recuse, since he or she received information on the application outside the Board of Trustee hearing. In this case, recusal would be based upon ex-parte communication, bias or prejudgment.

Board Members shall comply with applicable current state law, concerning conflict of interest and disclosure requirements, including but not limited to C.R.S. 24-18-10 et seq., C.R.S. 31-4-404, C.R.S. 24-18-201, C.R.S. 18-4-301, C.R.S. 18-4-401, and C.R.S. 18-8-308.

No Board Member may vote on any matter before his or her Board if the Board Member has a conflict of interest. If a conflict is not clear, the member may disclose the nature of the conflict of interest to the Board prior to abstaining from voting. If the member requests the remaining members to determine whether a conflict of interest exists, the remaining members shall determine by vote of a majority whether a conflict of interest exists.

When a Board Member is precluded from voting on a matter because of a conflict of interest, then the Board Member shall physically remove him or herself from the meeting room and shall refrain from attempting to influence the decisions of other members of the board. After the Board has completed consideration of the matter, the board member may return and resume his or her duties as a member of the Board.

No Board Member shall vote on any question concerning his or her own conduct.

The same policy and procedure apply to all other elected and appointed Town of Kiowa public servants as it relates to their individual boards.

Decorum and Order

All members of the Board of Trustees shall observe proper decorum at meetings and other official public gatherings when acting in an official capacity as a member or members of the Board of Trustees. All members shall avoid the use of abusive or profane language at meetings and when addressing the Board. In the event that abusive or profane language is used or an individual member of the Board of Trustees otherwise disrupts a Board meeting or violates these rules, the presiding officer shall, or any member may, call the violator to order, in which case the violator shall be quieted, unless permitted to explain.

Inappropriate Conduct

Certain types of misconduct may result in disciplinary action. Such matters include but are not limited to: material falsification of records, repeated and unexplained tardiness or absences from meetings (absences because of vacations, illness, and personal or family obligations will not be considered inappropriate conduct), and repeated failure to follow established chain-of-command procedure where interaction with Town staff is concerned. When acting in their official capacity as members of the Board of Trustees, all board members must go through the Town Administrator, the board's one employee, with all town staff communications involving town administration and operations.

Other examples of inappropriate conduct are: soliciting for personal or political gain; collection of money for personal gain or to settle personal debts; circulating petitions or distributing printed material on Town premises at any time, unless approval has been obtained from the Board of Trustees; fighting or attempting to fight on Town property; conviction of a crime; offensive conduct or language toward the public, fellow officials or town staff; misrepresentation of facts both during meetings and during public interaction; negligence in the care or handling of Town property; conduct or omissions unbecoming an incumbent of the particular position held; misuse of official capacity; misuse of town email accounts, computers, letterheads, stationery and other Town of Kiowa property for purposes other than Town of Kiowa official business; sexual harassment; and other actions that imply harassment. This list provides some examples and is not exhaustive. Other actions may warrant disciplinary action depending on the circumstances involved.

Confidential Information

No Board of Trustees member shall disclose confidential information acquired during the course of his/her duties; nor shall he/she use such information, or permit others to use it, in furtherance of a private interest.

Gifts

Members of the Board of Trustees shall not solicit or accept, directly or indirectly, any gift of substantial value, (a) which would tend improperly to influence a reasonable person in his/her position to depart from the faithful and impartial discharge of his/her public duties; or (b) which he/she knows, or which a reasonable person in his/her position should know under the circumstances, is primarily for the purpose of rewarding him/her for official action he/she has taken. An occasional non-monetary gift, insignificant in value, is not considered a gift of substantial value.

General Ethics – Town Operations

Nepotism - Except as otherwise required by law, no elected or appointed public servant should participate in any decision to appoint, hire, promote, discipline or discharge a member of their immediate family, should disclose such relationship, and recuse or remove him or herself appropriately.

Use of Town Property for Personal Purposes - Use of Town Property for Personal Purposes is considered a violation of this Code of Ethics and Conduct. While it is understood that occasionally a phone call or copy must be made, Town resources, including utilities, facilities, and equipment, should not be used for personal business.

Staff Interaction - Other than the Town Administrator, who is the sole employee of the Board of Trustees, members should not make direct requests from Town staff except when in the capacity of a private citizen requiring services. Any requests concerning Town personnel and services made as a Trustee or the Mayor should be made through the Town Administrator.

Communications

In Private Encounters:

1. Continue respectful behavior. The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.
2. Be aware of the insecurity of written notes, voicemail messages, and e-mail. Technology presents the risk of quick public dissemination of communications far beyond the intended recipient. Written notes, voicemail messages and e-mail should be treated as potentially public communication.
3. Even private conversations can have a public presence.
4. Public servants are always on display - their actions, mannerisms, language, and interactions in nonofficial settings are under scrutiny. They should always conduct themselves in a way that reflects positively.

Between Staff & Elected Officials:

1. Exemplary governance depends on the cooperative and supportive efforts of elected officials, who set policy, and Town staff, who implement and administer policy. Every effort should be made to be cooperative and show mutual respect for the contributions made by each public servant.

