



# CITY COUNCIL POLICIES

CITY OF BROOKINGS, SOUTH DAKOTA

UPDATED

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BRING YOUR DREAMS.

Brookings City & County Government Center | 520 3rd St., Suite 230 | Brookings, SD 57006

# City Council Policies

Updated May 23, 2023

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<b>City of Brookings Policy: CC 100</b>	Title: <b>Vision, Mission, Core Values</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Governance
Policy Source: City Council Policies	Policy Audience: City Council	Total Pages: 1

The City Council will consider its vision, mission and core values when developing policy.

**VISION**

We are an inclusive, diverse, connected community that fuels the creative class, embraces sustainability and pursues a complete lifestyle. We are committed to building a bright future through dedication, generosity and authenticity. Bring your dreams!

**MISSION**

The City of Brookings is committed to providing a high quality of life for its citizens by fostering a diverse economic base, innovative thinking, strategic planning, and proactive, fiscally responsible municipal management.

**CORE VALUES**

Honesty, integrity, and professionalism in providing public services with the highest ideals of ethical behavior. Transparency and engagement in developing, deciding, and implementing public policy that strives to serve the best interest of the ENTIRE community.

<b>City of Brookings Policy: CC 101</b>	<b>Title: Governance Process, Ownership of the Council: Key Performance Area</b>	
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**Governance Process, Ownership of the Council: Key Performance Area**  
 Governance Process is considered a key performance area by the Brookings City Council, and appears in the Mission Statement as “municipal management.”

The Brookings City Council shall answer to, and take into consideration the best interests of, all residents of the City of Brookings, both vocal and silent citizens, with respect paid to all residents, regardless of their economic status. Since the City is “owned” by the Citizens, the Council’s thinking shall be influenced by this ownership. Secondly, the City Council shall consider the needs of anyone who regularly shops in, uses facilities of, or accesses services from the City of Brookings.

1. The Council represents the Citizens. Therefore, it shall educate itself regarding the values held by the persons it represents and shall always act under the influence of those values. The Council’s education may be facilitated by (a) formal and informal Citizen opinions; (b) formal and informal focus groups to explore specific issues; (c) considering input by citizen volunteers who participate on advisory boards, committees, and commissions; (d) monitoring the demand and utilization of services; (e) discussions with representatives from other governmental and educational bodies; and (f) reviewing reports and citizen responses in the media.
  
2. The Council shall report periodically to the Citizens on its stewardship. At least once per year, the Mayor shall give a State of the City message that contains an accounting of the City’s financial resources and the extent to which these funds have been translated into services, an update of policies, other significant occurrences from the previous year, and vision of Councils priorities for the future.



<b>City of Brookings Policy: CC 102</b>	<b>Title: Governance Process, Council Role</b>	
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**Governance Process, Council Role**

The role of the Council, on behalf of the Citizens of Brookings, is to assure that the City of Brookings (a) accomplishes what it should, and (b) avoids unacceptable activities and conditions.

1. The Council shall honor all requirements and responsibilities set forth in the Brookings City Charter.
2. The Council will hold public meetings and provide and encourage regular opportunities for public input.
3. The Council will define what is to be accomplished in terms of benefits, recipients, and their relative priorities. It will define parameters of activities and conditions within policy, and will delegate performance on these matters to a City Manager.
4. The Council will carry out its job with discipline, emphasizing strategic rather than short-term issues, policy rather than single events, and group rather than individual decisions.
5. Whenever possible, the Council will minimize the use of sub-committees comprised primarily of Council Members that separate the wholeness of the Council. When further research on a topic is needed, the Council may appoint one to three members to investigate. The Council will review all City Council policies.

<b>City of Brookings Policy: CC 103</b>	<b>Title: Governing Process, Council Style &amp; Vision</b>	
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**Governing Process, Council Style & Vision**

The Council will strive to govern with an emphasis on (a) outward vision rather than an internal preoccupation, (b) strategic leadership rather than administrative detail, (c) clear distinction of Council and City Manager roles, (d) collective rather than individual decisions, (e) future rather than past or present, and (f) proactively rather than reactivity. The Council will:

1. Deliberate in many voices, but govern in one.
2. Cultivate excellence. The Council will be responsible for excellence in governing. The Council will establish policy with public input and counsel of city staff.
3. Cultivate responsibility. The Council will use the expertise of individual members to enhance the ability of the Council as a body. However, it is not the intention of the Council to defer the group’s judgment to any one Council Member.
4. Lead and inspire the organization through the careful establishment of broad written policies reflecting the Council's mission, vision and values. The Council's major policy focus will be on the intended long-term impacts outside the operating organization, not on the administrative or programmatic means of attaining those effects.
5. Enforce upon itself the discipline needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, and ensuring the continuity of governance capability. Continual Council development will include orientation of new members in the Council's governance process and periodic Council discussion of process improvement. The Council will allow no officer, individual or committee of the Council to hinder or be an excuse for not fulfilling its commitments. In compliance with the City Council Code of Ethics.
6. Council shall adhere to its processes and policies at each meeting as defined by City Council Policies.

<b>City of Brookings Policy: CC 104</b>	<b>Title: Governance Process, Council Code of Conduct</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Governance
Policy Source: City Council Policies	Policy Audience: City Council	Total Pages: 1

**Governance Process, Council Code of Conduct**

Council members are encouraged to conduct themselves in a professional manner in all communication. Since Council members have no authority as individuals, members shall refrain from efforts that may lead to situations in which a Council member might have occasion to overstep their bounds.

1. Care should be taken to prevent staff from being intimidated or manipulated by a Council member’s individual comments or actions. Council members must bear in mind that at times, staff may ask for an individual opinion from a Council member, and while the Council member may sincerely respond only as an individual, staff will often place undue emphasis on the opinion, due to the Council member’s status.
2. Care should be taken to prevent staff from being polarized by dissention. Although all Council members are obligated to register differences of opinion on Council issues at the Council level as passionately as desired, individual members must not direct their differences of opinion to staff in a manner which creates dissension or polarization in the organization.
3. No one Council member has the right to speak on behalf of the entire Council unless the Council directs a Council member to express the views of the entire Council.
4. Individual Council members are encouraged to conduct themselves in a professional manner in all communications.
5. All Council members will treat each other with civility and respect.

<b>City of Brookings Policy: CC 105</b>	<b>Title: Governing Process, Council Action</b>	
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**Governance Process, Council Action**

The Brookings City Council works to achieve the mission in a prudent and ethical way and to make certain contributions to the total, which are unique to its public trusteeship role and necessary for proper governance and management of the City. Consequently, the "products" of the Council itself shall be:

- A. Connection between the Council and its "ownership," the Citizens.
- B. Written governing policies that concern:
  - Governance Process (how the Council carries out its task, and the passing of power and measurement of its use) and
  - Ends Policies (what benefits, for whom, at what cost), and Executive Limitations (prudent and ethical limitations binding upon the staff);
- C. The assurance of staff performance (through guidance and evaluation of the City Manager).

<b>City of Brookings Policy: CC 106</b>	<b>Title: Governance Process, Citizen Advisory Boards</b>	
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**Governance Process, Citizen Boards**

The Council values the expression of citizen viewpoints on topics of concern to the Council. Therefore, the Council will continue the tradition of seeking input from volunteer citizen advisory boards and committees, although final responsibility for decisions, and the implementation that follows, rests entirely with the Council. The Council and staff recognize that the ideal purpose of citizen involvement is to seek objective opinions from a diverse range of citizens and to augment and improve the city’s programming and services.

The definition of a citizen board is a City Council appointed council, commission, board, committee or taskforce.

**Guideline A:**

The Council will make every effort to offer overall direction and guidelines to citizen volunteers, through the use of Council Policy statements, and by reviewing the mission and need for each citizen advisory board on an annual basis. During the annual review:

1. The Council will determine if the need for a citizen advisory board justifies continuation of the board. If continuation is justified, proceed to #2. If continuation is not justified, then the board may be dissolved.
2. The Council will make an effort to determine the most effective use of citizen volunteers, with a primary decision being the length of service for each. The Council believes citizen input will be more likely objective and updated if the advisory board is kept in an ad hoc (short-term) format. When possible new boards will start as an ad hoc board; however, the Council recognizes that some complex issues require citizen involvement for a longer period in order to be effective.
3. Unless otherwise specified by the Council, the City Manager will coordinate the activities and reporting functions of all citizen advisory boards.
4. The City Manager will base their guidance of citizen advisory boards on Policies established by the Council.

