RESOLUTION R-2021-27

A RESOLUTION ADOPTING A PUBLIC POLICY PROCESS

WHEREAS, The City receives numerous requests for policy positions; and

WHEREAS, The City Council adopted Resolution R-2015-26 on July 15, 2015 establishing the Public Policy Process to provide transparency and consistency for policy requests;

WHEREAS, The City Council reviewed the adopted process at its Study Session on April 27, 2021;

WHEREAS, The City Council directed staff to prepare an amendment to the process stating a letter of support voted on by the City Council only represents the voice of the Councilors who supported the letter; and

WHEREAS, The City Council directed staff to prepare an additional amendment directing staff when possible to provide an opportunity for both sides of an issue to be presented when staff requests a letter from the City Council in support or opposition to proposed legislation.

RESOLVED, That the City Council of the City of Durango, Colorado, adopted the Policy Process shown below as amended.

CITY COUNCIL

APPROVED AND ADOPTED ON THIS 18TH DAY OF MAY 2021.

CITY OF DURANGO, COLORADO

ATTEST: Kim Baxter, Mayor

Amy Phillips, City Clerk

SEAL
POLICY PROCESS

Purpose/Background
On May 18, 2021 the City Council amended a process to define and take action on Policy Positions (PDF)

The City receives numerous requests for policy positions. These can come from other governmental entities, non-profit organizations, special interest groups, citizens, our own Boards and Commissions, or community groups – either directly or through Council members. They can also come from staff of the Colorado Municipal League, National League of Cities, State or Congressional representatives or other governmental entities. The process outlined on the flowchart below includes several decision points that lead to a particular type of Action. The Actions are divided into those that are related to Policy making, and those that are not. Policy-related Actions include ordinances, resolutions, and letters that convey the support (and unified voice) of Council, while Non Policy-Related Actions include Council direction to staff, proclamations, and letters signed by individual Council members.

![Flowchart showing the Policy Process]

**Policy-related Actions**

<table>
<thead>
<tr>
<th>Action</th>
<th>Taken by</th>
<th>Requires</th>
<th>Conveys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinance</td>
<td>City Council</td>
<td>Council majority</td>
<td>Official Action of the City and Unified Voice</td>
</tr>
<tr>
<td>Resolution</td>
<td>City Council</td>
<td>Council majority</td>
<td>Official Action of the City and Unified Voice</td>
</tr>
<tr>
<td>Letter signed by mayor with Council support*</td>
<td>City Council</td>
<td>Council majority</td>
<td>Official Action of the City and Voice of the Councilors who Supported the Letter</td>
</tr>
<tr>
<td>Letter signed by city manager with Council support</td>
<td>City Manager</td>
<td>Council majority</td>
<td>Official Action of the City and Unified Voice</td>
</tr>
<tr>
<td>Action</td>
<td>Taken by</td>
<td>Requires</td>
<td>Conveys</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>------------------</td>
<td>---------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>Administrative Policy</td>
<td>City Manager</td>
<td>City Manager approval</td>
<td>Administrative policy direction</td>
</tr>
<tr>
<td>No Action</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*If the letter is for support or opposition of legislation, staff will provide an opportunity for both sides of the issue to be presented.

### Non Policy-related Actions

<table>
<thead>
<tr>
<th>Action</th>
<th>Taken by</th>
<th>Requires</th>
<th>Conveys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Direction to Staff</td>
<td>Council</td>
<td>Council majority</td>
<td>Direction by Council</td>
</tr>
<tr>
<td>Proclamation</td>
<td>Mayor</td>
<td>Following policy</td>
<td>Support of mayor</td>
</tr>
<tr>
<td>Letter signed by individual Council member(s)</td>
<td>Council member(s)</td>
<td>Individual support of signatory</td>
<td>Support of individual Council member(s)</td>
</tr>
<tr>
<td>Letter signed by city manager or department directors</td>
<td>City Manager or Department Directors</td>
<td>City Manager approval</td>
<td>Support of City Staff</td>
</tr>
<tr>
<td>City Manager Direction to Staff</td>
<td>City Manager or Department Directors</td>
<td>City Manager approval</td>
<td>Direction from City Manager</td>
</tr>
<tr>
<td>No Action</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Policy Process Steps

The first step in the process is to determine if the request is related to City Council goals. If the request is related to Council goals, it is assigned to City Staff for further analysis and determination. Some requests do not have policy implications (i.e. the action will not have citywide ramifications) and are either individual requests (such as a letter of support) or are related to operations of the City. These requests may result in a Non Policy-Related Action.

Those requests that do have citywide ramifications make up the Policy Process. The first step is to determine if the policy is City or State/federal. If the policy is citywide, Staff completes a policy analysis and recommends a Policy-related Action. If the policy is State or federal and the City’s position is aligned with that of the Colorado Municipal League (CML) or National League of Cities (NLC), Staff will recommend a Policy-Related Action. If the policy is not aligned with CML or NLC, Staff will complete an analysis before making a recommendation for a Policy-Related Action.

The Colorado Municipal League and National League of Cities each have their own processes for adopting policy positions. Staff from the City Manager’s Office is appointed each year to the CML Policy Committee, which recommends policy positions to the Executive Board (Mayor Pro-tem Rinderle was elected President of the CML Executive Board at the annual CML conference last week). Staff from the City Manager’s Office also serves on one of the NLC Policy Committees. Policy documents from both CML (www.cml.org) and NLC (www.nlc.org) are available on their respective websites. In addition, many of the City’s Executive Team staff are members of professional associations that often have a legislative committee recommending policy positions. All of this information factors into the Staff Policy Analysis.

In addition to the above, there are additional components that factor into the Staff Policy Analysis. Depending on the issue, the following are also considerations that become part of the Analysis:

- Who is requesting the policy and why?
- Is it a partisan issue?
- What are the pros and cons of the policy?
- Who will benefit from the policy?
o Could the policy adoption have unintended consequences?

o Has there been a fiscal analysis completed?

o What is the history of the issue?

o What position have others adopted? (e.g. CML, NLC, SWCCOG, other governmental entities, recommendations from City boards & commissions, professional associations, etc.)

o What is the anticipated effect on City operations?

o Is this an unfunded mandate?

o Are we the best organization to take a position?

o Where is the proposed legislation in the process?

o Is City Action needed to Pass/Kill the legislation?

o When is the most effective time for Action?

o Is this a good use of political capital?

o What is the most effective way to achieve the desired outcome?

o Is this good policy for the city of Durango?

Applicability to Strategic Goals

The Public Policy Process is consistent with all City Council goals, specifically (FET) Financial Excellence and Transparency.