

CITY OF LITTLETON
PROTOCOL, STANDARDS OF CONDUCT AND
TRAVEL REIMBURSEMENT POLICY

- I. Purpose and Intent. The City of Littleton is committed to maintaining high ethical standards. Public servants have a special responsibility to carry out their duties with integrity. In order to preserve the confidence and trust of the public, the Protocol and Standards of Conduct provides uniform rules to guide the conduct of the City’s officers, Board and Commission members and employees.

- II. Definitions. The following words, terms and phrases, when used in this Code, shall have the following meanings:
 - A. Board and Commission member shall mean a member of any appointive Board, Commission or committee of the City.

 - B. City employee(s) shall include staff members of all city departments, the police department and Littleton Fire and Rescue.

 - C. Confidential information or information received in confidence shall mean:
 - 1. Information contained in any writing that may properly be withheld from public inspection under the provision of the Colorado Open Records Act and that is marked “confidential” when provided to the officer, Board and Commission member, or employee.

 - 2. All information exchanged or discussed in any executive session, except to the extent that such information is also contained in a public record available to the general public under the provisions of the Colorado Open Records Act.

 - 3. All communications between attorneys representing the City and officers, Board and Commission members or employees of the City that are subject to the attorney-client privilege, whether oral or written, unless the privilege has been waived by a majority of the Council.

 - D. Conflict of Interest is defined as any action that would cause a breach of fiduciary duty or public trust as defined by Chapter 1, Section 12 of the Littleton City Code.

- III. Rules.

- A. Confidential Information. The following rules shall apply to the use and disclosure of confidential information by Council, Board or Commission members or employees of the City.
1. Confidential information may only be disclosed to Council, Board or Commission members or City employees whose official duties are related to the subject matter of the confidential information or to maintaining an office record of such information on behalf of the City.
 2. All information received in confidence by the City Council, Boards or Commissions shall remain confidential, and shall not knowingly be disclosed, for any disclosure pursuant to A.1 and A.4, to any person to whom such information was not originally distributed unless and until the body to whom such information was given has, by majority vote, consented to its release.
 3. No Council, Board or Commission member or City employee shall knowingly disclose any confidential information discussed in an executive session, for any reason, to any person who was not present during such discussion without the prior knowledge and consent of the majority of the body holding such executive session. In the event that a matter discussed in executive session comes before the City Council or a Board or Commission of the City for formal action at any open meeting, or if such formal action is anticipated, nothing herein shall be construed as prohibiting a member of the body that will be taking such formal action from stating his or her position or opinion with regard to the matter, as long as such statements do not divulge confidential information received from others during the executive session.
 4. Notwithstanding the provisions of Subparagraphs 2 and 3 above, the City Manager and City Attorney may further distribute confidential information provided to the City Council or appointive Boards or Commissions and may disclose confidential information discussed in any executive session of the City Council, or of an appointed Board or Commission, to such City employees and/or Board and Commission members as they may consider reasonably necessary to enable them to implement any direction given by the City Council, Board or Commission or to advise other officers and employees of the City whose official duties are related to the subject matter of the confidential information or to maintaining a record of the same on behalf of the City.
 5. No elected or appointed officer or City employee who has been determined to have a conflict of interest shall knowingly elicit, accept or inspect any confidential information pertaining to the subject matter of such conflict of interest, nor shall any such officer or City employee

attend or participate in an executive session of the City Council or a Council committee or Board or Commission, pertaining to said subject matter.

B. Conflict of Interest

Any Council, Board or Commission member who is present at a meeting where discussion involves any matter that that person has a conflict of interest with shall refrain from attempting to influence the decisions of other members of the Council, Board or Commission, and shall not vote in respect to such matter. (Nothing herein shall be construed contrary to Chapter 1, Section 12 of the Littleton Code of Ethics).

C. Making Public Statements

When giving a written or oral personal public opinion concerning issues facing or involving the City, all Council, Board or Commission members and City employees shall refrain from making statements on behalf of the City unless such person has explicitly been authorized by the respective body. When acting as or perceived as acting as a representative of the official body he or she represents, an individual must always uphold the approved Council, Board or Commission point of view.