5. The Mayor, with consent of the Council, will make all appointments to citizen advisory boards.
6. Upon recommendation of the City Manager, the Council may approve the creation of ad hoc committees to assist the City Manager or his staff.
7. In compliance with this policy, in May 2002 the City Council adopted a Volunteer Code of Ethics.
8. The Mayor and Council may, but shall not be obligated, to re-appoint members to expiring terms subject to any term limitation as specified by each respective board. The Mayor and Council shall consider and balance the value of institutional knowledge, experience and attendance as well as the need for new and different perspectives and contributions to the board in the appointment/re-appointment process.

**Guideline B:**

The Council directs all staff to review relevant Policies with citizens upon their appointment to an advisory board. The Council asks staff to be as objective as possible in educating and presenting options to citizens, since the purpose of advisory boards is not only to hear from citizens, but to increase citizen involvement, loyalty, and creativity toward their City.

1. The Council asks the City Manager to create and regularly update an orientation packet for each new volunteer that includes relevant Policies.
2. The Council asks staff and board chair to review this orientation packet with each potential volunteer, upon appointment, emphasizing this very policy (Policy 1.6), and asking for a citizen signature on the line that indicates understanding of this policy.
3. Staff will provide regular summaries of citizen committee work to the Council.

<b>City of Brookings Policy: CC 107</b>	<b>Title: Governance Process, Review and Update of Policies</b>	
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**Council Process, Review and Update of Policies**

The Council will review all policies annually, although the Council may also review and update any policy at any time deemed prudent and necessary by the Council. The Council expects immediate adjustment by the City Manager to any policy change instituted by the Council.

This process will occur with a working group containing the City Manager, City Clerk, City Attorney and three Council Members within the first quarter. This group will make recommendations to the entire Council at a future public meeting.



<b>City of Brookings Policy: CC 108</b>	<b>Title: Ends Policy, Financial Stability</b>	
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**Financial Stability: Key Performance Area**

Financial stability is considered a key performance area by the Brookings City Council, and appears in the Mission Statement as “fiscally responsible municipal management.”

One of the duties of the City Manager is the development of a process that keeps the Council aware of upcoming budgetary needs and requests, so that the Council may aid in the creation of ongoing budget priorities. Good stewardship requires the Council to discern what is in the best interests of the citizens, and budget accordingly.

The City Manager should not propose unless under emergency or extraordinary circumstances, budgeting or spending that:

1. Materially lowers the City’s bond rating below investment grade;
2. Deviates materially from Council Policies;
3. Notwithstanding the foregoing, the City Manager shall not propose any budget or spending which violates Federal, State, or Municipal laws; ethical standards; and generally accepted accounting and budgeting principles.

In addition, the City Manager shall not bypass Council judgment to allow budgeting that:

1. Allows expenditures to exceed revenues, including the contingency as an expenditure;
2. Includes capital expenditures that have not been previously approved by the Council, in a Capital Improvement Plan or other council action;
3. Causes the City to incur new debt;
4. Increases operating expenses over expected revenues
5. Provides for employee compensation and benefits that exceed market standards;

**Guideline A:**

With respect to budget preparations, the City Manager shall stay within the confines of what constitutes a conservative perspective, as is the Council’s intention to:

1. Make conservative revenue projections based on economic guidance, markets, benchmarks, and historical data;
2. Provide valuable citizen services;
3. Lighten the debt load of the City when economic environment is optimal for this;

4. The City shall follow financial best practices as identified by GFOA and ICMA. These performance measures will be used as an important component of decision making and incorporated into governmental budgeting.

**Guideline B:**

In addition, as the City Manager assumes their duties, the Council requests that the City Manager keep information flowing to the Council, especially concerning plans relating to consolidation or expansion of any City departments. Therefore, the City Manager may not consolidate or expand any City Department without first informing the Council of the intended action.

**Guideline C:**

City Council hereby directs the City Manager to establish and maintain the following committed fund balance:

**General Fund Reserve Balance:** The City shall achieve and maintain a minimum Assigned General Fund Reserve Balance of 15% of the General Funds annual operating budget.

1. The General Fund Reserve Balance of the City's General Fund should not be used to support recurring operating expenditures outside of the current budget year.
2. The General Fund Reserve Balance can only be appropriated by a budget ordinance action of the City Council.

**Budget Stabilization Reserve:** A minimum of 5% of General Fund annual operating budget will be maintained to provide the City with sufficient working capital and a comfortable margin of safety to address emergencies, withstand local, regional, and national economic events, and unexpected declines in revenue without borrowing.

1. The Budget Stabilization Reserve shall be used only to cover emergencies and unexpected declines in revenue. If the Budget Stabilization Reserve is used, the City will decrease its General Fund expenditures to prevent using the Budget Stabilization Reserve in two consecutive fiscal years to subsidize the General Fund.
2. The Budget Stabilization Reserve can only be appropriated by a budget amendment ordinance of the City Council.
3. In the event the Budget Stabilization Reserve is used to provide for temporary funding of unforeseen emergency needs, the city shall restore the Budget Stabilization Reserve to the minimum level of 5% of the General Fund operating expenditures within two fiscal years following fiscal year in which the event occurred.

**Guideline D:**

The use of one-time revenues will be guided by this policy. Examples of one-time revenues include: infrequent sales of assets, bond refunding savings, infrequent revenues

from development, and grants. These revenues may be available for more than one year (a three-year grant), but are expected to be non-recurring. Examples of expenditures for which the City may wish to use one-time revenues include startup costs, stabilization (to cover expenditures that temporarily exceed revenues), early debt retirement, and capital purchases.

Any unreserved fund balance in the General Fund, in excess of 20% shall be utilized to:

1. Fund subsequent years expected retirement costs for employees to ensure necessary funding for projected payouts.

City Council's Priority Project Funding. This funding shall be earmarked for non-recurring capital expenditures or used to "buy down" the Bond and Interest for future budget years. It is generally agreed to be in the best interest of the citizens of Brookings to use the City Council's Priority Funding to first fund non-reoccurring capital projects and to buy down debt that is above the ceiling or that is materially costly and cannot be refinanced. City Council shall prioritize these projects.

#### **Guideline E:**

The City will maintain a Capital Improvement Plan which provides a ten-year estimate of the funds necessary to finance the City's capital projects. The Capital Improvement Plan will be updated as part of the Capital Improvement Program and will be included in the annual budget document.

The City of Brookings will consider any equipment or projects with a one-time cost over \$25,000 as a capital improvement and funded within the Capital Improvement Plan.

Capital Improvement Plan will consist of the former 212 (1/4 penny) and 213 (3/4 penny) Capital Improvement Plan. The Capital Improvement Plan shall contain funding primarily for General Funded projects.

The Capital Improvement Plan will show a positive carryover budgeted. Carryover is excess cash from the current year created from undedicated project savings and utilized the future years as a carry forward. A positive balance for the next future years is required before transferring excess funds to the City Council Priority Projects Fund. The Capital Improvement Plan may rely on City Council's Priority Funding to assure adequate project funding. Transfers from the General Fund and other Enterprise funds can be made to balance the plan when necessary.

Bonds are primarily used for improvements to streets and facility additions or major renovations for which cash is unavailable. Rating agencies examine debt to revenue to

determine proper rates and allowances. Therefore, the City will limit debt to a ratio of 1:3 for its debt/revenue attained from the second (2) penny sales tax and other sources.

The City will maintain a Vehicle, Equipment, IT and Building maintenance/replacement sinking fund. A schedule will provide ten-year estimate of the funds necessary to maintain and replace the City's primary assets. This Fund will have a minimum of 8% not to exceed one (1) million of the Capital Improvement Plan expenses at the beginning of each calendar year and should be replenished primarily but not limited to second (2) penny revenue.

**Guideline F:**

To facilitate a budget that can respond to changing needs, the City Council will approve a contingency fund for the City Manager to utilize at their discretion. Examples of uses for the City Manager's contingency fund include: unbudgeted training opportunities for staff; purchases of software, hardware, and small equipment that was unbudgeted; one-time expenditures to fill a major position vacancy; and emergencies in general. The City Manager shall make an effort to avoid utilizing the contingency.

The City Manager will report to the City Council compliance or deviations from this Guideline for Financial Stability. Per State statute, the use of the City Manager's contingency needs to be appropriated to the current budget through a Resolution from City Council.

**Guideline G:**

Budgets for Enterprise Funds will be prepared by the City Manager with a goal of providing quality services and sustaining a maximum return to the General Fund on a long-term basis. Net assets serve over time as a useful indicator of a government's financial position. Within the annual financial statement, the City Manager will annually provide a management discussion and analysis of business type funds and the changes in net assets.