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2. Treat all public servants as professionals - Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
 3. Job Disruption - Board members should not disrupt Town staff while they are in meetings, on the phone, or performing their job functions to have individual needs met. Questions and/or requests should be directed to the Town Administrator.
 4. Never publicly criticize an individual employee. Board members should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's department head. Comments pertaining to staff performance should only be made to the Town Administrator through private correspondence or conversation.
 5. Do not act outside the scope of your authority. Board members should not attempt to influence Town staff on the making of appointments, the awarding of contracts, the selection of consultants, processing applications, or the granting of Town licenses and permits. Unsolicited attendance at staff meetings is discouraged. Correspondingly, Town staff should not attempt to sway Board members other than providing official recommendations to the entire governing body, especially for quasi-judicial matters such as liquor license hearings or land use hearings.
 6. Honor the established structure. Elected officials should not be involved with administrative matters. Staff members should not circumvent their supervisor or the established structure by appealing to an elected official for a raise or other consideration that should be between the staff member and their supervisor.
 7. Limit requests for staff support. Requests for additional staff support, even in high priority or emergency situations, should be made to the Town Administrator, who is responsible for allocating Town resources in order to maintain a professional, well-run and fiscally responsible town government.
 8. Do not solicit political support from staff. Council members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace.

Between Boards & Commissions:

1. Familiarize yourself with the bylaws, policies, and structure of the Town of Kiowa and its governing and advisory entities. Act in a manner respectful of those structures.
2. Make an effort to communicate as one voice between boards & commissions. Take the time and make the effort to reach consensus and avoid confusing official recommendations with personal opinion or ex-parte information once a compromise has been reached.
3. Always be consistent when directing advisory boards and commissions, whether individual members or the entity.

With the Media:

1. Make no promises on behalf of the Town of Kiowa.
 2. Board of Trustee members will frequently be asked to explain a Board action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer individuals to Town staff for
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further information. It is inappropriate to overtly or implicitly promise Board action, or to promise that Town staff OR the Kiowa Water and Wastewater Authority will do something specific (fix a pothole, handle an undocumented code violation, plant flowers everywhere, make water repairs, etc.).

3. Staff should inform the media of official public actions, refer the media to the public record, and refrain from providing personal opinions. Always refer the media to the Town Administrator for information on particular topics, rather than providing second-hand knowledge. The Town Administrator will either provide the information or direct the media person to the appropriate source.
4. Do not speak, write, or otherwise communicate for the Town of Kiowa without proper authorization.
5. Unless you are expressly permitted to do so by Board of Trustee action prior to your communication, do not speak for the Town of Kiowa in an official capacity. Always disclose your communications as an individual and not representative of the Town of Kiowa.
6. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory or personal comments about other public servants, or their opinions and actions.

Disciplinary Action Process and/or Removal from Office of An Elected or Appointed Official

Barring violations of Kiowa Board of Trustees Policy, Procedures and Code of Conduct that because of their serious nature require immediate action to remove an elected or appointed official, the Board of Trustees may choose implementation of the following steps:

1. Reprimand/Warning
2. Censure
3. Sanction

At its discretion, the Board of Trustees may remove any elected or appointed Town official in compliance with Colorado law. Removal may occur only upon an affirmative vote of at least four (4) members of the Board and only for good cause shown by preponderance of the evidence presented at a hearing conducted after notice of the alleged grounds for removal has been issued to the affected official. The alleged grounds may be raised in a written complaint by a member of the Board or by any citizen of the Town. However, at or before the time that a hearing is set for full consideration of the complaint, a majority of any quorum of the Board must first find that there is a reasonable foundation for the complaint. Upon such finding by the Board, but no sooner than ten (10) days after filing of the complaint, the matter shall be placed on the agenda of a regular or special meeting of the Board for full hearing. If, upon completion of such a hearing, there is no adequate vote for removal of the affected official, that official shall not be subject to any subsequent removal hearing on the same charge(s). All testimony taken at a removal hearing shall be given under oath.

Good cause for disciplinary action and/or removal shall be determined based on preponderance of the evidence presented and may be found against any official who has:

1. Intentionally disclosed protected, confidential government/personnel information obtained during executive sessions or in the course of Board of Trustee duties;
 2. Knowingly violated the conflict-of-interest provisions of this policy/code of conduct or Colorado law;
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3. Continuously and wilfully violated ordinances of the Town of Kiowa, including failure to go through the Town Administrator and misusing Board of Trustee status to instruct town staff to perform certain actions;
 4. Knowingly misused public resources and equipment;
 5. Been convicted of a felony or crime of moral turpitude during the current term of office, or within five years of being elected, which conviction was not known to the voters at the time the member was elected to office;
 6. Continuously and wilfully violated staff interaction procedures.
 7. Wilfully neglected the official's duty as an elected official;
 8. Ceased to reside in the Town Limits for more than forty-five (45) days, except when county residency is deemed acceptable by the Board under certain circumstances.

