

Council Guidelines and Protocols

Report from City of Olympia General Government Committee

November 20, 2012

Among other topics, the General Government Committee considers issues of operational policy, boards and commissions, and general government policy.

During 2012, the committee discussed several procedural topics referred from Council's retreat and completed its in-depth biennial review of the Council's Guidebook. The current Council Guidebook was developed in 2008. It replaced Council's former Rules of Procedure. Instead of "laws" or "rules" of Council, the Guidebook is intended to serve as a guide for how the Council conducts its business and interacts with staff, committees, and the public. The Guidebook is published on the City's website.

Report and Recommendations:

1. City Manager's Performance Evaluation

Based on discussion with the City Manager, General Government recommends using a formal evaluation process based on the five (5) areas of core competency outlined in the City Manager's contract:

- Community Relations
- Intergovernmental Relations
- Communication
- Policy Making / Vision Implementation
- Management of Organization

The committee reviewed an evaluation form based on these competencies and information from the International City Manager's Association.

Recommendation: General Government Committee is seeking Council concurrence to use the recommended form and process for 2012; then debrief in 2013 and determine whether to continue with the same form and process.

Form - As the basis for evaluation and discussion with the City Manager, use the form suggested by the City Manager with a slight revision to incorporate a scoring style similar to the ICMA form and a minor wording change to one phrase.

Process - So that each Councilmember has an opportunity and the time to provide thoughtful comments, the committee recommends:

- In advance of the evaluation meeting:
 - Each Councilmember will receive the evaluation form to complete.
 - City Manager will include a written "year in review" assessment with the evaluation form.
 - Forms will be completed by individual Councilmembers. The rankings/comments will be compiled by the City's Human Resources Manager and provided to Council and the City Manager in advance of the meeting.

- Evaluation meeting process:
 - Overview by the City Manager
 - Round Robin of 5 minutes per Councilmember - How is the City Manager doing in the areas of competency?
 - Up to 30 minute group discussion - How is the City Manager doing in advancing our goals?
 - Up to 10 minutes (if needed) - How is the City Manager doing in his professional development?
- Option – whether City Manager is present for Council discussion.

Guideline Amendment – So that Council and the City Manager have a common understanding about evaluation timing, General Government recommends the following addition to the Guidebook:

“City Manager Performance Review: The City Council shall meet annually in December with the City Manager to review performance and establish priority expectations for the coming year. The City Council shall also meet mid-year in June with the City Manager to review performance. The meeting shall be held in Executive Session scheduled according to the Council’s Agenda Scheduling Process.”

2. Topics Referred from Retreat

- a. Advisory Committee Relations
- b. Communication with / Engagement of the Public
- c. Handling Conflicts and Difficult Interactions
- d. Invitations to Community Events
- e. Resource Allocation
- f. Staff Support
- g. Working with Department Staff

*Several issues related to “Agenda Setting” were also referred. The Agenda Setting topic is addressed later in this report as part of the recommendations for Guidebook amendment.

Advisory Committee Relations - No recommended Guideline changes.

Committee members agreed that the Council has taken steps this year to improve and strengthen relations with advisory committees by:

- assigning Council liaisons to each committee
- consulting with and inviting committees to provide their recommendations directly to City Council
- including advisory committee chairs in the interview and selection of new members
- meeting with all advisory committee chairs to discuss issues of interest as requested by committee chairs
- committing to provide training on meeting management.

Handling Conflict and Difficult Interactions - No recommended Guideline changes.

General Government agreed that this is a relationship topic which is challenging to address through Guidelines. Committee members suggest that this issue is better addressed with one-on-one

conversations and/or facilitated discussion at the Council's retreat or informal meetings. Committee members also felt that the Council would benefit from opportunities to socialize.

Invitations to Community Events - No recommended Guideline changes.

Committee members discussed options with the City Manager. Currently staff schedules event invites on Councilmembers' Outlook calendars. They agreed that it is the responsibility of each Councilmember to respond to the invites, which is how staff will track potential attendance. No amendment to Guidelines is recommended at this time. Committee members suggest that the Mayor or City Manager inform the Council of any community invites during their Council meeting "Reports," if time allows.

Resource Allocation, Staff Support, and Working with Staff - No recommended Guideline changes. Committee members discussed with the City Manager the assignment of staff work, plus his approach to support for Council and sharing information with Council. They reviewed the Guideline section on *Interaction with City Staff*. No changes are suggested for that section. Committee members discussed whether Council should have dedicated staff. They agreed that this is a topic more appropriately addressed by the full Council during budget discussions.