The Enterprise Funds, specifically the Liquor Store and Solid Waste funds, are to operate under a business model where personnel, operating, and capital expenses are self-sustaining through user fees or other revenue-generating activities. In some instances, Enterprise Funds may generate enough revenue to transfer to other City operations.

Enterprise Funds will follow the aforementioned Fiscal Stabilization Emergency Reserve in line with industry best practices of annual operating expenses. Enterprise Fund revenues/reserves exceeding current fiscal year capital needs, Fiscal Stabilization Reserve Fund, and Unreserved Fund Balance thresholds may be transferred to the

General Fund, transferred to another Enterprise Fund, or loaned to General Fund or another Enterprise Fund.

#### **Guideline H:**

##### Appropriation and Subsidy Policy & Guidelines

Purpose. The purpose of this policy is to establish guidelines and criteria regarding the allocation and use of municipal subsidies within the City of Brookings. These guidelines shall be used in processing and reviewing applications requesting municipal subsidy assistance. Protecting the financial interest of the City of Brookings is of the utmost importance, so it is the intent of the City to provide a minimum amount of municipal subsidies, as well as other incentives that the City may deem appropriate, for the shortest term required for the funding request to proceed.

The City reserves the right to approve or reject requests on a case-by-case basis, taking into account established policies, specific request criteria, and demand on city services in relation to the potential benefits to be received from a proposed request.

Meeting policy guidelines or other criteria does not guarantee the award of municipal subsidies. Furthermore, the approval or denial of one request is not intended to set precedent for approval or denial of another request.

Whenever possible, it is the City's intent to coordinate the use of municipal services with other local governing bodies and taxing jurisdictions.

Objective of Municipal Subsidies. The City of Brookings is committed to providing a high quality of life for its citizens and fostering a diverse economic base through innovative thinking, strategic planning, and proactive, fiscally responsible municipal management.

To fulfill this commitment, the Brookings City Council will closely examine its goals and the goals of its city departments annually to identify outcomes that will meet the standards as outlined in the mission statement above.

The Council also recognizes that its support of programs and services outside the scope of its city departments may be necessary to fulfill the commitment and achieve the desirable quality of life for its citizens. As a matter of policy, the City of Brookings will consider using municipal funds primarily to address requests that help achieve the Council's Strategic plan with annually reviewed priorities.

General Guidelines for the Allocation of Municipal Subsidies. The City Council will prioritize funding internal operations of the City Departments before funding subsidy requests. The City's current and projected financial health and stability will be the key

deciding factor in determining its ability to provide funds to outside organizations. In addition, the Council will consider a number of factors as defined in the City's Funding Application when making this decision. A key factor will be the applicant's ability to provide a service or outcome that improves the quality of life for the citizens of Brookings and progress the City's Strategic and Master Plans. The applicant must also provide proof of the need for public assistance. Alternative revenue sources should be pursued before applying for City funds. Other factors include the applicant's ability to become self-sustaining, partnership with other agencies and funding sources, and the duration of the funding commitment. Municipal subsidy will not be used for projects that would place extraordinary demands on city infrastructure and services. Request for donations or subsidies from individuals, religious or political groups will not be considered. Request for donations or subsidies from qualified organizations outside of the funding timeline will not be considered.

The City may need to make financial adjustments due to economic conditions. Therefore, the City of Brookings reserves the right to rescind, modify, or otherwise adjust this level of funding during the course of the year. In any fiscal year, the City may require the unencumbered funds to be returned to the City.

General Guidelines for Subsidies. The Brookings City Council evaluates program-funding proposals on an annual basis for funding in the following calendar year. The City's fiscal year is January 1 to December 31. Proposals must be submitted to the City Manager's Office in accordance with the budget cycle schedule and proposal format outlined below. Requests may only be made during this period of time. Completed applications must be received on or before June 1<sup>st</sup> of each given year.

Following, a review by the City Manager and their staff, the application shall be referred to the City Council for further consideration during the annual budget meetings.

Organizations applying for a donation or subsidy must submit an original completed *Application for Funding* along with any supporting documents as applicable, including a detailed description of the request; a preliminary site plan; the amount requested; the duration of the funding request; the public purpose of the request; verifiable funding sources and uses; and a "but for" analysis which demonstrates the need for public assistance. Additional documents which may be required include the organization's current expense statement and budget, Board of Directors listing, current Annual Report, and all other items specified in the *City of Brookings Application for Funding*.

Budget Hearing Process. Applicants are encouraged to attend all budget meetings to remain informed during the process. Applicants should be prepared to answer questions based on the application. Final action on the budget occurs prior to the end of the year.

Economic Development/Promotions Subsidies. Economic development and promotion subsidies shall be funded by sales tax generated from alcoholic beverages, eating establishments and lodging (3<sup>rd</sup> B) and Business Improvement District (BID) funds. Subsidy from 3<sup>rd</sup> B and BID funds shall meet the requirements of the SD State Statute. Funds will be appropriated from the 3<sup>rd</sup> B and BID Funds to city departments and entities with the capacity to promote and advertise the city, its facilities, attractions, and activities.

Capital Improvement Subsidies. Capital Improvement subsidies will include one-time expenditures over \$25,000 and should primarily be funded by City Council Priority Projects Funding without an on-going financial or service obligation from the City.

Public Art Fund. Approximately 1% of the budgeted capital improvement costs over \$25,000 will be subject to the Public Art funding requirement. The exception of capital improvement items not subject to this calculation includes those funded through bonds, leases, grants and other outside funding sources. See City Code for further guidance of this fund.

General Fund Subsidies. The City of Brookings may allocate up to fourteen (14) percent of the amount equal to the annual property tax levy as certified by municipal ordinance during the budget process. General fund subsidies will include social, human, and educational (up to grade 12) services, not directly related to economic development or capital expenditures.

Subsidy Agreement and Reporting Requirements. The City of Brookings requires all recipients of municipal funds to enter into appropriate agreements that identify the reason for the subsidy, the public purpose served by the subsidy, subsidy payment schedule, specific performance metrics of value to or as defined by the City, and final reporting on outcomes. Recipients may be asked to present their reporting at a public City Council meeting. Failure to provide final reporting of funds and all other required reports by the date in the Funding Agreement may make applicant ineligible for future subsidies.

All agreements and reports shall be timely prepared and filed with the City Manager's Office by the date noted in the Funding Agreement. Failure to comply with any of these requirements may result in the revocation of the requested subsidy as well as fines, repayment requirements, and a determination that the organization may be ineligible for future municipal subsidies for a period of years.

\* Applicable State Statute:

10-52-8. Additional tax on lodgings, alcoholic beverages, prepared food, and admissions – Purposes – Conformance with state sales and use tax. Notwithstanding the tax rate limitations of §10-52-2 or 10-52-2.1, any municipality may impose an additional municipal non-ad valorem tax at the rate of one percent upon the gross receipts of all leases or



rentals of hotel, motel, campsites, or other lodging accommodations within the municipality for periods of less than twenty-eight consecutive days, or sales of alcoholic beverages as defined in §35-1-1, or establishments where the public is invited to eat, dine, or purchase and carry out prepared food for immediate consumption, or ticket sales or admissions to places of amusement, athletic, and cultural events, or any combination thereof. The tax shall be levied for the purpose of land acquisition, architectural fees, construction costs, payments for civic center, auditorium, or athletic facility buildings, including the maintenance, staffing, and operations of such facilities and the promotion and advertising of the city, its facilities, attractions, and activities. Such taxes shall conform in all respects to the state sales and use tax on such items with the exception of the rate.

<b>City of Brookings Policy: CC 109</b>	<b>Title: Ends Policy, Municipal Services</b>	
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**Municipal Services: Key Performance Area**

Municipal Services is considered a key performance area by the Brookings City Council, and appears in the Mission Statement as “providing a high quality of life for citizens.”

The City Council deems City Services, along with fiscal management, as the highest priorities of the City Manager and City Employees. There is no more important function of City Government than to serve the Citizens of Brookings in a friendly, effective manner.

For this document, the City Council defines Municipal Services as Life Safety (police and fire), and Functional Services (all other departments).

**Guideline A:**

In terms of Life Safety, involving the police and fire departments, the City Manager will:

1. In emergency situations, coordinate and collaborate with the fire or police chief;
2. Maintain personnel at established baselines;
3. Provide appropriate equipment to maximize safety of personnel;
4. Enforce ordinances and laws;
5. Not allow controllable situations to develop that may raise insurance rates for citizens or for the City;
6. Maintain the budget in such a way that will provide the best possible quality of services.

