

Chapter 7: City Officials—Interaction with Staff

A. Overview

Council policy is implemented through professional staff. Therefore, it is critical that the relationship between the Council and staff be well understood by all parties so policies and programs may be implemented successfully. The City of Angels has a long tradition of positive relationships between members of the Council and staff. To maintain these effective relationships, it is important that roles are clearly recognized.

B. Council-Manager Form of Government

Angels governs under a Council-City Manager form of government. This structure reflects that it is the Council's role to establish City policy and priorities. The Council appoints a City Administrator to implement this policy and undertake the administration of the organization. The Council is to work through the City Administrator in dealing with City staff. Indeed, the A.M.C. requires Councilmembers to work through the City Administrator.

The City Administrator is appointed by the Council to enforce its laws, to direct the daily operations of City government, to prepare and monitor the municipal budget, and to implement the policies and programs initiated by the Council. The City Administrator is responsible to the Council rather than to individual Councilmembers and directs and coordinates the various departments.

C. Council-Manager Relationship

1. Employment Relationship Between the Council and City Administrator: ~~This relationship honors the fact that the City Administrator is the chief executive officer of the City, responsible for administering and executing policies established by the Council. To preserve the integrity of the organizational structure and ensure clear lines of communication and accountability, the City Administrator shall maintain authority over all City staff. To avoid confusion or the appearance of undue influence, all direction to staff and requests for information regarding City operations, personnel matters, or other City business shall be coordinated through the City Administrator, except as otherwise provided herein. The Council should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the Council.~~ Regular communication between the Council and City Administrator is important in maintaining open communications. All dealings with the City Administrator, whether in public or private, should respect the authority of the City Administrator in administrative matters. Disagreements should be framed expressed in terms of policy terms rather than in terms that question satisfaction with or support of the, not as judgements about the City Administrator's performance or the level of support for their role.

2. Evaluation: The Council is to evaluate the City Administrator on an annual basis and pursuant to the terms of the City Administrator's contract with the City.

3. Open Communication: As in any professional relationship, it is important that the City Administrator keeps the Council informed. The City Administrator respects and is sensitive to

the political responsibility of the Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the Council. The City Administrator encourages regular one on one meetings with Councilmembers to provide information on various issues before the Council.

4. Staff Roles: The Council recognizes the primary functions of staff ~~as executing~~ is to execute Council policy and ~~actions~~ direction as communicated by the City Administrator and to taken ~~by the Council and in keeping~~ the Council informed.- Staff is obligated to take guidance and direction only from the Council as a whole, as communicated to them through the City Administrator or ~~from~~ the appropriate management supervisors.-The Council is discouraged from instructing staff directly but should instead submit any requests to the City Administrator or City Attorney. Further, any comments or concerns from the Council should be communicated to the City Administrator or the City Attorney. ~~-Individual Councilmembers must not direct staff.~~

If an individual Councilmember is approached by a staff member regarding City operations, personnel matters, or other aspects of City business, the Councilmember must refer the employee to the City Administrator. However, Councilmembers may receive complaints or allegations of misconduct involving the City Administrator, including claims that the Administrator failed to appropriately address a prior complaint. In such cases, Councilmembers must refer the matter to the City Attorney.

~~1-~~ Staff is directed to reject any attempts by individual ~~members of the~~ Council members to unduly direct or otherwise pressure them into making, changing or otherwise influencing recommendations.

~~City staff will make every effort to respond in a timely and professional manner to all requests made by Councilmembers are encouraged to direct requests for information or assistance to the City Administrator; however, they may contact department heads directly regarding~~ agenized items when appropriate individual Councilmembers for information or assistance, provided that, in the judgment of the City Administrator, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full Council. If, in the judgment of the City Administrator, a Councilmember's request is substantial in scope, involves significant staff resources, or has policy implications, the matter may referred to the full Council for consideration and direction.

D. City Administrator Code of Ethics

City Administrator is subject to a professional code of ethics from his or her professional association. These standards appear in Appendix A of this Handbook, the ICMA Code of Ethics. It should be noted that this code binds the City Administrator to certain practices which are designed to ensure actions are in support of the City's best interests. Violations of such standards can result in censure by the professional association. This code is posted in the City Administrator's office.

E. Council-City Attorney Relationship

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The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

1. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
2. Represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
3. Prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
4. Keep City Council and staff apprised of court rulings and legislation affecting the legal interests of the City.
5. It is important to note that the City Attorney does not represent individual members of the Council, but rather the City Council as a whole. Accordingly, with the exception of conflict-of-interest inquiries, in questions involving pending or upcoming matters, or protocol and procedure, the City Attorney's services are engaged and directed through the majority of the Council. Individual Councilmembers may seek advice or assistance from the City Attorney on other matters while exercising their best judgment on the most efficient and appropriate use of his/her resources. Each Councilmember, with the exception of the Mayor, shall be allotted up to one hour per month for individual consultation with the City Attorney. This monthly allocation is non-cumulative and may not be carried over from one month to the next. The Mayor shall not be subject to this time limitation. The City Attorney's performance is reviewed as provided by the services retention contract.