Definitions

Appearance of impropriety refers to actions or decisions that may not technically fall under conflict-of-interest guidelines but tend to undermine the public trust in the Town of Kiowa's governing practices.

Censure is an official written statement approved by the Board of Trustees as an official sanction that identifies the Code of Ethics and Conduct violation or violations and expresses disapproval.

Public Servant refers to any elected or appointed official of the Town of Kiowa, as well as employees and volunteers, including, but not limited to Board of Trustee members, Planning Commissioners and ad hoc committee member, the Event Planning Committee, part time employees, volunteers, and temporary employees.

Sanction is an action taken by the Board of Trustees if an individual member of the Board of Trustees or an advisory board member is in violation of this Code of Ethics and Conduct. Sanctions can include reprimands, formal censure, and removal from boards and commissions (in compliance with state law).

Reprimand is a verbal statement in a meeting which addresses a Code of Ethics and Conduct violation and includes the section of this code in question.

CODE OF CONDUCT AND ETHICS¹

1. Intent.

This Code of Conduct and Ethics ("Ethics Code") is adopted in accordance with Section 3.06 of the Home Rule Charter for the Town of Severance (the "Charter") and is intended to govern the conduct of elected and appointed officials of the Town with respect to conflicts of interest and the performance of their official duties on behalf of the Town and its residents.

2. Purpose.

- A. The Town Council recognizes that the holding of public office is a public trust and that public officials have a fiduciary duty to carry out the responsibilities of their office for the benefit of the Town. The Town Council finds that ethical standards among its members and the members of the Town's boards and commissions are essential to the public affairs of the Town. In pursuit of such goals, the Town Council adopts the following rules, regulations, standards, and procedures as set forth in this Ethics Code.
- B. The purposes of this Ethics Code are to foster public trust and promote public confidence in the integrity of the Town government, and to provide guidance in the event of conflicts of interest to members of the Town Council and to the boards and commissions operating on behalf of the Town. This Ethics Code is further intended to foster public trust by ensuring that government decisions and policy be made in proper channels of the government structure; and by prohibiting the use of public office for private gain.
- C. This Ethics Code establishes guidelines for standards of conduct by setting forth those acts or actions that are incompatible with the best interests of the Town; by directing disclosure of private, financial, or other substantial interests in matters affecting the Town; and by imposing appropriate sanctions upon elected or appointed officials who violate the provisions of this Ethics Code.
- D. While it is critical that elected and appointed officials of the Town follow both the letter and spirit of this Ethics Code, it is equally important that they strive to avoid situations that may create public perceptions of violations of this Ethics Code. Perceptions of such violations can have the same negative impact on public trust as actual violations.

3. Scope of coverage.

The provisions of this Ethics Code shall be applicable to all members of the Town Council and all appointed members of the Town's boards.

4. Definitions.

As used in this Ethics Code, the following terms shall have the following meanings, except where the context clearly requires a different meaning:

"Appear on behalf of" means to act as a witness, advocate, or expert, or otherwise to support the position of another person.

¹ Adopted Feb. 22, 2022, Res. 2022-08R; amended March 22, 2022, Res. 2022-15R (adding § 12); amended January 10, 2023, Res. 2023-01R (adding § 13).

"Board" means the Town planning commission, the Town tree board, and any other appointed board or commission, including advisory and appeal boards, created by ordinance of the Town Council or as set forth in the Town Charter or Town Code.

"Board member" means an appointed regular or alternate member of a Town board.

"Business" means any corporation, limited liability company, trust, partnership, association, sole proprietorship, firm, venture, or other legal entity carrying on a business, whether or not operated for profit.

"Confidential information" means any information that is not available to the general public or is deemed confidential in accordance with local, state or federal law, and which is obtained by reason of a Council member's or board member's official position or under circumstances by which a reasonable person could anticipate that such information not be disclosed. Confidential information shall also include matters discussed in executive sessions; however, information otherwise available to the general public does not become "confidential" merely because it was discussed in executive session.

"Conflict of interest" means a financial interest or personal interest of the Council or board member or of any relative of such member that interferes with or influences or may interfere with or influence the conduct of the duties or the exercise of the powers of the Council or board member on behalf of the Town. The term "conflict of interest" includes the restrictions set forth in Section 6 of this Ethics Code.

"Contract" means an arrangement or agreement, including the bidding or negotiation process therefor, pursuant to which any land, goods, materials, services, or other thing of value is to be furnished to the Town for a valuable consideration to be paid by the Town or is to be sold or transferred by the Town, provided the amount involved is more than one hundred dollars. The term "contract" shall include any subcontract thereof.

"Council" means the Town Council of the Town of Severance.

"Council member" means a member of the Town Council of the Town of Severance, including the Mayor.

"Day" means working days.