**Guideline B:**

In terms of Functional Services, which include all departments of the City other than Life Safety, the City Manager will:

1. Repair infrastructure in a timely manner;
2. Approve changes that fall within the city’s strategic and master plan;
3. Continually strive to improve operational efficiencies;
4. Establish, model, and enforce the highest standards of exceptional customer service and professionalism from city employees;
5. Enforce ordinances and laws;
6. Document ongoing citizen satisfaction and performance reviews for services provided;

7. Seek opportunities to share facilities with other entities;
8. Anticipate foreseeable needs;
9. Use foresight in developing services;
10. Deliver services in a timely and quality manner;
11. Consider citizen complaints;
12. Emphasize a user-friendly approach;
13. Apply technology whenever beneficial.

**Guideline C:**

The City of Brookings has unique enterprise operations including the Solid Waste Fund, the Edgebrook Golf Course, the Research and Technology Center and the Liquor Retail Store. In terms of enterprise operations the City Manager will remain aware of and knowledgeable of all finances and operations of these enterprises.

City of Brookings Policy: CC 110	Title: Ends Policy, Business Models	
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Policy Source: City Council Policies	Policy Audience: City Council, City Manager, Staff	Total Pages: 1

**Business Models (Long Range Planning, Customer Satisfaction, Productivity and Process Improvement): Key Performance Areas**

Operation of the City under a business model, emphasizing long range planning (customer satisfaction, and productivity and process improvement), is considered a key performance area by the Brookings City Council, and appears in the Mission Statement as “innovative thinking and strategic planning.”

The City Council chooses to import models and practices not only from government, but just as importantly, from innovative business models. In other words, the Council wants the City, whenever possible and prudent, to operate with similar systems and attitudes adopted by any successful business. Some of the major themes the Council chooses to emphasize are:

1. Benchmarking. The Council wants to constantly compare City performance with other cities and other departments to be sure Brookings is operating in not only an efficient, but creative and innovative manner. The Council is aware that Brookings is unique—at times, the City’s emphasis and direction will, and should, differ considerably from other cities. However, information about best practices from other communities will always help the Council make better choices.
2. Continuous improvement. The Council expects measurements of performance to challenge the status quo through the use of continuous improvement processes. Since the needs of our citizen customers are constantly changing, so should our practices.
3. Goal-setting. The Council expects each city department to set challenging goals.
4. Accountability. The Council expects the City Manager to hold City Employees to standards that encourage excellence.

City of Brookings Policy: CC 111	Title: Ends Policy, Economic Development	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Ends
Policy Source: City Council Policies	Policy Audience: City Council, City Manager, Staff	Total Pages: 1

**Economic Development: Key Performance Area**

Economic Development and expansion is considered a key performance area by the Brookings City Council, and appears in the Mission Statement as “fostering a diverse economic base.”

The Council understands and intends to emphasize the importance of a healthy economy in Brookings and the surrounding area. For the entire community a healthy economy is critical to a high quality of life. Because of its great importance, there are many entities involved in economic development in Brookings. As the City is a significant funding source for much of the economic development efforts in Brookings it is the Council’s intention to spend economic development dollars in the wisest most productive manner possible.

The City Council’s desired End is to have an economy that is healthy and growing with enough economic activity to support and fund public services. To achieve this end, the city will implement and maintain an economic development masterplan that gives direction for municipal funding and economic development partnership expectations. The plan will include goals, metrics and indicators of success.

<b>City of Brookings Policy: CC 112</b>	<b>Title: Ends Policy, Employee Training and Development</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Ends
Policy Source: City Council Policies	Policy Audience: City Council, City Manager, Staff	Total Pages: 3

**Employee Training and Development: Key Performance Area**

Employee Training and Development is considered a key performance area by the Brookings City Council, and appears in the Mission Statement as “proactive, fiscally responsible municipal management.”

The Council values the City of Brookings employees as emissaries to the world. With this in mind, the work environment for employees shall be one in which employees are appreciated, and encouraged to grow and expand their skills. Compensation and benefit packages will promote excellence, within the safest possible working conditions. The goal of training shall be to provide tools to assist staff to exceed management and customer expectations.

Deviations from the below stated guidelines must be reviewed and approved by the Council.

**Guideline A:**

Training shall equip employees with the attitudes and behaviors necessary to achieve excellence.

Based on this guideline, training shall:

1. Commence immediately upon hiring, and continue throughout the career of the employee, providing specific tools for optimal performance and productivity;
2. Emphasize continuous improvement of employees and processes;
3. Enhance an employee’s opportunity for promotion;
4. Emphasize customer service;
5. Focus on effective technological practices.

**Guideline B:**

Compensation Ranges will be objectively determined by the City Manager in accordance with this policy. Research shall compare compensation and benefits with those of other public entities with whom the City may compete for qualified employees, along with private sector organizations that have similar positions in the surrounding area.

Infrequently, full market surveys may be required to evaluate and implement necessary modifications to the City's pay system. Full market surveys that might require the services of a consultant to evaluate the City's compensation levels will be completed only upon recommendation of City Manager and approval by the Council.

The organizations to be included in the market research for non-exempt positions will consist of other public sector entities primarily in South Dakota, as well as private sector organizations in the local region, as appropriate, that have similar positions. For management and professional positions, the market will include many of the organizations previously identified, plus similarly sized cities in surrounding states that the city would compete with for applicants as identified by the City Manager.

It is not intended that the market will include significantly larger South Dakota cities, such as Sioux Falls and Rapid City, unless the market conditions clearly suggest the need to do so. In order to ensure that there is consistency in the methodology used when determining the compensation ranges and benefits, the City Manager will follow the guidelines below.

In addition to infrequent full market surveys, periodic checks of benchmark positions will be completed as directed by the City Manager to monitor and maintain the City's compensation program. To maintain compensation levels that are comparable to market, the City Manager will identify and select benchmark positions and organizations to survey on a timetable appropriate to upcoming budget year. Efforts will be made to survey the same or like organizations as in the previous survey unless an exception to this policy can be justified.

In order to maintain the internal equity of the compensation system, the Job Factor Evaluation System adopted by the City will be used for all job classification reviews. The job evaluation is not intended to provide a specific value for a position; rather it is intended to provide an assessment of the "relative" value of a position to the organization, compared to other positions. The following criteria defined in the Job Factor Evaluation will be used in evaluating the internal equity placement of City positions:

1. Scope of Supervision: Factor measures both the level of supervision required as well as the number of individuals supervised.
2. Job knowledge: Factor measures the extent and nature of knowledge required to perform the duties of the position.
3. External Contacts: Factor measures the nature and frequency of external contacts.
4. Decision Making: Factor measures the level of decision-making and independent thought required.



5. Job Complexity: Factor measures level of analytical ability required in the position and the complexity of typical situations faced.
6. Physical Working Conditions: Factor measures nature of physical working environment and frequency in which employee typically works in that environment.
7. Exposure to Hazards: Factor measures employee's typical exposure to health and physical dangers and frequency of such exposure.

The pay grades and pay ranges will remain consistent and uniform as follows:

1. The employees pay grades will be determined by a market salary analysis. The pay grades will be determined based on position title, specific duties involved, and job factor evaluation system.

A combination of the data collected on the identified benchmark positions and the job factor evaluation system will be used to place each City position at appropriate pay grades in the City of Brookings Pay Plan Schedules. By using both the market survey data and the job factor evaluation, the City will have a pay system that is within market and reflects the City of Brookings organization.

The Council will not assume an obligation to automatically increase pay ranges without justification. Justification will rely on a review of the Midwest CPI and specific salary data received/obtained from sources as determined appropriate by City Manager. The purpose of this process is to develop a pay system that is fair and within market and to provide a process that is consistent and reproducible.

In summary, this policy provides further definition to the following Council policy. It is the intent of the Council for compensation to:

1. Be commensurate with individual productivity within the market range;
2. Be systematic, with defined ranges, with consistent span in the pay ranges where feasible using the median of the maximum rate of pay of surveyed positions as a benchmark;
3. Be used as a reward and motivation to achieve excellence;
4. Be attractive to top candidates;
5. Be adequate to retain top performers;
6. Exceed standards only when justified by exceptional performance;
7. Emphasize the use of reward bonuses over pay increases;
8. Be structured, when appropriate, to allow staff attrition to maintain market rates.

City of Brookings Policy: CC 113	Title: Ends Policy, Intergovernmental Cooperation & Relations	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Ends
Policy Source: City Council Policies	Policy Audience: City Council, City Manager, Staff	Total Pages: 1

**Intergovernmental Cooperation and Relations: Key Performance Area**

Intergovernmental Cooperation and Relations is considered a key performance area by the Brookings City Council, and appears in the Mission Statement as “providing a high quality of life for citizens...through innovative thinking and strategic planning.”