Public Communication / Public Engagement - Activity recommendation; no change to Guidelines. General Government recommends three "Coffee with the Council" events per year beginning in 2013, with one held prior to the Council's retreat. These would be informal sessions with no set Agenda, possibly at schools, with one each on the east side, west side, and the south side of Olympia. The intent is to give community members an opportunity to stop by and visit with Councilmembers. There are potential costs for space rent.

3. Guidebook Review – Routine, Clarifying Amendments

3.1 Recommendation Regarding Six (6) Clarifying Amendments

As part of its in-depth biennial review, General Government identified six (6) clarifying amendments which it recommends for consistency with current practice or to provide additional explanation for Council, staff and/or the public.

The committee considers these to be non-controversial items and seeks Council's concurrence to forward the six Guidelines amendments listed below to a future Consent Calendar for approval.

The amendments are:

- a. Setting the regular meeting date for Council committees at the committee's first meeting of the year.
- b. Council meeting date expectation for primary and general election weeks.
- c. Expectation for Special Recognition at Council meetings - only one per meeting, if possible.
- d. Agenda for Special Meetings.
- e. Preferred time for Executive / Closed Sessions
- f. Televised special meetings and study sessions when held in Council Chambers.

The recommended Guideline amendments are underlined.

a. Setting Regular Meeting Date for Council Committees.

Each committee shall set a regular meeting date at its first meeting of the year. A draft work plan, including tentative schedule, will be developed by the Committee at its first meeting of the year. The work plan is based on referred items carried over from the prior year, plus committee member and staff knowledge of emerging issues/policies. The draft work plan is forwarded to the full Council for review and approval as a Consent Calendar item.

b. Meeting Schedule – Election Week.

When any of the above scheduled council meetings occur on a legal holiday, the next succeeding day shall be the date of the regular meeting. If Council is meeting the week of the General Election Primary (August) and General Election (November), the meeting will be on Monday instead of Tuesday. There are no regular meetings on the 5th Tuesday of a month unless scheduled by the City Council at its annual retreat. (also see OMC 02.04.050)

c. Special Recognition at Council Meetings

Special Recognition is intended to recognize City staff, City programs, community activities or other individuals/activities related to City business. If possible, only one Special Recognition should be scheduled per meeting.

d. Agenda for Special Meetings

Only Agenda items noticed for the Special Meeting may be discussed or considered by the Council at the meeting. The Agenda may not be amended at the Special Meeting to add items.

e. Preferred Time for Executive or Closed Sessions

The Council may hold executive sessions before, after, or during a regular or special meeting to consider such matters permitted by RCW 42.30 or other applicable state law, although the preferred time is before a regular or special meeting.

f. Televised Special Meetings or Study Sessions

Olympia's weekly City Council meetings, Special Meetings, and Study Sessions - when held in the City Council Chambers on Tuesday evenings at 7:00 p.m. are televised live on Thurston Community Television (TCTV) and video streamed through the City's website by a third-party service, barring technical difficulties. When City Council meetings are held in another location that does not allow for live telecast or on a day other than Tuesday, the meetings are taped for replay on TCTV and online video if requested by Council and if TCTV has staff and equipment available to provide the service.

3.2 Recommendations with Questions Regarding two (2) Clarifying Amendments

General Government discussed the following issues as part of its Guidebook review and had questions for the full Council:

- a. Committee of the Chairs
- b. Annual and Mid-Year Council Retreat

a. Committee of the Chairs

The Guidebook and OMC 02.06.101 list four (4) Council standing committees: General Government, Finance, Land Use and Environment, and the Committee of the Chairs. The current Council does not have a practice of convening a *Committee of the Chairs*.

OMC 2.06.010 Created

There are created the following committees of the city council along with a general description of topics for their consideration:

- A. General government committee: Public safety, operational policy, economic development, housing, general government issues, boards and commissions;
- B. Land use and environment committee: Planning, transportation, environment, utilities, parks, community development, neighborhoods;
- C. Finance committee: finance/budget.
- D. Committee of the chairs: Coordination between chairpersons of the committees referenced in Subsections A through C above; consideration and/or clarification of miscellaneous topics which do not fall under the scope of the committees referenced in Subsections A through C above.

Question from General Government about Committee of the Chairs: Should we continue to list Committee of the Chairs in OMC and the Guidebook? If yes, General Government recommends that the language in OMC 02.06.010 be included or referenced in the Guidebook to provide a definition of the committees. If not, the language should be removed from both sources.

b. Annual and Mid-Year Council Retreat

The Guidebook does not currently contain any reference to the Council's practice of holding an annual or mid-year retreat. Since the Guidebook is intended to be a reference of Council's common procedures and practices, General Government Committee recommends that a statement about the annual and mid-year retreat be included. For scheduling purposes, General Government recommends that the statement specify when Council will hold the retreat and the expectation that it will be professionally facilitated.