"Financial interest" means a pecuniary, property, or commercial interest or any other interest, the primary significance of which is economic gain or the avoidance of economic loss, held by a Council or board member or his or her relative. A "financial interest" includes, without limitation:

1. An ownership interest in a business, including ownership of securities of a corporation, or of any beneficial interest in a business, the aggregate amount of which interest or securities owned by the Council or board member and the Council or board member's relative is five (5) percent or more of any class of securities of such business or five (5) percent or greater ownership in such business;
2. A creditor interest in an insolvent business;
3. Employment or a prospective employment for which negotiations have begun, or a contractual relationship that directly relates to a matter under consideration;
4. An ownership interest in real or personal property;
5. A loan or any other debtor interest; or
6. A position as a director, manager, or officer in a business.

However, the term "financial interest" shall not include any matter involving the common public good or necessity or any matter in which a similar benefit is conferred to all persons or property similarly situated.

"Matter" or "matters" includes, without limitation, any contract, any sale, lease, or purchase of an interest in land, goods, materials, supplies, or services, and any processing or granting of a development right, license, permit, application, inspection, or administrative approval.

"Official act" or "official action" means any vote, decision, discussion, determination, recommendation, approval, disapproval, or other action, including inaction, of any Council or board member or of the Town Council or of any board of the Town.

"Pending" means those matters before the Town for an official act or action. Such matters shall not be considered "pending" if no application or request for such official act or action has been filed with or received by the Town.

"Person" means any individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, limited liability company, partnership, association, or other legal entity.

"Personal interest" shall mean a direct or indirect interest, not shared by the general public, having value peculiar to a particular Council or board member, whether or not the value is related to monetary, financial, commercial, or property matters, which value may accrue to such Council or board member or result in such Council or board member deriving or potentially deriving a personal benefit as a result of the approval or denial of any ordinance, resolution, order, or other official action, or the performance or nonperformance thereof, by the Town. Personal interest does not include any matter in which a similar benefit is conferred to all persons or property similarly situated to that of the Council or board member.

"Relative" means a Council or board member's spouse, domestic partner, child, parent, brother, sister, any dependent, or any person assuming a relationship being the substantial equivalent of those listed herein. "Domestic partner" shall mean an unmarried adult, unrelated by blood, with whom an unmarried Council or board member has an exclusive, committed relationship, maintains a mutual residence, and shares basic living expenses.

"Town" means the Town of Severance, Colorado, a Colorado home rule municipal corporation.

5. General duties.

All Council and board members have a duty to use their public positions to contribute to the public good. This Ethics Code shall not preclude such persons from acting in any manner consistent with their official duties or from providing assistance or public services to anyone who is entitled to them. All Council and board members, however, also have a fiduciary duty to refrain from using their positions in any manner for personal or private gain or which is detrimental to the public good. Council and board members must be mindful that the appearance of impropriety can be as corrosive of public confidence as an actual impropriety and must strive to avoid situations that may create an appearance of impropriety.

6. Rules of conduct for Council members and board members.

A. Confidential information.

1. No Council or board member may disclose to third parties any confidential information unless authorized to do so by a two-thirds vote of the applicable Council members and board members in office, except as required by law.

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2. No Council or board member may waive any confidence or privilege of the Council or the board unless authorized to do so by a two-thirds vote of the applicable Council or board members in office, except as required by law.
 3. The obligations and requirements of this subsection A. continue to apply to Council members and board members after leaving office.
 3. Whether or not it shall involve disclosure, no Council or board member shall use or permit the use of any confidential information to advance his or her personal or financial interest or those of any other person, unless such information is available to the public at large.
- B. *Gifts.* No Council or board member may solicit or accept from any one person or entity a present or future gift, favor, loan, service, honorarium, or thing of value, whose cumulative value is more than sixty-five dollars (\$65) per annum, or of any value whatsoever under circumstances that would lead a reasonable person to believe that such gift, favor, loan, service, honorarium, or thing of value was made or given primarily for the purpose of influencing or attempting to influence such Council or board member in connection with an official act, or as a reward for official action he or she has previously taken. This prohibition shall not apply to:
1. Campaign contributions and contributions in kind reported in full compliance with the Colorado Fair Campaign Practices Act.
 2. Admission and reasonable expenses for attendance at conferences, meetings, seminars, training sessions, cultural events, award ceremonies, or conventions related to or in connection with Town business.
 3. Acceptance of food and refreshment at conferences, meetings, seminars, training sessions, luncheon and dinner meetings, special occasions and other instances in conjunction with Town business.
 4. An unsolicited item of trivial value less than fifty dollars (\$50), such as a pen, calendar, plant, book, note pad, or other similar item, or an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item.
 5. A gift given by an individual who is a relative or personal friend of the recipient on a special occasion.
 6. Payment of salary from employment, including other government employment, in addition to any that may be earned from being a Council or board member, and reimbursement of necessary and reasonable expenses directly related to such employment.
- C. *Conflict of interest.* No Council or board member may participate in any discussion of, or take any official action on, any matter in relation to which the Council or board member has a conflict of interest, as provided in Section 7 of this Ethics Code. In addition, a Council or board member must not perform an official act that directly and substantially affects to its economic benefit a business or other undertaking in which such Council or board member has a substantial personal or financial interest, or that directly and substantially affects to its economic detriment any business or other undertaking when such Council or board member has a substantial personal or financial interest in a competing business or undertaking.
- D. *Appearances before Council and boards.* No Council or board member may appear on behalf of a private party before the Council or board, unless otherwise permitted by the Town Code, except that any Council or board member may appear before the Council or any board to address that Council or
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board member's own personal interest. Nothing in this subsection shall preclude a Council or board member in the same manner and under the same circumstances as any other person from appearing before the Council or any board on an application of the Council or board member for a permit, license, or other approval of the Council or board required by law.