The Council wishes to coordinate efforts with other governmental bodies, to mutual benefit, whenever possible. The Council will work closely with any governmental body seeking to serve the best interests of the Citizens of Brookings in a more integrated manner.

Staff must remember their importance in establishing and maintaining rapport with scores of governmental agencies and groups. At times, one staff person is the only representative of Brookings to encounter a given government official and regardless of the size or length of the interaction, the Council expects staff to conduct themselves in a manner that would be the pride of Brookings.

Though too numerous to mention every governmental body, examples of governmental bodies that the Council wishes to coordinate efforts with include (not in order of importance): Federal, State, County, University, School District, Cities, and Municipal League.

<p>City of Brookings Policy: CC 114</p>	<p>Title: Ends Policy, Strategic Planning</p>	
<p>Issue Date: May 23, 2023</p>	<p>Updated: May 23, 2023</p>	<p>Section: Ends</p>
<p>Policy Source: City Council Policies</p>	<p>Policy Audience: City Council, City Manager, Staff</p>	<p>Total Pages: 1</p>

In an effort to live out the City’s Mission Statement, the Council and staff will utilize a systematic process of Strategic Planning to guide its major policy decisions. Strategic Planning is a disciplined effort to produce fundamental decisions and actions that shape and guide organization, its purpose, function, priorities, decisions, and implementation process. Consistent with this process the City Council will implement and maintain a current Strategic Plan.

The result of this deliberative process should ideally be a specific set of priorities, developed and adopted over a timeline as determined by the Council, consisting of overarching policy goals and objectives as outcomes of the decision-making process. The staff will then provide a suitable work plan that will ensure the effective implementation of the policy goals.

<b>City of Brookings Policy: CC 200</b>	<b>Title: Council-Staff Linkage</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policies	Policy Audience: City Council, City Manager, All Staff	Total Pages: 2

**Council-Staff Linkage, City Manager Role**

As the Council's primary operational link to City government, the City Manager's performance will be considered to be synonymous with organizational performance as a total. Consequently, the City Manager's job contributions can be stated as performance in these, but not limited to:

1. City government accomplishment of the provisions of Council policies.
2. City government operation within the boundaries of prudence and ethics established in Council policies on Executive Limitations.

**Council-Staff Linkage, Delegation to the City Manager**

All Council authority delegated to staff is delegated through the City Manager, so that all authority and accountability of staff – as far as the Council is concerned – is considered to be the authority and accountability of the City Manager.

1. The Council will direct the City Manager to achieve certain results, for the citizens, at a certain cost, through the establishment of policies. The Council will limit the latitude the City Manager may exercise in practices, methods, conduct, and other "means" through the establishment of Executive Limitations within those policies.
2. As long as the City Manager uses any reasonable interpretation of the Council's policies, the City Manager is authorized to establish all further policies, make all decisions, take all actions, establish all practices, and develop all activities.
3. The Council may change its policies, thereby shifting the boundary between Council and City Manager domains. By doing so, the Council changes the latitude given to the City Manager. Council members will respect and support the City Manager's decisions and choices, whenever made pursuant to existing Council Policies.
4. Only decisions of the Council acting as a body are binding upon the City Manager.
5. In the case of Council members, citizen advisory committees, or others, requesting information or assistance without Council authorization, the City Manager may turn to the Council for guidance, especially when such requests will require an inordinate amount of staff time or funds, or are disruptive to the efficient operation of the City.

### **Council-Staff Linkage, Monitoring Executive Performance.**

Monitoring executive performance is synonymous with monitoring organizational performance against Council policies. Any evaluation of the City Manager's performance, formal or informal, shall be measured against these expectations. This policy places the burden of measuring performance on two primary considerations: well-defined policies, and reasonably accurate measurements. Without well-defined policies and reasonably accurate performance metrics, the effectiveness of monitoring performance is compromised.

1. The purpose of monitoring is simply to determine the degree to which Council policies are being fulfilled. Information that does not do this will not be considered monitoring. Monitoring will be as automatic as possible, using a minimum of Council time so that meetings can be used to create the future rather than to review the past.
2. A given policy may be monitored in one or more of three ways:
  - a. Internal report: Disclosure of compliance information to the Council from the City Manager.
  - b. External report: Discovery of compliance information by an objective party who is selected by and reports directly to the Council. Such reports must assess executive performance only against policies of the Council, not those of the external party unless the Council has previously indicated that party's opinion to be the standard.
  - c. Direct Council inspection: Discovery of compliance information by a Council member, or the Council as a whole. This is a Council inspection of documents, activities or circumstances directed by the Council which allows a "prudent person" test of policy compliance.
3. The Council recognizes that, at times, non-compliance with a policy may be necessary and prudent in the short term. However, in order to monitor the performance of the City, and to modify policies that need improvement, the Council must be constantly aware of compliance issues. The Council expects monitoring and reporting compliance or non-compliance to be the City Manager's highest priority. To promote regular monitoring, the Council asks the City Manager to follow these guidelines:
  - a. All policy will be monitored by the City Manager who is expected to be responsible for achieving and maintaining compliance.
  - b. Any non-compliance of material significance shall be reported to the City Council as soon as practical; and such non-compliance shall be monitored and corrective actions taken by the City Manager to re-gain compliance.
4. At a minimum annually, the Council will institute a formal evaluation of the City Manager.

<b>City of Brookings Policy: CC 201</b>	<b>Title: City Manager Direction</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policies	Policy Audience: City Council	Total Pages: 1

The objective of this policy is to guide City Council Members on direction given to the City Manager on issues or items requiring action.

The City Council must take action through a motion, a second, and a vote during a public meeting in order to give formal direction to the City Manager. Individual Council members may continue to request information or assistance from the City Manager.

<b>City of Brookings Policy: CC 202</b>	<b>Title: Public Comment Policy</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policies	Policy Audience: City Council & Public	Total Pages: 5

**Introduction**

The Brookings City Council encourages all residents to attend its meetings and welcomes their views on matters within the Board’s jurisdiction, whether expressed in person, electronically, or by written communication. All comments made by the public and members of the City Council must be civil and respectful.

All regular and special meetings of the Brookings City Council shall be open to the public and shall conform to the Open Meetings Laws of South Dakota. The public is precluded from attending an executive session of the Brookings City Council.

**Authority of the Chair**

In accordance with the Brookings City Charter, the Chair of the Brookings City Council is the designated individual who presides over City Council meetings. No person shall address a meeting of a public body without permission of the Chair, and all persons shall, at the request of the Chair, be silent.

If a person:

- Speaks out of order,
- Expresses obscenities, threats, or inflammatory words, or
- Engages in other disorderly conduct during a meeting.

The Chair shall have the right to rule said person out of order, and may take steps to maintain order.

**Procedure for General Public Comments**

1. Public comment will occur in the regular meeting during the Open Forum, except as otherwise determined by the Chair.
  
2. The Chair will commence the Open Forum with the following statements, “All speakers are asked to present their comments in a respectful and courteous manner, and within the 3-minute time limit. If obscenities, threats or inflammatory words are expressed during this meeting, you will be asked immediately to stop commenting. The comments and views expressed by the public are those of the speakers and do not necessarily reflect the views or positions of the City of Brookings or City Council.” This statement will be listed on the agenda. The



streaming video will contain a brief narrative consistent with this policy.

3. Each person wishing to provide public comment in writing shall deliver such public comment to the City Clerk. To be included in the public record, written public comment must identify the person offering the public comment and their city of residence and the agenda item for which public comment is being offered or whether it is being offered as general public comment. Any public comment that does not include the name of the person submitting it will not be forwarded to the Council. Such public comment must be received by the City Clerk by 5 p.m. of the meeting day. Any public comment received after the deadline will not be posted prior to the meeting.
4. Each person wishing to provide live public comment is encouraged to make such public comment in person at the location advertised by the City Clerk. Individuals who wish to comment are asked to sign in with the City Clerk upon arrival at the meeting. If the City provides remote, electronic, or virtual options for providing live public comment, then the City Clerk shall, in advance of each meeting, post on the City's website how to provide such public comment. Please note that the primary format for providing live public comment is in person. The City cannot and does not guarantee remote, electronic, or virtual access to meetings.
5. Comments will be limited to 3 minutes per person. Verbal comments will be curtailed by the Chair once they exceed the time limits.
6. Speakers will begin their remarks by clearly stating their first and last name and city of residence for the record.
7. All comments must be made from the podium and must be directed to the Chair, unless the Chair determines otherwise. All others will be ruled out of order.
8. Speakers may not assign their time to another speaker, and in general, extensions of time will not be permitted. However, speakers who require reasonable accommodations for a speech-related disability or who require language interpretation services, or any other accommodations may request those accommodations from the City Clerk. Accommodations will be provided as the City is able. Speakers are encouraged to notify the City Clerk by email, or by phone at least 48 hours in advance, if possible, of the meeting if they wish to request an extension of time for one of these reasons.
9. Although the Public Comment time may be used to address questions to the Council, a speaker is not entitled to a response to any such question.

