



**AGENDA**  
**CITY OF CEDAR FALLS, IOWA**  
**CITY COUNCIL WORK SESSION**  
**TUESDAY, JANUARY 03, 2023**  
**5:50 PM AT CITY COUNCIL FOYER, 220 CLAY STREET**

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1. Council Policy Development.  
(20 Minutes)



MAYOR ROBERT M. GREEN

CITY OF CEDAR FALLS, IOWA  
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CEDAR FALLS, IOWA 50613  
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Item 1.

## MEMORANDUM

Office of the Mayor

**FROM:** Mayor Robert M. Green  
**TO:** Cedar Falls City Council  
**DATE:** December 12, 2022

**SUBJECT: Proposal for Consistent City Policy Development**

1. The City Administrator and Directors are currently conducting a review of the city's many policies to ensure that these directives reflect best and current practices. The documents are also being converted to a new standard policy format to improve readability and citeability. I am facilitating this process as Mayor, and am looking forward to concluding the majority of this work in the Spring of 2023.
2. Many of the policies being reviewed will require re-approval. In the past, some policies have been approved by Council, while others have been approved by the Administrator or Directors. In some cases, the directors have been granted the authority to issue policies, but still have unnecessarily submitted the policies to the council for approval (the Purchasing Manual being an example). Greater clarity from the council is warranted for its policy delegation expectations.
3. Currently, the city code (Sec. 2-218(5)) states that the following policies must be approved by the city council: *Personnel Policies; Administrative Policies and Procedures; Risk Management Policies and Procedures*. The City Council already delegates approving authority to the City Administrator or Directors for the following policies: *Public Works policies; Public Safety policies (including the Police and Fire SOG's); City Multi-Hazard Emergency Operations Plan; Community Development policies*.
4. I propose standardizing policy development and approval through a clear delineation of authority for three categories of policies (General, Council, and Mayor) as follows:
  - a. **GENERAL POLICIES: The City Administrator would be delegated the authority to approve policies for how staff carries out daily operations.** The Mayor, (as CEO) would be consulted by the Administrator as needed for input and feedback on proposed changes. Additionally, "*the city council shall annually adopt broad goals, objectives and program performance measures to guide the city administrator in the development of an annual operating budget, capital improvements program and administration of city projects and programs*" (City Code Sec. 2-216). In other words, policies shall always reflect the council's broad direction to the City Administrator.
  - b. **COUNCIL POLICIES: The Council would approve any policies and procedures which directly affect the City Council or Mayor.** In cases where Financial Policies or Personnel Policies currently refer to elected officials, this text will be removed from

those policies and will be placed separately in a Council Policy for the sake of clear accountability. *Examples: Council Meeting Procedures; City Elected Official Code of Conduct; Goals for the State Legislature; Vehicle Use by Elected Officials.*

- c. **MAYOR POLICIES: The Mayor would approve and issue any policies which are solely within the Mayor’s delegated authorities.** These are policies and procedures not subject to Council review or approval. *Example: Appointment Process for Boards and Commissions; Council Meeting Security and Good Order.*

**5. Notification / Engagement of Council.**

- a. *General and mayor policies* will be provided to the Council for “receive and file” in the next council meeting after approval by the administrator or mayor.
- b. *Council policies* will typically be presented by the Mayor to the Committee of the Whole for feedback and collaborative dialogue, prior to recommendation for approval by the full City Council. My recent presentation and our discussion regarding the proposed Official City Proclamations policy is an example of this approach.

**6. Overriding General Policies by Resolution.**

- a. The City Council always has the final say in how the city is run. For example, Section 2-921 of the City Code states, “All final authority over the administration and policy of the department of public safety services shall be retained and exercised by the city council.” Similar language exists in the city code for every department, meaning the City Council can dictate to the Directors as much as desired (though this is not recommended, as Directors are hired for their expertise and policy-making abilities).
  - b. A policy-overriding resolution (which would be subject to Mayor veto) should only take place after the appropriate Standing Committee has met discuss the pros and cons of such a measure. The Administrator and Directors would then use the council feedback to consider changes to the policy; if the staff is unwilling or unable to incorporate the Council’s desires, then the Standing Committee can recommend that the Council countermand the policy by council resolution.
  - c. A countermanding resolution would be a last resort, and should be rarely issued. The only recent example is a failed attempt in the last decade to direct Public Safety not to enforce marijuana laws; that resolution failed in a 3-4 vote, had it passed, the resolution would have overridden Police SOGs regarding drug enforcement.
7. I believe this policy development model would preserve *crucial public oversight* of city government processes, while delegating to the City Administrator and directors the discretion needed to apply their expertise to the proper daily functioning of government.
8. Thank you very much for your consideration; I look forward to further discussion.

Encl: (1) Proposed City of Cedar Falls Policy Development Philosophy

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# Proposed City of Cedar Falls Policy Development Philosophy

	COUNCIL POLICIES & PROCEDURES	PERSONNEL POLICIES & PROCEDURES	FINANCIAL POLICIES & PROCEDURES	FIRE STANDARD OPERATING GUIDELINES	POLICE STANDARD OPERATING GUIDELINES	CITY EMERGENCY OPERATIONS PLAN (EOP)	ADMIN POLICIES & PROCEDURES
<b>OVERSEE</b>	Mayor & Committee of the Whole	Mayor & FBO Committee	Mayor & FBO Committee	Mayor & Public Safety Committee	Mayor & Public Safety Committee	Mayor & Public Safety Committee	Mayor & FBO Committee
<b>APPROVE</b>	City Council	Administrator	Administrator	Administrator	Administrator	Administrator	Administrator
<b>REVIEW</b>	Committee of the Whole	FBO Director	FBO Director	Public Safety Director	Public Safety Director	Public Safety Director	Directors
<b>DEVELOP</b>	Mayor & Council Members	HR Manager	Managers & Supervisors	Fire Chief	Police Chief	Staff Subject Matter Experts	Managers & Supervisors