



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: April 17, 2025

AGENDA TITLE

Consideration of a motion to accept the March 13, 2025, study session summary regarding the City Council Process Working Group.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Pam Davis, Assistant City Manager
Teresa Taylor Tate, City Attorney

EXECUTIVE SUMMARY

The Council Process Improvement Group determined a list of 15 process improvement priorities for staff and council consideration and potential implementation. Several of these items required immediate full body direction before staff could move forward. For this agenda item, city staff provided background on the operation of the City Council Process Working Group, described six process improvement items that required full council direction, and sought direction on those items.

STAFF RECOMMENDATION:

Staff requests council consideration of this matter and action in the form of the following motion: Motion to accept the March 13, 2025, study session summary regarding the City Council Process Working Group

ANALYSIS

Council provided the following comments and direction on the six process improvement items before them on March 13th.

1. Mayor Pro Tem Elections

Council discussion on this item centered on whether to formalize longstanding, unwritten criteria by which council members elect the Mayor Pro Tem (MPT) in council procedure.

A majority of council members indicated support for a proposal by Council Member Speer to formalize these criteria with the intention of making MPT elections fairer and more predictable. Council Member Speer's proposal, as submitted via Hotline prior to the meeting, is outlined below:

1. The starting point is that the MPT is the longest-serving Councilmember who has not yet served as MPT and is willing to serve as MPT.
2. If more than one member of Council meets the criteria in (1), those Councilmembers should send an email via Hotline expressing their interest in being entered into a random selection process at least one week before the MPT selection meeting.
3. At the MPT selection meeting, a random selection process chooses the MPT (e.g., the process used to randomly select open comment speakers when >20 people sign up).
4. In a case where the longest-serving Councilmember(s) who haven't yet served as MPT do not wish to be MPT, there are two possible scenarios:
 - a. There is at least one Councilmember who qualifies as the next-longest-serving Councilmember, hasn't yet served as MPT, and is willing to serve as MPT. In this case, restart the process at (1) with that/those Councilmember/s.
 - b. Every Councilmember who is willing to serve as MPT has served one term as MPT and is willing to serve a second term. In this case, any Councilmembers who have not yet served two terms as MPT and are willing to serve as MPT would proceed to steps (2) and (3). Should a scenario ever arise where every Councilmember who is willing to serve as MPT has already served two terms, the same process could apply in moving people to third or more terms.

While a majority of council members indicated support for exploring the above proposal, several members expressed concern over whether the individual selected by a randomized process would ultimately possess the facilitation and organizational skills that would make them the most qualified council member for the role. Additionally, concern was expressed about the use of tenure as one criterion by which the MPT would qualify for random selection.

Staff next steps: The City Attorney's Office will draft a new process for MPT elections using the above outline as a guide, and council will be asked to evaluate and vote on the new process at a future meeting.

2. Landmark Reviews

Council members discussed whether to consider process changes that would result in landmark reviews taking less council time at regular meetings. Ultimately, council did

not express interest in reducing the number of items that currently require council review. Some council members expressed support for staff to explore changes to historic preservation processes, as anticipated to be a result of the update to the Historic Preservation Plan scheduled to occur later this year.

Staff next steps: None at this time.

3. Council Employee Performance Reviews

Council was asked to consider whether to formalize a process that ensures all nine council members evaluate each of the three council employees during the annual employee review process. The conversation centered around how to enforce any such process given council's status as a self-regulating body.

Three primary themes emerged from the discussion:

1. Some council members shared that they would benefit from better getting to know the three council employees so that they feel more comfortable providing accurate and comprehensive performance reviews.
2. While council did not seem interested in formalizing mandatory participation in performance reviews in council procedure, several members supported the idea of sharing the names of council members who do not complete reviews publicly at council meetings.
3. Several members of council expressed interest in using executive session to conduct performance reviews. Because this was not on the table for discussion at the March 13th study session as part of this item, pursuing this idea would require further full council discussion.

Council next steps: The Council Employee Evaluation Committee (CEEC) will consider the above themes and discuss ways to facilitate and encourage council member and employee interaction. They will discuss different options for encouraging participation in employee performance reviews and will bring them back to council for consideration at a future meeting.