10. The Chair shall have the right to interrupt a speaker in order to enforce decorum and applicable rules. Other members of the City Council can call for a point of order.
11. The Chair reserves the right to terminate speech that is not Constitutionally protected because it constitutes true threats, incitement to imminent lawless conduct, comments that were found by a court of law to be defamatory, and/or sexually explicit comments made to appeal to prurient interests.

#### **Interruptions and Other Disturbances:**

Members of the public are required to act with decorum and to address the Governing Body and each other with respect. No person shall interrupt the proceedings of the City Council or cause any other form of disturbance or disruption. In furtherance of this general rule, the following specific rules shall apply to persons attending any meeting of the City Council:

1. Members of the public shall not engage in audible conversation or making noise in a way that inhibits individuals from hearing and/or participating in a public meeting, or disrupts the conduct of business by the Council.
2. Unless otherwise approved in advance of a Council meeting by the Chair or the Chair's designee, no sign or placard greater in size than 8.5" by 11" may be brought into the meeting room at any time. When a sign larger than 8.5" by 11" is authorized by the Chair or the Chair's designee, no such sign or placard shall be displayed in a manner that will inhibit individuals from viewing a public meeting, or that will otherwise disrupt the conduct of business by the Council. All signs must be consistent with restrictions set forth in the authority of the chair section.
3. Members of the public shall remain seated or stand without causing obstruction at all times; however, any person may enter and leave the meeting room at any time, provided such entrance or exit is made quietly and in an orderly fashion.
4. No person may be physically aggressive, impertinent, threatening, or otherwise uncivil, uttering fighting words, speeches invasive of the privacy of individuals, unreasonably loud speech, and speeches so disruptive of the proceedings that the business of the City is substantially interrupted.
5. It shall be the duty of the Chair to preserve order and decorum. Any member of the public engaging in disruptive behavior that interferes with

the Governing Body's ability to conduct the business of the City may, after a warning, be subject to removal from the meeting. The Chair may limit the comments of any person who engages in this conduct. No person may continue to speak after the Chair has taken the floor from that person. The following specific conduct is prohibited during any meeting of the Council:

- a. Conduct in violation of any City ordinance, state or federal law, or any rule or regulation implementing state or federal law;
- b. Interruption of speakers; name calling; boisterous remarks; yelling; excessive loud commentary as determined by the Chair;
- c. Offensive use of abusive, obscene, profane, or threatening language or gestures;
- d. Acting or behaving in such an unreasonable manner so as to provoke a breach of the peace; and
- e. Any other act designed to intimidate, threaten, or harm persons, or damage or destroy property.
- f. The Chair shall have the right to interrupt a speaker in order to enforce these rules or other applicable rules of order. Any member of the governing body may call for a point of order to address any potential violations of this policy.

6. Members of the public shall silence all electronic devices.

### **Response to Public Comments**

1. Upon closing of the Open Forum period, further public comments pertaining to items not on the agenda will not be heard, unless approved by the Council.
2. During the Open Forum Period. City Council will generally listen rather than respond to comments.
3. Public comments related to repairs, maintenance, safety issues or general information will be referred to the appropriate department through the City Manager.

## Enforcement

The standards of process and decorum set forth in these Rules will be enforced with necessary means, up to and including eviction from the premises of the meeting at the order of the Chair or a majority of the Members. In addition, a person who violates the standards of process and decorum will be subject to other action as deemed necessary by the Chair and Members. The removal of an offender from a public meeting shall proceed as follows:

1. The Chair shall give the offender notice that they are violating certain terms of these Rules and is subject to removal from the public meeting; however, depending on the severity and nature of an act performed by a disruptive individual, the Chair may call for immediate removal of the offender from the meeting room.
2. If the offender continues to violate any of the provisions of these Rules after receiving the above notice, the Chair may order the removal of the offender from the meeting room. If the offender continues the disturbance outside the meeting room, such that the orderly conduct of business by the Council is disrupted, the offender may be removed from the premises.
3. The offender has no right to appeal from an order of the Chair requiring the removal of the offender from the meeting room or from the City/County Building or meeting premises.
4. The offender removed from the premises may be criminally charged for any violation of applicable law.
5. Any offender found in violation of these Rules may be suspended from the opportunity to speak at a public meeting of the City Council. The first such suspension of an offender shall not be for a period of greater than one month. A second such suspension within a 12-month period shall not be for a period of greater than two months. A third such suspension within a 12-month period shall not be for a period of greater than three months. Any additional suspensions within a 12-month period shall not be for a period of greater than 12 months. Any violators can continue to utilize the public comment section of the meeting within the electronic Granicus system.

<b>City of Brookings Policy: CC 203</b>	<b>Title: City Council Study Session Format</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policies	Policy Audience: City Council, Staff, Public	Total Pages: 2

1) Definition & Purpose. Study sessions are a common way for governing bodies to manage the time of formal meetings more effectively. By conducting the majority of the discussion at a study session, time allotted during the regular council meeting can be reserved for public input and formal decision-making. Certain issues before the council are also more complicated than others and require extra time and in-depth discussion that is difficult to accommodate in a regular council meeting.

Study sessions can also provide opportunities for Council, staff and members of the public to review details and options regarding various topics that will be brought to Council for their action at future meetings.

Purposes include:

- Educational information about issues.
- Receive progress reports on projects.
- Review pending items.
- In-depth policy discussions.
- Receive presentations from staff, volunteer boards, experts and community groups.

2) General Rules

- Open to the public.
- All meetings will be televised, pursuant to city policy.
- Meetings will be in the City & County Government Center Community room unless circumstances require it to be moved.
- Seating and tables will be arranged in a “U” shape to facilitate open dialogue when in the community room.
- A quorum of the Council is required to hold a study session.
- Only votes on procedural items will be allowed.
- Public input is allowed.
- Meetings are considered regular in nature and not subject to special meeting stipend pursuant to Resolution No. 110-10.

3) Frequency/Day/Time

- One study session monthly or unless canceled by Council action.

- Third Tuesday of the month, unless council meeting schedule is already altered.
- Start at 6:00 p.m.

4) Agenda; process, content

- Same deadlines as regular meeting. Friday prior at 5:00 p.m. for all agenda topics and supporting materials, including PowerPoint and other presentations.
- Topics are previously agreed upon issues.
- A public agenda packet will be published.

<b>City of Brookings Policy: CC 204</b>	<b>Title: City Council Code of Ethics</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policies	Policy Audience: City Council	Total Pages: 2

The mayor and council are responsible for making policy decisions for the community. The City Council provides vision, direction and leadership to the community and the organization. The City Council further represents the Brookings Community. In order to maintain and enhance public trust and confidence in our local government, to achieve equity and social justice, to affirm human dignity, and to better the quality of life for residents of Brookings, the members of the City Council dedicate themselves to the stewardship of the public trust. Therefore, Council Members embrace the following ideals, seeking to:

- Uphold constitutional government and the laws of the City of Brookings by recognizing they are an agent for the democratic process and not a sole individual representing the City Council;
- Conduct public and private life as to be an example for fellow citizens and take responsibility for their actions, even when it is uncomfortable or unpopular to do so;
- Be mindful of their neutrality and impartiality, rendering equal service to all and to extend the same treatment they wish to receive;
- Abstain from participation and voting when a conflict of interest exists in accordance with the *Brookings City Charter, Section 7.01 (a) Conflicts of Interest* provision and Ordinance 2-63;
- Be tolerant, respectful and attentive to diverse ideas, suggestions and opinions;
- Maintain and respect the confidentiality of private and confidential information;
- Treat all persons, claims and transactions in a fair and equitable manner;
- Attend and be actively engaged in regular and special meetings, including briefings, and public functions where their presence is expected and be prepared in the execution of such;

- Be a prudent steward of public resources and actively consider the impact of their decisions on the financial and social stability of the City and its citizens;
- Make decisions based on the merits of the issue with attention to due process and citizen participation;
- Be knowledgeable and develop an understanding of local, state, and national governmental guidance, directives, regulations and ordinances pertaining to the position.
- Be prepared to make unpopular decisions based on their interpretation of the public's best interest;
- Make decisions and recommendations based upon research and facts involving staff and stakeholders which considers the goals, impacts and the best interest of the greatest number of those affected.