- E. *Civil litigation.* No Council or board member may appear on behalf of or represent any private interests, other than the Council member's or board member's own interest, against the interests of the Town in any civil litigation to which the Town is or may become a party, unless the consent of the Council or applicable board is first obtained, except that any Council or board member may testify under oath if subpoenaed.
- F. *Service on other governmental entities or associations.* A Council or board member may serve on a board of another governmental entity or association as long as the Council or board member (1) first requests the consent of the Council to apply for, run for, or seek appointment to the board of the other governmental entity or association and a majority of the Council members in office approve the request, (2) does not receive any personal pecuniary benefit from such service, other than reimbursement for expenses directly related to such service, (3) explicitly discloses such service through a conflict-of-interest disclosure as to type of position, compensation, and role, to be kept on file with the Town and with the other governmental entity, (4) discloses a conflict and recuses themselves from an official act of the Council or board that may directly or substantially affect the other governmental entity or association, and (5) discloses a conflict and recuses themselves from an official act of the other governmental entity or association that may directly or substantially affect the Town.
- G. *Personal benefit.* No Council or board member may use any Town property, equipment, or employee services for personal or private purposes, gain, or advantage except in the same manner and under the same circumstances as any other person who is not a Council or board member of the Town.
- H. *Special consideration.* No Council or board member may request or grant to any person any special consideration, treatment, or advantage beyond that which is available to every other person in similar circumstances or need.
- I. *Voting on matters involving own conduct.* No Council or board member may take any official action on or vote on any question concerning the member's own conduct.
- J. *Other conduct.* It shall be a violation of this Code of Conduct for any Council or board member to engage in other conduct which threatens the public confidence in the integrity of the Town government, including but not limited to illegal conduct, conduct which puts self-interest before public interest, willful or persistent failure to perform his or her duties, engaging in any form of harassment or unlawful discrimination, or any other conduct involving dereliction of duties.

7. Conflict of interest—Disclosure; Recusal.

- A. No Council or board member may vote on any matter if the member has a conflict of interest as defined above. In the event that a Council or board member has a conflict of interest in any matter proposed or pending before the Council or board of which he or she is a member, the member shall disclose the conflict of interest in a public meeting and shall not vote, participate in, or take any official action on the matter.
- B. In the event that any Council or board member is aware that he or she could reasonably be perceived as having such a conflict of interest or is unsure of the existence of such a conflict, the member shall

nevertheless disclose the possibility of such conflict of interest to the Council or board. The member may request an advisory opinion pursuant to Section 9 of this Ethics Code and if it is determined that such member has a conflict of interest, the member shall disclose such conflict of interest to the Council or board and shall not vote, participate in, or take any official action on the matter.

- C. A Council or board member with a conflict of interest shall physically remove himself or herself from the room in which the Council or board is meeting and shall refrain from attempting to influence the decisions of the other members of the Council or board of which the person is a member. No vote shall be recorded for a Council or board member who refrains from voting due to a conflict of interest. After the Council or board has completed consideration of the matter, the member may return and resume his or her duties as a member of the Council or board.
- D. A Council or board member who has a conflict of interest may vote notwithstanding the requirements and restrictions of this section if his or her participation is necessary to obtain a quorum or otherwise enable the Council or board to act and if he or she complies with the disclosure procedures under subsection A or B of this section.

8. Quasi-judicial decisions.

- A. *Duty to remain impartial.* Each Council and board member shall be and remain impartial when making any quasi-judicial decision. Any Council or board member who cannot be impartial in making a quasi-judicial decision shall follow the disclosure and recusal procedures in Section 7 of this Ethics Code.
- B. *No investigation or ex parte communications.* No Council or board member shall receive nor shall any Town employee or member of the public provide to any Council or board member any substantive oral or written information, except for legal advice, regarding a matter which is pending before the Council or board on which the member sits, and which is the subject of a quasi-judicial hearing before the Council or board, outside of the quasi-judicial hearing process. The term "quasi-judicial hearing process" includes, but is not limited to, preparations necessary for such hearing such as written staff reports, scheduling, agendas, proposed resolutions and ordinances, posting or publishing notice, and legal advice. The Town Attorney shall provide affected Council or board members advice on what constitutes a quasi-judicial decision.
- C. *Disclosure.* In the event a Council or board member shall inadvertently or unintentionally receive any substantive oral or written information outside of the quasi-judicial hearing process, as prohibited in this section, the Council or board member shall fully and completely disclose such substantive oral or written information received at the start of the quasi-judicial public hearing process. By making such full and complete disclosure, the Council or board member shall be deemed to be in compliance with the requirements of this section. Failure to make such full and complete disclosure shall be a violation of this section.

