

MEMORANDUM

TO: Alice Ruby, Mayor; City Council
FROM: Sam Severin & Robert Palmer, Attorneys for City
RE: Cosgrove Report Follow-up
DATE: June 6, 2025

The last two pages of the Cosgrove Report summarize the recommendations to improve nine areas of concern. The City Manager has provided corrective actions for the Administration. The following addresses the legal corrective actions.

#2 Staff Rights and Responsibilities training. In addition to internal training provided by the Administration, at the Council meeting on April 28, 2025, we provided broad training for staff and the Council. Multiple staff members were present including the City Manager, the City Clerk, and the Public Works Director. Extensive time was spent discussing DMC 2.21.060 (Interference with City Manager prohibited) and Council member's requests for information/records in addition to other topics like DMC 1.24.050 (Whistleblower Protection). *This item appears to be resolved.*

#4 Code of Ethics definition of “family.” At the Council meeting on April 28, 2025, we raised the ambiguity and risk to Council members for not defining “family” in DMC 2.04.020 related to the definition of “Official or employee.” We presented three options for the Council to consider. *The Council should formally decide if it wants to define “family.”*

#6 Council access to information. At the Council meeting on April 28, 2025, we provided three options for Council members to get City information: (1) ask the City Manager, (2) raise the topic at a Council meeting and direct the City Manager to produce records, or (3) file a public records act request. In relation to asking the City Manager, the Council could formalize the request with a form, which could provide clarity on the request and accountability for production of records/information. We provided a template to the City Manager, which can be adjusted to fit the City’s needs. *This item appears to be resolved.*

#9 Council and Staff training. At the Council meeting on April 28, 2025, we provided training on elected officials’ information requests, applying code, and Council/Manager relations. Consultant Bill Dan also provided detailed training on the best practices for Council/Manager relations. *This item appears to be resolved.*

Items #1, 3, 5, 7 and 8 are not directly tied to duties of our office, but we are happy to assist the City if desired. For example, if there are gaps in training or templates related to procurement, we can help with training or drafting forms. Also, even though an item may be resolved now, the City may want to audit compliance for a few years to make sure the updated practices still comply with the Cosgrove Report recommendations.