It is the policy of the City of Brookings to uphold, promote, and demand the highest standards of ethics from all its Council members. Brookings Council members shall maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants including the appearance of impropriety, and never use their city position or powers for improper personal gain.

The code of ethical behavior will govern members of the City Council. City Council members are encouraged to monitor their compliance and offer constructive recommendations to fellow Council members if necessary. Members of the City Council will accept these ideals and policy, and pledge to do in the interest and purposes for which the government has been established.



<b>City of Brookings Policy: CC 205</b>	<b>Title: City Council Vacancy</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policies	Policy Audience: City Council	Total Pages: 4

It shall be the policy of the City of Brookings that a procedure be developed to follow in the event a vacancy occurs on the City Council.

The Objective of this policy is to have an established procedure in the event of a City Council vacancy.

The City of Brookings shall follow the procedure outlined in the event a vacancy occurs on the City Council:

1. Positions. The elected City officers of the City of Brookings are the Mayor and six (6) City Council members.
2. City Charter Reference - Filling of Vacancy. Any vacancy occurring in the office of Mayor or City Council must be filled pursuant to City Charter, Section 2.06 – Vacancies; Forfeiture of Office; Filling of Vacancies:

*(d) Filling of Vacancies. Filling of Vacancies. Except as provided below, a vacancy in the office of Mayor or of a City Council Member shall be filled for the remainder of the unexpired term at the next regular City election. The Council by a majority vote of all its remaining members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office. However, if the vacancy occurs less than sixty days prior to the next regular City election, then the person appointed to fill the vacancy shall continue to serve and the vacancy shall be filled at the regular City election immediately following the next regular City election. Notwithstanding the requirement in Section 2.11, if at any time the membership of the Council is reduced to less than 6, the remaining members shall, within sixty (60) days, fill the vacancies by appointment or call for a special election to fill the vacancies.*

3. Schedule. The City Council must establish a schedule for the following steps in the appointment process:
  - Date to issue press release

- Deadline to submit applications
  - Date of initial meeting for applicants to meet with the City Council
  - Date to appoint the new Council member no less than one week after initial meeting
  - Date for the swearing in ceremony
4. Public Announcement. Immediately after the Council decision to fill the vacancy, the City Clerk shall issue an announcement that a vacancy has occurred and invite legally qualified persons to apply for the vacancy. See example press release:

#### Applications for City Council Member

The Brookings City Council is now accepting applications from Brookings residents interested in the vacant City Council member position effective until \_\_\_\_\_. Applicants are to submit an application and any other pertinent information to the City Clerk not later than \_\_\_\_\_ at 5:00 p.m. The City Council will take action to approve this appointment to the Council on or before \_\_\_\_\_.

*Applications for Appointment* are available at City Hall, 311 Third Avenue, or by calling (605)692-6281. Applications must be submitted to the City Clerk not later than \_\_\_\_\_ by 5:00 p.m.

"The City of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act."

5. Application Packet. Applicants will be provided with an application form, Code of Ethics, Governance and Ends Policy, current budget, Conflict of Interest Ordinance, and proposed appointment schedule. Applicants will be asked to submit a completed application, signed Code of Ethics, resume, and any other information to the City Clerk.
6. Council Notification:
- A. The City Clerk will provide qualified applicants list and copies of applications to the Mayor and City Council.
  - B. The names of applicants will not be released to the public prior to the application deadline.

- C. After the application deadline, the public will be provided with the list of applicant names upon request; however, the applications will ~~not~~ be released with any confidential information redacted.

7. City Council Applicant Review & Nominations:

- A. Presentations. Applicants will be invited to appear before the City Council at a planning or action meeting to provide comments and respond to questions.
  - 1. Each applicant introductory remarks will be limited to 10 minutes.
  - 2. All Council members will have an opportunity to ask questions.
- B. Public Comment. Public comment will be heard.
- C. Council Review. The City Council may discuss, at an open meeting, the qualifications of the candidate or candidates.
- D. Executive Session. The City Council may also enter into Executive Session for the sole purpose of discussing the qualifications of the applicants. The purpose of the executive session would be for each Council member to share their views about the qualifications and that the issue be thoroughly discussed. If it appears that a majority of Council members do not believe a certain candidate is most qualified, further discussion about the qualifications can occur. The executive session minimizes misunderstandings about the opinions of each Council member concerning the qualifications of the candidates, and avoids the use of a secret ballot, which is not specifically authorized in the law. In addition to the City Council members, the City Manager, City Attorney, and City Clerk would also be present during the executive session.
- E. Council Comments. City Council members will be given an opportunity to make public comments.
- F. Public Comment. Public comment will be heard before a motion to nominate a legally qualified person to fill the vacancy, but after the comments of the City Council.
- G. Nomination(s). At the conclusion of public comment, a motion by any member of the City Council to nominate a candidate may be made to fill the vacancy. The nomination requires a second in order to be voted upon. The motion must specify the name of the applicant and the effective date of the appointment. The first nominated and seconded legally qualified person receiving a majority of votes from those voting will be elected to fill the vacancy. A majority *of all Council Members remaining* must occur. If the motion fails, the floor would be

open for another motion. The use of a secret ballot will not be allowed. If the vote results in a tie, further discussion and action may be permitted.

H. Term. Appointed Council Members are appointed to fill a vacated position for a period not more than one (1) year. Per City Charter Section 2.06 (d), *"....then the person appointed to fill the vacancy shall continue to serve and the vacancy shall be filled at the regular City election immediately following the next regular City election..."*

8. Swearing In Ceremony. The newly appointed City Council member will sign an Oath of Office and be presented with an Appointment Certificate by the.

<b>City of Brookings Policy: CC 206</b>	<b>Title: Equal Opportunity Policy Statement</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policies	Policy Audience: City Council, Staff	Total Pages: 1

It is the fundamental policy of the City of Brookings to provide equal opportunity for all persons, including applicants and employees as it pertains to provision of services and employment opportunities in order to ensure that there will be no discrimination against any person on the basis of race, creed, color, religion, sex, pregnancy, age, national origin, citizenship status, sexual orientation, gender identity and expression, political affiliation, genetic information, disability, marital or veteran status, or any other basis prohibited by state or federal law.

<b>City of Brookings Policy: CC 300</b>	<b>Title: Green Building Policy for City-Funded Facilities</b>	
Issue Date: May 23, 2003	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policy	Policy Audience: City Council, Staff, Outside Agencies	Total Pages: 2

The City of Brookings desires to continue implementing green building practices which protect natural resources, prevent waste, reduce consumption, and promote human health and well-building. A Sustainable Building Policy yields savings by efficiently managing energy, water, waste, and stormwater, while improving the employee and visitor experience, resulting in the following benefits:

- Significant savings through reduced utility costs,
- Lower operation and maintenance costs,
- Reduced impact on municipal infrastructure,
- Enhanced environmental quality and decreased pollution,
- Reduced greenhouse gas emissions,
- Improved health, comfort and productivity of building occupants, and
- Exemplifying sustainable building practices for other public and private building owners and other sustainable building stakeholders in the Brookings area.

**Green Building Practices Policy:**

A. New construction using City funds shall be designed with the intention of meeting or exceeding the following high-performance green building standards:

1. A certified rating under the United States Green Building Council's Leadership in Energy and Environmental Design rating system in effect as of November 18, 2013;
2. A two globe rating under the Green Building Initiative's Green Globes rating system as of July 31, 2013; or
3. A comparable numeric rating under a sustainable building certification program recognized by the American National Standards Institute as an accredited standards developer.

B. A waiver of requirements of this Green Building Practices Policy may be granted by the City Manager if:

1. The building will have minimal human occupancy;
2. The increased costs of achieving a high-performance green building standard cannot be recouped from decreased operational costs within 15 years; or

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3. The City Manager determines that extenuating circumstances exist to make impractical construction designed with the intention of meeting or exceeding high-performance green building standards.

<b>City of Brookings Policy: CC 302</b>	<b>Title: Donation Policy</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policy	Policy Audience: Donors and City Staff	Total Pages: 4

I. PURPOSE

To establish a written policy for donations proposed at facilities, public parks, open space, trails, and other City of Brookings public property, easements, or rights-of-way.