9. Advisory opinions.

- A. Any Council or board member may request from the Town Attorney an advisory opinion whenever a question arises as to the applicability of this Ethics Code to a particular situation. In determining whether or not a Council or board member has a conflict of interest, consideration may be given to the following:
 - 1. The purposes and provisions of this Ethics Code;
 - 2. Whether the potential conflict of interest would impede independence of judgment;

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3. The effect of the member's participation on public confidence in the integrity of the Council or board and of the Town government;
 4. Whether the member's participation is likely to have any significant effect on the ultimate disposition of the matter; and
 5. The member's fiduciary obligations to the Town.
- B. Should the Town Attorney at any time determine that he or she has a conflict of interest in carrying out the duties of this section, the Town attorney shall request that the Town Council appoint special counsel to undertake such duties. Special counsel must be engaged by a majority vote of the Council and his or her reasonable fees and expenses shall be paid by the Town.

10. Enforcement.

- A. *Council to enforce.* The Town Council shall have the responsibility for the enforcement of this Ethics Code and the Town's Charter as to Council and board members. The Council shall have the power to investigate any complaint and to initiate any civil action on behalf of the Town where it believes such action is appropriate. If the accused is a Council member, the procedures in Subsection 7.C. shall apply, except that the accused Council member may participate as a party in a hearing on a complaint under this section. Further, the Council shall have the power to appoint a hearing officer to carry out all duties assigned to the Council in this section, except that only the Council may impose sanctions under subsection I. of this section and determine whether to reimburse attorney fees under subsection K. of this section.
- B. *Verified complaint.* Any person who believes that a Council or board member has violated any of the provisions of this Ethics Code or the Charter and wishes to initiate proceedings on such alleged violation shall file a written complaint with the Town Clerk, who shall forthwith forward the complaint to the Council. The Town Clerk shall within ten days of a receipt of a complaint cause to be personally served a copy of the complaint to the Council or board member who is the subject of the complaint. The complaint must state in detail the facts of the alleged violation, must specify the provisions of this Ethics Code or the Charter alleged to have been violated, and must contain a sworn or verified statement signed by the complainant and stating under penalty of perjury that the information in the complaint is true and accurate, and that the complaint is filed in good faith and not out of malice or any other improper motive or purpose. Any complaint that does not contain such a signed statement shall be returned forthwith to the complainant without action.
- C. *Dismissal.* If the Council determines that the verified complaint does not allege facts sufficient to constitute a violation of this Ethics Code or the Charter, it shall dismiss the complaint and notify the complainant and the accused.
- D. *Investigation.* Following the receipt of a complaint or upon the receipt of other information, whether or not under oath, that provides a reasonable basis to believe that a violation of this Ethics Code or the Charter has been committed or that an investigation of a possible violation is warranted, the Council may cause an investigation to be made of the circumstances concerning the possible violation. An investigation shall be conducted by a special investigator, who shall be a qualified disinterested party recommended by the Town Attorney, and who shall be engaged by a majority vote of the Council. The reasonable fees and expenses of the special investigator shall be paid by the Town. Before invoking its investigatory powers, the Council shall approve a motion which shall state the nature and purpose of the investigation, the actions or activities to be investigated and the persons who are the subject of

the investigation. The Council shall, within five days, serve a copy of the motion on the accused together with a notice informing the person that he or she is the subject of the investigation and a general statement of the applicable provisions for which violations are being investigated.