F. City Administrator-City Attorney Relationship

The City Attorney provides legal support and advice to the City Administrator as the chief executive officer of the City. The City Administrator is responsible for carrying out and implementing Council policies. The City Attorney also keeps the City Administrator apprised of current relevant court rulings and legislation. The City Attorney may share confidential information obtained from the City Administrator with the Council if necessary to protect the best interests of the City, and vice versa.

G. Access to Information and Communications Flow

1. **Objectives:** It is the responsibility of staff to ensure Councilmembers have access to information from the City and to insure such information is communicated completely and with candor to those making the request. However, Councilmembers must avoid intrusion into those areas that are the responsibility of the staff. Individual Councilmembers may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal.

2. Council Roles: The full Council retains power to accept, reject, amend, influence, or otherwise guide and direct staff actions, decisions, recommendations, workloads and schedules, departmental priorities, and the performance of City business.

Individual members of the Council should not make attempts to pressure or influence staff decisions, recommendations, workloads, schedules, and department priorities without the prior knowledge and approval of the Council as a whole. If a Councilmember wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

Councilmembers also have a responsibility of the flow of information. It is critical that they make extensive use of staff and commission reports and commission minutes. Councilmembers should come to meetings prepared—having read the council agenda packet materials and supporting documents, as well as any additional information or memoranda provided on city projects or evolving issues. Additional information may be requested from staff, if necessary.

3. Access to Information: Individual Councilmembers, as well as the Council as a whole, are permitted complete freedom of access to any information requested of staff and shall receive the full cooperation and candor of staff in being provided with any requested information. The City Administrator or City Attorney will pass critical information to all Councilmembers. The Council will always be informed by the City Administrator or City Attorney when a critical or unusual event occurs about which the public is concerned.

There are limited restrictions when information cannot be provided. Draft documents (e.g. staff reports in progress, administrative draft EIRs) are under review and not available for release until complete and after review by City management. In addition, there are legal restrictions on the City's ability to release certain personnel information even to members of the Council. Certain aspects of police department affairs (access to restricted or confidential information related to crimes) may not be available to members of the Council. Confidential personnel information also has restrictions on its ability to be released. Any concerns Councilmembers may have regarding the release of information, or the refusal of staff to release information, should be discussed with the City Attorney for clarification.

H. Staff Relationship with Advisory Bodies

Staff support and assistance may be provided to commissions and task forces, but advisory bodies do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and ultimately the City Administrator and Council. The members of the commission or committee are responsible for the functions of the advisory body, and the commission or committee Chair is responsible for committee compliance with the policies outlined in the A.M.C.

Staff support includes preparation of a summary agenda and preparation of reports providing a brief background of the issue, a list of alternatives, recommendations, and appropriate backup materials, if necessary. Advisory body members should have sufficient information to reach decisions based upon

a clear explanation of the issues. The assigned staff person serves as secretary, taking minutes as needed.

It is important that advisory bodies wishing to communicate recommendations to the Council do so through adopted or approved Council agenda procedures. In addition, when a commission or committee wishes to correspond with an outside agency, correspondence should be reviewed and approved by the Council. Individuals who would like a commission or committee to review a particular issue must also gain approval for such a request from the full Council. Staff members are to assist the advisory body Presiding Officer to ensure appropriate compliance with state and local laws and regulations.

I. Restrictions on Political Involvement by Staff

The City is a non-partisan entity. City staff make recommendations consistent with Council policy and for the good of the community and should not be influenced by political factors.

By working for the City, staff members do not surrender their rights to be involved in local elections. Laws are in place to preserve those rights. However, there are limitations to such involvement.

1. Management Staff: The City Administrator strongly discourages any involvement in local campaigns even while on personal time. Such involvement erodes the tenet that staff are to provide an equal level of service to all members of the Council.

2. General Employees: These employees have no restrictions while off the job; however, no participation in campaigns or other activities may take place while on the job. No City resources may be used by staff in support of any campaign. Even while off the job, no employee may participate in campaigns or other political activities while in City uniform. For example, posing for a promotional photograph for a candidate for local office while in uniform is inappropriate. The support of the Council in these matters is requested. A Councilmember asking staff to sign petitions, or similar items can create an awkward situation.

J. General Conduct Expectations

Councilmembers are expected to uphold a high standard of civility towards each other and to abide by the City's Ethics and Civility Code. Civility is expected between Councilmembers, the public, and City staff while in Council meetings and when out in public. Rude behavior and profanity will not be tolerated.

While in public, Councilmembers should be aware that they are still viewed as elected representatives of the citizens of the City. As such, Councilmembers' behavior in public shall be appropriate and shall not include inappropriate gesturing (including, but not limited to, crude or offensive body language, gyrating, or other inappropriate body movements) or profanity.

While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts should model the same professional behavior displayed during Council meetings and community meetings.

Social media sites are not to be used as mechanisms for conducting official City business other than to informally communicate with the public. Examples of business that may not be conducted through social media include making policy decisions, official public noticing and discussing items of legal or fiscal significance that have not been previously released to the public. Officials' social media site(s) should contain links directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct official City business. Officials will not post or release proprietary, confidential, or sensitive information on social media websites.

Councilmembers must conduct themselves in a respectable manner so as to not damage the prestige of his or her elected title. In the performance of their official duties and in public, they should refrain from any form of conduct which may cause any reasonable person unwarranted offense or embarrassment.