

City of Sandpoint
Memorandum

To: City Legal Counsel, Department Directors

From: Office of the Mayor

Date: March 2026

Re: Council–Staff Communication Policy – Executive Function, Organizational Clarity, and Operational Efficiency

The current draft of the Council–Staff Communication Policy reflects a thoughtful effort to improve transparency, access to information, and coordination between the legislative and administrative functions of the City.

Those objectives are important and supported.

The purpose of this memorandum is to identify several structural and operational considerations to ensure the policy aligns with Idaho law, preserves clear lines of authority, and supports efficient and accountable delivery of City services.

Clarity of Administrative Authority

Sandpoint operates under a mayor–council form of government. Under **Idaho Code § 50-602**, the Mayor is charged with *superintending control over the officers and affairs of the City* and is responsible for the administration of City operations through Department Directors.

This structure establishes a clear distinction:

- The **City Council**, acting as a body, establishes policy, adopts ordinances, and approves budgets
- The **Mayor**, as the elected executive, is responsible for implementing that policy and directing City operations

This separation is essential to ensure:

- Clear accountability
- Consistent administrative direction
- Effective execution of Council-adopted policy

Maintaining this distinction is particularly important given that the Mayor is elected to perform an executive function that is fundamentally different from the legislative role of individual Council Members.

Concern 1: Risk of Dual Direction to Directors

Several provisions in the draft—particularly those allowing direct, uncoordinated communication between Council Members and Directors, and direct submission of staff comments to Council—create the potential for dual or competing lines of influence.

Even where communications are described as “informational,” in practice:

- Repeated interaction can shape priorities
- Informal requests can be perceived as expectations
- Directors may feel pressure to respond to multiple authorities

This places Directors in a position of divided responsibility—responding to informal legislative input while remaining accountable to the executive branch for operational performance.

Over time, this can result in:

- Fragmented work programs
- Inconsistent implementation of policy
- Reduced organizational clarity

A well-functioning organization depends on Directors receiving clear and unified administrative direction through the executive branch.

What This Looks Like in Practice

- **Policy Drift Without Council Action**
Two or three Council Members begin engaging Directors on a preferred policy direction—such as changes to parking strategy, housing approach, or enforcement posture. While no formal Council action has occurred, staff begin adjusting analysis or implementation in response, resulting in a de facto policy shift without majority approval.
- **Capital Project Reorientation Midstream**
During major efforts such as the wastewater treatment plant or street reconstruction, individual input from Council Members leads staff to explore or incorporate changes. This can introduce scope changes, budget implications, and misalignment with formally adopted direction.
- **Competing Strategic Signals to Staff and Stakeholders**
Different Council Members communicate differing priorities to Directors. Staff respond in parallel, resulting in inconsistent messaging to developers, partners, and the public.
- **Pre-Decisional Alignment Outside Public Process**
Staff begin evaluating or shaping concepts based on informal discussions before those ideas are publicly vetted, raising concerns about transparency and process integrity.

- **Fragmented Budget and Resource Allocation**

Staff time and resources shift toward emerging priorities that have not been formally adopted, reducing alignment with approved budgets and work programs.

Need for Full Administrative Visibility

Effective administration requires full situational awareness. The Mayor is responsible for coordinating City operations across departments, priorities, and external obligations.

Accordingly, it is essential that the Mayor is kept informed of emerging issues, ongoing concerns, and substantive policy or operational discussions involving Directors.

Without that visibility:

- Efforts may become fragmented or duplicative
- Departmental priorities may unintentionally conflict
- Opportunities for coordination and efficiency may be missed

The executive function depends on the ability to integrate information into a coherent, citywide approach.

Concern 2: Separation of Policy and Administration

Certain procedural elements—particularly in Section 5—blur the line between policy development and administrative execution.

Requiring Directors to:

- Review all non-consent agenda items
- Provide written comment directly to Council
- Participate in iterative feedback loops

This positions Directors as independent policy advisors rather than as members of a coordinated executive team responsible for implementation.

This creates structural ambiguity and risks diluting the statutory role of the Mayor.

Concern 3: Operational Efficiency

The proposed process introduces several inefficiencies:

- Mandatory routing of all action items to all Directors and Legal Counsel, regardless of relevance
- Multiple review cycles prior to agenda placement
- Parallel communication channels outside the executive structure

These processes will increase staff workload, slow agenda development, and reduce the ability to prioritize core service delivery. If desired, Councilors can always table an agenda item to request further information, so there is no need to require preemptive review and feedback for agenda items.

Concern 4: Legal Coordination and Fiscal Responsibility

The provision allowing all personnel to independently engage legal counsel introduces both coordination challenges and budgetary risk.

Legal services are a shared and finite public resource. Without structure, the City risks a “tragedy of the commons” scenario, where multiple individuals independently access legal counsel without visibility into cumulative cost or alignment with organizational priorities.

What This Looks Like in Practice

- Multiple independent legal inquiries on related issues
- Repetitive or overlapping legal analysis
- Legal review of preliminary concepts that may not advance
- Incremental cost increases outside budget expectations

Over time, this can result in:

- Unbudgeted legal expenditures
- Inefficient use of legal resources
- Fragmented or inconsistent legal guidance

Legal services, like other professional services, must be managed to ensure they are used strategically, consistently, and within adopted budget constraints.

Recommended Policy Refinements

To address these concerns while maintaining transparency and access:

Section 3 – Directors’ Role

Revise to:

“Directors serve within the executive branch and are responsible for implementing City Council policy under the administrative direction of the Mayor.”

Section 4 – Communications

Add:

“Directors shall keep the Mayor reasonably informed of substantive communications involving policy interpretation, operational concerns, or emerging issues.”

Section 5.D – Submission of Comments

Revise to:

“Comments shall be concurrently provided to the Mayor at the time of submission to the City Clerk.”

Section 5.B – Agenda Routing

Revise to:

“...shall be routed to relevant Directors and Legal Counsel, as determined by the Mayor or designee.”

Section 5.C – Director Review

Add:

“Director review shall be coordinated through the Mayor’s office to ensure consistency in administrative analysis and implementation.”

Section 6 – Legal Counsel

Revise to:

“Requests for legal services related to City operations, policy implementation, or administrative matters shall be coordinated through the Mayor or the Mayor’s designee to ensure consistency, efficient use of resources, and adherence to the City’s adopted budget.

Nothing in this section shall prohibit direct contact with Legal Counsel in circumstances involving alleged misconduct, impropriety, or conflict of interest involving the Mayor, or where independent legal consultation is otherwise required by law or ethical obligation.”

Clarification of Intent

These observations are not intended to limit Council access to information or restrict communication.

They are intended to ensure that:

- Administrative authority remains clear
- Directors are not placed in conflicting roles
- City operations remain efficient, coordinated, and accountable

Path Forward

These concerns can be addressed while preserving the intent of the policy.

The goal should be a framework that:

- Supports transparency and informed decision-making
- Maintains clear executive authority as required by Idaho law
- Protects Directors from conflicting expectations
- Ensures efficient and fiscally responsible operations

Continued collaboration between the Mayor's Office, Legal Counsel, and the City Council will be important to refining the policy in a way that achieves these objectives.

Closing

Clear roles, aligned authority, and disciplined processes are essential to effective municipal governance.

Refining this policy to reflect those principles will strengthen both the organization and the City's ability to serve its residents.

Jeremy Grimm



Mayor
City of Sandpoint