- E. *Special investigator.* The special investigator may interview witnesses and request documents that may be relevant to the investigation. Before completing the investigation, the special investigator shall provide the Council or board member against whom the complaint is made an opportunity to provide information concerning the complaint. Such information must be provided in writing. Upon completion of the investigation, the special investigator shall provide a written investigation report to the Council stating whether there is probable cause to believe the violation(s) alleged in the complaint occurred, whether the investigation revealed that there is probable cause to believe that different or additional violations of this Ethics Code or the Charter occurred, or recommending dismissal of the complaint, and the basis for the special investigator's conclusions. A copy of the investigation report shall be provided to the Council and served on the accused.
- F. *Dismissal or hearing.* Upon completion of the investigation, the Council shall review the investigation report and dismiss the complaint if it determines there was no violation of this Ethics Code or of the Charter. If the Council determines, based on the investigation report, that there is probable cause that a violation occurred, it shall by motion set a hearing date, time and place. The investigative report and notice of the hearing shall be served on the accused not less than thirty days prior to the hearing.
- G. *Hearing.* The mayor or mayor pro tem shall preside over the hearing on the complaint and shall determine all procedural issues with the assistance of the Town Attorney. The special investigator shall present the case against the accused. The accused may be represented pro se or by any person of the accused's choice. The hearing shall be conducted so as to provide fundamental fairness, although strict rules of procedure and evidence need not be followed. All witnesses shall be subject to cross-examination. Documentary evidence that can be reasonably authenticated shall be admitted for consideration. A violation of this Ethics Code or the Charter shall be proven by a preponderance of the evidence as determined by two-thirds of all the voting members of the Council. Upon finding that the accused violated this Ethics Code or the Charter, the Council may continue the hearing to discuss and, in its discretion, to receive additional evidence regarding the appropriate penalty.
- H. *Findings.* At the conclusion of the hearing regarding the alleged violation, the Council shall dismiss the charges or find that the accused violated this Ethics Code or the Charter. The Council shall serve on the accused a written findings and order within thirty days after conclusion of the hearing.
- I. *Sanctions.* Upon finding that a Council or board member has violated this Ethics Code or the Charter, the Council may impose an oral or written reprimand, a public censure, non-financial restorative justice measures, or other sanctions as the Council deems just and appropriate depending on the seriousness of the violation and any mitigating circumstances. The Council may also remove any board member from such person's appointed position. The Council may also remove a Council or board member from any committees, boards, or other special or ex officio appointments. If a hearing officer appointed by the Council issued the findings and order, the hearing officer may provide a recommendation regarding sanctions for the Council's consideration.
- J. *Service.* Service of any notice or other document pursuant to this section or this Ethics Code is complete upon mailing certified mail to the person's last known address, or upon personal service.

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- K. *Reimbursement of attorney fees.* If the final outcome of any complaint filed pursuant to this section is dismissal or in the event the Council or board member against whom a complaint is filed is found by the Council not to be in violation of the provisions of this Ethics Code or the Charter, then, in that event, the Council or board member may request and the Town may reimburse the Council or board member for any attorney fees actually expended by the Council or board member in his or her defense of the complaint, in an amount determined by the Council in its sole discretion, subject to appropriation. The Council or board member seeking such reimbursement of attorney fees as provided for herein shall file a complete and detailed request for reimbursement with the Council showing amounts expended and specific legal services received. The Council shall then review the request and determine its appropriateness hereunder. In the event the Council has determined by resolution to reimburse such fees, the Town shall reimburse such fees within 60 days of receipt of the request for reimbursement, subject to appropriation therefor.
- L. *Other actions not precluded.* Nothing in this section or this Ethics Code shall be construed to preclude other actions that may be available at law against a Council or board member for violations of this Ethics Code or the Charter.

11. Compliance with other laws.

The requirements of this Ethics Code shall be in addition to the applicable requirements of the Town Charter, the Town Code, the Colorado Constitution, and the laws of the state. To the extent any conflict exists between the requirements of this Ethics Code and the requirements of the Town Code, the Colorado Constitution, or the laws of the state, the more restrictive provision shall apply.

12. Conduct with Town Staff.

- A. For purposes of this section, "staff" shall mean employees of the Town, the Town Manager, and contract consultants performing services for the Town. "Staff" does not include the Town Attorney or the Town's Municipal Judge.
- B. In interacting with Town staff, Council members and board members shall:
1. Treat all staff members as professionals;
 2. Not disrupt staff in the performance of their duties;
 3. Not publicly criticize individual staff members;
 4. Direct all questions of staff through the Town Manager; and
 5. Not attend staff meetings unless invited by the Town Manager.
- C. Individual Council members and board member are prohibited from giving a direct order to any staff member, and from soliciting political support from any staff member for any Council member's or board member's campaign for any elected or appointed office.
- D. If a Council member wishes to discuss matters relating to Town operations and administrative services with Town staff, the Council member must first advise the Town Manager. The Town Manager

may either arrange a time and place for the Council member to discuss the matter with the appropriate staff, or arrange for the appropriate staff to attend a Town Council meeting to discuss the matter with the entire Council, as appropriate.

E. Council members and board members may only request information from staff through the Town Manager. If, in the Town Manager's determination, more than 60 minutes of staff time per calendar week will be required to obtain or compile the requested information, the request will not be processed unless the matter is placed on the Town Council's agenda for consideration at an upcoming regular or special meeting. The Town Manager will proceed to direct staff to fulfill the request only if so directed by a vote of the majority of the Council present.

13. Council and Board Meeting Conduct.

A. In interaction during public meetings, Council members and board members shall strive to:

1. Treat all Council and board members as professionals;
2. Stay on topic; focus on the issue or topic;
3. Not use profanity directed at Council members, board members, staff, or the public;
4. Not personally criticize or make personal attacks on Council members or board members.

B. This section 13 is intended to set forth expectations for the conduct of Council members and board members during public meetings and is not subject to complaints or enforcement under section 10 of this Ethics Code.