4. Use of Community Member Email Addresses

Council defined the crux of this issue as the practice of collecting email addresses in one's official capacity as a council member and adding them, without the consent of the address holder, to personal or campaign-related newsletters. A majority of council members expressed interest in codifying a policy that formally prohibits this behavior. Importantly, council members distinguished inappropriately adding email addresses to newsletter campaigns from communicating with community members one-on-one to discuss issues of mutual concern and build trust between government and community.

Staff next steps: The City Attorney's Office will draft rules prohibiting council members from adding email addresses gained in their official capacity as elected officials to personal or campaign-related newsletters without the consent of the address holder. Council will consider this change to procedure at a future meeting.

5. Opportunities for Council Members to share ceremonial responsibilities and cover CAC absences

Current council procedure outlines that the mayor shall, when possible, share ceremonial responsibilities among council members. It similarly outlines a process for appointing council members to vacant Council Agenda Committee (CAC) seats when members of the committee are absent. Council procedure does not currently define a role for city staff in administering the sharing of ceremonial and other responsibilities among council members. Council discussed whether to formalize a different process by which the mayor might share these responsibilities and whether staff would be responsible for administering a new process.

Generally, council members did not indicate interest in administering a new process due to timing and other logistical constraints, with the exception of a small language change to revise "whenever possible" to "when the mayor is unavailable, the mayor shall..." in council procedure.

Even though council did not support developing and administering a new formal process, the mayor and council members discussed the following requests of one another:

- The Mayor asked council members to share the types of speaking events they would be interested in covering so that he has a better understanding of which opportunities to delegate and to whom.
- Council members seemed interested in learning more about when and where the mayor is speaking on behalf of the city.
- Council members supported using an uncodified process to provide structure to appointments for CAC absences. Several people suggested setting deadlines by which council members share their interest in filling in on CAC before the mayor appoints a substitute to avoid a "first come first served" approach when absences are known at least 24 hours in advance of the meeting.

Staff next steps: The City Attorney's Office will draft the suggested changes to the council procedure. Staff will pursue options to support the informal process of providing a deadline for council members to express interest in serving as CAC substitute before the mayor appoints the substitute.

6. Declarations

The majority of council supported a comprehensive staff review and redesign of the council declaration process for council review at a future meeting.

In the interim while staff are reviewing and drafting proposed revisions for council consideration, council members supported the following:

- Proceed with reading declarations that have been recently scheduled by CAC. This includes March and April, 2025, declarations as well as the currently unscheduled Declaration Condemning Anti-Muslim Hate.
- Staff will provide CAC with a list of declarations that community members expect council to read aloud based on prior years' experience. CAC will evaluate the list and determine which declarations to read aloud and which to convert to issue only.
- Assume, until council adopts a redesigned declaration process, that all declaration requests approved by the Mayor are to be issued only, not read aloud, unless a scheduling request is made and CAC determines that a declaration should be read aloud.

Staff next steps: Staff will work on a comprehensive evaluation and redesign of the declaration process for council review at a future meeting. Given staff capacity constraints, this work may not be completed until Q3 2025.

NEXT STEPS

Next steps for staff and council related to each of the six items above are described in the analysis section. Staff will continue working on the remaining process improvements recommended for consideration by the City Council Process Working Group that council did not consider at its March 13th Study Session.

ATTACHMENTS

A – Full List of 15 Process Improvement Priorities

Attachment A – Full List of 15 Process Improvement Priorities (in priority order)

- Note: The items are phrased as problem statements to be addressed by the appropriate staff and council committees. The abbreviation “CM” or “CMs” stands for “council member(s)”

Item
No annual board/performance evaluation for council as a body
Scope and intent of council research requests not always clear / CMs do not always follow nod of 3/nod of 5 procedure
CMs not required to take Right Use of Power training
Declarations during meetings take too long & Declaration procedure not clearly defined or in alignment with council rules
CMs do not consistently follow rules of procedure
No specific hotline submission guidelines & Hotlines sent without adequate time for council and staff review
Mayor Pro Tem election norms and informal criteria not formalized in council procedure
Council committees do not have charters or workplans
Videos and presentations during open comment are logistically difficult and disruptive
Landmark reviews take too much meeting time
Not all CMs participate in council employee performance review questionnaires
No formal guidelines for CAC requests from CMs
Concern about improper use of information gained in official capacity (especially community email addresses)
Public speaking opportunities at city events not equitably available to all CMs & CAC absences & fill-in opportunities not equitably available to all CMs
Variability in CM meeting facilitation skills and comfort