II. POLICY

There are occasions when interested parties wish to donate to the City of Brookings. It is the policy of the City of Brookings to consider all donation requests and decide if accepting the gift is in the best interest of the community. Donations generally come in the form of facility enhancements, monetary gifts, memorial items, services/labor, equipment/materials, land/real property, or partnership projects.

III. DEFINITIONS

- A. Donor: Individual(s) providing financial contributions, items, or improvements of value.
- B. Donation: A contribution of value that may take the form of financial (restricted or unrestricted), professional services, real estate/real property, facility/structure, or in-kind.
- C. Donation Proposal Application: An application necessary to begin the donation process made available by the City Clerk’s Office and available on the City website.
- D. Review Team: A team comprised of City staff and/or citizens tasked with making a recommendation on the appropriateness of a proposed donation.

IV. ADMINISTRATION

- A. A Donation Proposal Application must be submitted by the donating party to the City Clerk’s Office. As necessary, the City may develop a Review Team to consider the proposal. The following guiding principles will be considered when evaluating a proposed donation:
  - i. Appropriate location for placement
  - ii. Easements, utilities, and existing structures
  - iii. Liability and safety



- iv. Construction costs and any necessary City contribution
  - v. Future or on-going maintenance costs with budgetary impact
  - vi. Future site development plans
  - vii. Use restrictions
  - viii. Natural environment
  - ix. Accessibility and usefulness
  - x. Overall public acceptance/approval
- B. Appropriate volunteer boards and commissions will be engaged if the donation falls under their purview.
- C. Donations made on property with a conservation easement or deed restriction shall require approval from the easement holder if required per the applicable easement or deed.
- D. Once the proposal is reviewed, City staff will respond to the applicant if the donation was accepted and/or follow up with the reasons the donation was rejected.
- E. Implementation
- i. Funding: All costs, including initial installation, labor, and materials are the responsibility of the donor unless the City agrees to provide financial or in-kind support. Some projects may require an endowment to ensure the longevity of the gift and assist the City with future maintenance.
    - 1. In special situations, such as when the donor is allowed to hire a contractor, a memorandum of understanding or a project agreement may be required. A contingency fund may also be required, of up to 15% of the project's cost, to cover necessary change orders and overruns associated with the project. Remaining contingency funds will be applied to the endowment fund for future maintenance costs.
  - ii. Installation: As applicable, an installation timeline shall be developed for all donations. Work performed by the City, contractor, or donor shall be identified. A City employee will be assigned as manager for the project.
  - iii. Removal or Relocation of Donor Project: Unless specifically agreed to in writing, the City may, at any future date, elect in its sole discretion to remove or relocate the donation. No permanent right, title, or interest of any kind shall vest in the Donor's behalf by virtue of donation acceptance.
  - iv. Vandalism and Maintenance: All routine and preventative maintenance costs are the City's expense unless otherwise agreed to. However, no special maintenance and/or replacement is guaranteed. Improvements made in a public space become the

property of the City of Brookings and will be maintained by the appropriate department. The department can offer no guarantee or obligation, legal or otherwise, to maintain or replace signs, plaques, materials, equipment, structures, or other donated resources that are vandalized, lost, stolen, or otherwise damaged or destroyed.

- v. Donor Recognition: Permanent forms of recognition, such as plaques, signs, or decals, may be permitted only with the approval of the City Manager or City Manager's Designee. Permanent recognition plaques shall be harmonious and integrated with the character and features of the facility as determined by the Review Team. Other details, such as materials and wording, must be approved by the Review Team as part of the donation proposal process. Donor recognition should be consistent with naming rights policy (reference).
  - vi. Liability: In no event shall the City be liable for value or tax assertions/claims by the Donor. The Donor(s) agree(s) to hold the City harmless and indemnify the City for any and all claims which might arise from any person, entity or corporation resulting from the Donor's use of City property, easements, or rights-of-way for installation purposes, or arising from the Donor's performance or improvement/item donated pursuant to this policy.
- F. Donations exceeding \$50,000 in value will go to City Council for acceptance.

<b>City of Brookings Policy: CC 303</b>	<b>Title: Naming Rights</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council Policies	Policy Audience: Staff, Public	Total Pages: 2

The City of Brookings believes it is necessary and prudent to define a process for the naming of certain public spaces or improvements.

The City of Brookings may utilize such naming rights procedure as a means of generating revenue to assist with deferring some of the capital costs of such public spaces or improvements.

**Purpose:**

1. Recognition of a donor who significantly supported a public space or improvement.
2. Recognition of a non-donor who exemplified public stewardship, purpose, commitment, or other high ideals of the community worthy of being named.
3. Where appropriate, generate revenue or secure donations from private sources to defer a portion or entirety of the costs of the space or improvement.

Items eligible to be named

Items need to have significance worthy of a name by which it would be recognizable in the community and be identified by its name. Examples include:

1. Parks
2. Buildings, structures, unique monuments, and significant recreational amenities
3. Gardens and landscaped areas
4. Trails and pathway systems
5. Ponds or bodies of water of significance
6. Municipal streets

Items that may be named, but not subject to the foregoing policy, include:

1. Incidental items such as trees, park benches, planter boxes, picnic tables, rooms, and other minor improvements.
2. Revenue generating naming rights covered by an agreement approved by City Council.

Process

1. Persons may nominate/suggest a person and the item to be named by completing the nomination form and submitting it to the City.

2. If the item nominated to be named is under the policy purview of an advisory board, the City Manager shall forward the nomination to the advisory board for a recommendation to the City Council. The City Manager may also make a recommendation.
3. In the event the item to be named is not under the policy purview of an advisory board, the City Manager shall make a recommendation to the City Council.
4. The City Council shall make the final decision on all naming rights subject to this policy.
5. In cases where the City wishes to generate revenue to defer capital expenses through the utilization of this naming rights policy, staff shall seek out opportunities to identify and recruit potential donors.

#### Recognition

1. Staff shall determine the means and methods of recognition of the named rights. (Signage, lettering, printing, etc. This shall be dependent upon, and will vary based on the item to be named.)
2. Recognition shall be based upon a timeline outlined within a contract unless determined to be perpetual. The City Council reserves the right to revoke perpetual naming for just cause, or at the request of the named individual/entity or their representative.

<b>City of Brookings Policy: CC 307</b>	<b>Title: Special Assessment Policy</b>	
Issue Date: May 23, 2023	Updated: May 23, 2023	Section: Other
Policy Source: City Council	Policy Audience: City Council, Staff, Public	Total Pages: 2

I. PURPOSE

To establish a written policy for setting the financing terms in the resolution of necessity and for collecting special assessments.

II. POLICY

The City recognizes the need to have a consistent policy for establishing the financing terms in the resolution of necessity and in the collection of special assessments. This policy outlines the City's financial terms for special assessment projects.

III. DEFINITIONS

- A. Resolution of Necessity: As defined by SDCL 9-43-82, is a resolution approved by City Council deeming it necessary that a local improvement be financed by a special assessment.
- B. DCL: South Dakota Codified Laws.
- C. Federal Home Loan Bank (FHLBank) Chicago 10-year Fixed Rate: The 10 year fixed rate for residential single-family homes as calculated by the FHLBank Chicago ([www.fhlbc.com](http://www.fhlbc.com)). The rate will be determined two weeks prior to the Resolution of Necessity is heard at City Council.
- D. Special Assessment: A financing instrument that allows payment for improvements by those who benefit.

IV. ADMINISTRATION

- A. The City shall follow SDCL 9-43-75 through 9-43-101, and SDCL 9-46-1 through 9-46-11 when determining a project for special assessment.
- B. The proposed Resolution of Necessity shall also include whether the special assessments are payable under Plan One (Collection by the County Finance Office) or under Plan Two (Collection by the City's Finance Office). In addition, the proposed Resolution of Necessity shall also include the number of annual installments and interest rate payable on the unpaid balance of special assessments.

- C. Once a project has been completed after a Resolution of Necessity has been approved by the City Council, the project shall be assessed in accordance to SDCL 9-43-102 through 9-43-139.
- D. If the City chooses to assess under Plan One-Collection by County Treasurer specified in SDCL 9-43-102, the following financing terms shall apply if the assessment is not paid in full within 30 days of the assessment roll adopted by City Council:
  - a. Term of the financing shall depend on the type of project being assessed:
    - i. Sidewalks and Alleys: 5 Years
    - ii. Roadways and Utility Work: 10 years
  - b. Annual interest rate charged shall be calculated by the following formula  
= FHLBank Chicago 10-year Fixed Rate(%)+ 3.5%
  - c. Any assessment under \$300 would be assessed in one payment .