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CITY OF
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City Council Code of Conduct and Cooperation

Conformity and Adherence
To these Principles
Is Required For
Council Participation
And
Community Representation



Identity and Purpose

We, as City Councilors, are representatives of our Home Rule community. This constitutes an obligation we accept to duly operate within the scope of our purpose. Our Home Rule Charter dictates the responsibilities assigned to us as City Councilors, as well as those assigned to City Staff. City Council sets policy, adopts laws, ordinances, resolutions, and an annual budget. The City Administrator, hired by City Council, is charged with the responsibility of managing the ongoing activities of our City. This to include hiring Staff, following policy directives set by Council, ensuring enforcement of codes, laws, and regulations, and preparing the annual budget.

City Council Commitment to Cooperation, Ethics, Decorum, Respect, and Civility

We commit to cooperation with City Staff in allowing City Staff to perform their assigned duties as professionals. We do not interfere with Staff in daily operations, or as individual Council members, attempt any effort to dictate directives as to how to perform the tasks to which Staff has been assigned. All department directors report to the City Administrator. The City Administrator reports to City Council as one body, and receives directives from City Council as one collective body. No one Council member singularly speaks for the City Council. We will never, under any circumstance, publicly criticize any Staff, or City Administrator.

As City Council members working together, we commit to the following obligations:

We will:

Practice proactive listening. Listen to fellow Councilors, Staff, and our citizens intently. Ensure all voices are heard equally. Briefly summarize the message to ensure proper understanding.

Focus on issues, not individuals. Agree or disagree with the ideas, not the person. Take responsibility for understanding fully the substance of the issue before us. Acknowledge differing perspectives. Treat the perspectives of others with respect. An open discussion of differing perspectives can lead to a productive and agreeable consensus. Find the common ground among varying viewpoints, if possible, to arrive at a consensus of adequacy.

Equally respect the will of both the majority, and the minority. The majority will prevail in a final decision. That decision is supported by all Council members. Any changes to a final decision will be done in accordance with Council policies and procedures. The minority, though not the prevailing position, will not be criticized, discredited, or chastised for their position.

Manage our emotions while engaging with other Councilors and Staff. Ask questions with the intent to learn, and answer questions with respect at all times.



Acknowledge logical or interesting points. Embrace a continuous learning mindset by staying open to new ideas and facts to expand understanding.

Seek common ground as Councilors. Find the commonalities and shared understandings as a basis for productive, resolution-oriented communication and problem-solving.

Never publicly embarrass, shame, or condescend our fellow Council Members, Staff, or citizens. Maintain an atmosphere of good will and respect.

Be prepared for all City Council meeting by reading our packets, and otherwise being familiar with the issues on the agenda.

Be engaged with the public, and deliver on our responsibilities as City Council members.

Provide clear direction to our City Administrator and Staff during City Council meetings. Support Staff in implementing the direction given by City Council.

Be transparent, conducting our City business consistent with the Open Meetings Law.

Communicate clearly the decisions made by Council to all interested parties, even if or when we may disagree with the decision. This affirms the respect and integrity of our decision making process.

Work together for the common good of our community. This requires making tough decisions that at times is counter to the desires of individual citizens.

Communication with Staff

Requests of Staff are to be vetted through Department Heads, via City Administrator. Requests that require Staff time or resources must be referred to The City Administrator.

Ethical Standards

City Councilors are bound by the Code of Ethics contained in Article 1.4 of The Ouray City Home Rule Charter. Unless otherwise prescribed by ordinance, the Colorado Code of Ethics, C.R.S. 24-18-101, et seq., shall apply to the City.



Council Actions and Open Meetings

City Council decisions to take formal action will be made during open meetings, in compliance with the Open Meetings Law. All meetings of three or more Council members convened for the purpose of discussing public business must be open to the public. Everything any City Council member writes, including texts and emails, regarding City business is subject to an Open Records request. All executive sessions shall be conducted in accordance with the Open Meetings Law.

City Council Engagement with the Media

Any media requests received by the Mayor or City Council member regarding the official City position/statement on any given topic are to be forwarded to the City Administrator for review. Upon review with the City Administrator, the Mayor determines whether to respond with an interview or written statement. In the event the Mayor is inaccessible, the City Administrator determines how to respond and may otherwise respond to media requests. Any comment from any individual Council Member made to the media should be clear whether the comments represent the official City position, or a personal viewpoint.

Our Commitment to Work with Partners in the Region and Beyond

City Council Members are assigned to represent the City of Ouray on a selection of various committees, boards, and other entities. Council Members' active participation and preparedness for meetings of these assigned entities is expected. Should you be unable to attend, request the assistance of an alternate to ensure the City is appropriately represented.

Council Procedures during Emergencies

Emergency Ordinances are defined in Article 3.6 of The City of Ouray Home Rule Charter.

Further Obligations of Ouray City Council Members

City Council members are advised to be knowledgeable of the content of The City of Ouray Home Rule Charter, and/or have ready access to the content as practically applicable.

Exercise politeness, civility, and courtesy in all interactions with the public. Determine to exemplify the best of character in all matters of public and private affairs. Always live in accordance with City Council responsibilities, and as model representatives of the City.