D. Council/Board or Commission members and City employees communications

1. Council, Board or Commission members and City employees should strive to practice civility and decorum in all public and private interactions.
2. When in doubt about what City employee contact is appropriate, Council, Board and Commission members should seek direction should be sought from the City Manager. In no event should any Board or Commission member direct orders to any employee of the City, nor shall any City employee direct the actions of any Board, Commission or Council. No member of Council shall, either publicly or privately, give orders to any subordinates of the City Manager (Littleton City Charter, Section 32) or to any subordinates of the City Attorney.
3. Council, Board and Commission should make reasonable attempts to notify City employees in advance of public meetings about key questions and discussion points that the Council, Board or Commission would like addressed during the public meeting. If appropriate, elaborate in open session on key issues, etc. to establish for the public a formal record on issues under consideration.

4. Council and Board and Commission members are encouraged to continually share ideas, suggestions, and feedback with each other, within the limits of the open meetings law. The time and resources needed to develop and implement these ideas and suggestions, however, can sometimes compete with the time and financial resources needed to fulfill Council's established goals and opportunities. To assist in balancing these competing requests, Council and Board and Commission members should consider handling requests, generally categorized, as follows:
 - 4.1. For routine questions or requests for action (e.g., code complaints, and questions regarding agenda items), Council, Board and Commission members should depend on City employees to respond by contacting the City Manager's office or appropriate City employee with information about the request. This type of request can be forwarded to a City employee at any time rather than waiting for a formal referral at a Council or Board or Commission meeting. City employees' responses to routine requests shall be directed back to the Council, Board or Commission member making such request, except where the topic of the request is scheduled, or expected to be scheduled, for consideration by the full Council, Board or Commission, in which case such responses shall be copied to the entire Council, Board or Commission.
 - 4.2. Requests for additional information or reports that staff determines would take a significant amount of staff time shall be considered by the Council, Board or Commission as a whole and agreed upon as something that merits an investment of City employee time.
5. Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City employees at work. City employees certainly may, as any other citizen, support political candidates off duty and away from the workplace.
6. Critical comments about specific City employees' performance should only be made to the City Manager through private correspondence or conversation. Comments about City employees in the office of the City Attorney or Municipal Judge should be made directly to their respective supervisor through private correspondence or conversation. City employees shall refrain from any public criticism of Council, Board or Commission members or candidate to other employees or while acting as a representative of the City.

7. Council, Board and Commission members and City employees should strive to communicate openly with each other. This may lead to frank discussions intended to be held privately. To foster open communication between Council, Board and Commission members and City employees, all are encouraged to respect the privacy of the communication.
8. All Boards and Commissions shall be notified at least a week in advance of a Council meeting that the Board and/or Commission is the subject of a City Council agenda item.

E. Involvement in Administrative Functions

1. If a Council, Board or Commission member wishes to influence the actions, decisions, workloads, work schedule, or priorities of City employees, that member must prevail upon the Council to do so as a matter of Council policy. Council, Board or Commission members shall refrain from unduly influencing the recommendations staff makes or the information staff provides to the Council, Board or Commission as a whole.
2. Council members should not attend City employee meetings or City employee committees unless invited by City employees. Even if the Council member does not say anything, the Council member's presence may imply support, show partiality, intimidate City employees, or hamper a City employee's ability to do his/her job objectively.
3. All Council, Board and Commission members should have the same information with which to make decisions. The Council, Boards and Commissions may expect that a City employee will provide each member with the same information, even when it has been requested by only one member.

F. Council Conduct with Boards and Commissions

The City Council has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on most Boards or Commissions are advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

1. Any comments made by a Council Member at a meeting of a Board or Commission should be assumed to be the Council member's personal

views or opinions and not the official position of the Council, unless stated otherwise.

2. Since the attendance of 3 or more Council members constitutes a legal Council meeting, Council members should advise the City Clerk at least 24 hours in advance of their planned attendance at a Board or Commission meeting for which the Council member is not the liaison or at another other function where discussion of City business is anticipated so that appropriate and timely public notification can be prepared and posted.

G. Council/Board and Commission and City Employee conduct with the public

Public input and observation are an important part of the democratic process. Council, Board or Commission members and City employees should make the public feel welcome and should refrain from showing any sign of partiality, prejudice or disrespect toward an individual participating in or attending a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

1. Council, Boards and Commission members and City employees should always be welcoming and respectful to speakers. Addressing the City Council or Boards or Commissions at public forums can be a daunting experience even for the most seasoned speaker. Some issues for which the Council, Boards or Commissions will make a decision may affect people's daily lives and their homes. Some decisions are emotional. The way in which a speaker is treated can do a lot to help the speaker and others relax and convey a message, and not intensify emotions.
2. The Mayor or Chair will determine and announce limits on speakers at the start of the meeting or public hearing. Generally, each speaker will be allocated four minutes; applicants and appellants or their designated representatives will be allocated more time. Each speaker may speak only once during a hearing unless the Council requests additional information or clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Mayor or Chair reopens the public hearing for a limited and specific purpose.
3. Questions from the Council, Board or Commission members to speakers should seek to clarify or expand information. Members should avoid challenging or criticizing speakers. If a speaker is off the topic or exhibits behavior or language that is disruptive or

disrespectful, the Mayor or Chair should interrupt, focus the speaker, and re-establish the order and decorum of the meeting.

IV. EXPENSE GUIDELINES

A. Attendance by Council Members. City Council encourages the attendance of its members at conferences which will serve to enhance directly a member's knowledge and ability to carry out his or her responsibility in governing the City.

B. Expenses Eligible for Reimbursement. Council members may be reimbursed for the following expenses incurred in attending conferences:

1. Travel. Actual air and land travel costs, including taxis and associated tips. Air travel reimbursement is for coach class only.
 - a. Allowable costs for air travel shall be calculated by using the shortest and most direct route with the least number of en-route stops. All air travel shall be booked as far in advance as possible, so as to receive the lowest fares possible except where the lowest fare is for an overnight flight, which may be chosen by the individual but is not required. Council members shall use government and group rates for travel offered in conjunction with the event when available.
2. Registration. Actual conference fees excluding optional entertainment.
3. Lodging. Actual lodging costs, including taxes, gratuities and associated mandatory assessments. This may include lodging costs for the night before and the night of the last day of the conference. Inclement weather or other emergency may extend the period of time eligible for reimbursement.

a. Local Accommodations

Except where necessary and where approved in advance by the Council, when possible, at a publicly noticed meeting, the Council members will not be reimbursed for hotel expenditures incurred for events occurring within a 50 mile radius of Littleton except where the event begins before 8 a.m. or ends after 10 p.m. In the event reimbursement is warranted, such reimbursement shall be only for the reasonable rate of said accommodations as set forth below.

b. Non-Local Accommodations

All Council members traveling outside the fifty (50) mile radius of Littleton shall be reimbursed the reasonable cost of the lodging.

c. Reasonable Rates for Lodging

Where the lodging is in connection with a conference or other organized educational activity, reimbursable lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, providing that lodging at the group rate is available at the time of booking. If the group rate is not available, the Council member shall be entitled to reimbursement for actual costs of lodging that is comparable in location and quality.

4. Meals. City Council members shall be entitled to reimbursement for meals and associated gratuities in an amount equivalent to the per diem rate provided to City employees. Alcohol and bar expenses shall not be compensated without prior approval by the City Council.

Where Council members are attending a conference or other organized educational activity, and a meal or meals are provided as part of the activity, Council members shall not be reimbursed for any separate meal unless dietary needs require that the Council member purchase a different meal and/or city-related business necessitates that the Council member miss the hosted meal.

5. Mileage to In-State Conferences. Reimbursement at the city mileage rate at the time of travel.
 - a. If a personal vehicle is used for travel, reimbursement shall be based on the lesser of the following two costs:
 - (i) The least cost round-trip air travel available, or
 - (ii) The allowable per mile cost, as defined in the Internal Revenue Code (with annual adjustments in the Internal Revenue Code), from Littleton.