Question from General Government Committee: Shall we include a statement of intent to hold an annual and mid-year retreat, and further specify dates and facilitation expectations for planning and scheduling purposes?

Here is the Guideline recommended by General Government:

The Council's annual goal setting retreat shall be held the 2nd Saturday in January, unless an alternate date is agreed to by a majority of Council.

The Council shall also hold a mid-year retreat on the 2nd Saturday in June, unless an alternate date is agreed to by a majority of Council.

The annual and mid-year retreats shall be facilitated by a professional meeting facilitator who is not a member of the current Council or staff.

4. Guidebook Review – Issues of Shared Leadership and Shared Policy/Council Business Responsibility

During its review of the Guidebook and discussion about the “Agenda Setting’ topic referred from the retreat, General Government Committee discussed general concepts of Councilmember shared leadership and shared policy / Council business responsibility. These concepts recognize that

- Each Councilmember is an elected leader in the community.
- Each Councilmember brings his or her own skills, knowledge and experience to the Council.
- Individually and collectively Councilmembers are responsible for advancing policies and the business of the city.

At the November 20 study session, General Government wishes to share its views and engage in a conversation with the rest of Council on this topic before reviewing specific Guidebook amendments related to these topics.

The committee is also seeking guidance from the Council about whether to forward for Council action specific recommendations that relate to leadership via committee and interjurisdictional assignments and shared responsibility via the agenda setting process. An alternate approach proposed by Council’s mid-year retreat facilitator was to agree on aspirational statements for shared leadership and shared responsibility to guide retreat discussions, committee and interjurisdictional assignments, and meeting agenda.

For your information, here are the specific Guidebook recommendations discussed by General Government:

Shared Leadership – Committee Assignments

Committee discussion in this area acknowledged:

- The significant role and workload of the Mayor as the Council’s liaison with the community, and the associated support role of the Mayor Pro Tem.
- The reality of seven members potentially vying for three committee chair positions and how that reality may affect an individual Councilmember’s ability to learn, grow, and assume a position of leadership.

Committee members expressed support for encouraging and finding ways for each other to grow in knowledge and leadership skill by spreading leadership opportunities across the entire Council.

Recommendations – Council Committee and Interjurisdictional Assignments:

1. General Government recommends returning to the practice of prior Councils wherein the Mayor does not serve on or Chair a Council standing committee and Council committee chairs only serve on the one committee for which they are chair. This will provide opportunity for Councilmembers who are not chairing a committee to serve on two committees, if they so choose.
2. General Government also recommends that the Mayor Pro Tem not serve as Chair of a Committee, given the leadership role that individual fills as Mayor Pro Tem.
3. Consistent with current and past practice, General Government further recommends that a statement be added to the Guidebook that Council committee appointments will be approved by majority vote of Council at its next business meeting following the retreat – which is a statement of current and past practice.
4. In keeping with General Government’s interest in providing leadership opportunities throughout the Council, the committee recommends that the two Councilmembers who are not a committee chair, or the Mayor, or the Mayor Pro Tem be given first opportunity to indicate which interlocal appointment is their primary choice and that Council will place high priority on honoring the request.

General Government has drafted Guideline amendment language for these recommendations – see Appendix.

Shared Policy / Council Business Responsibility – Committee Recommendations, Agenda Scheduling, No Surprises, and Meeting Length

In this area, General Government discussed:

- Their observation that clarification in the Guidelines would be helpful about:
 - How individual Councilmembers and the standing committees advance policy issues for Council consideration via the agenda, and
 - The fact that the agenda is approved by the full Council at the start of the meeting – before then, it’s a proposed agenda.
- The desire for all Councilmembers to have equal opportunity to propose items for scheduling, and for the City Manager - who routinely meets with each Councilmember - to have an acknowledged role in proposing and scheduling agenda items.
- The expectation that standing committees will take up referred items within a reasonable time and that a committee chair will not leave referrals to languish for lack of scheduling. The committee recommends that the Council refrain from making committee referrals on issues it is not seriously interested in considering.

- Their desire for Councilmember Reports to be succinct, for there to be no surprises requiring Council deliberation and action, and for meetings to end at a reasonable time.

Recommendations – Council Committee Referrals and Committee Reports:

1. Referrals: General Government Committee recommends amending the Guidebook stating that “referrals to committee will be scheduled for discussion by the committee within 90 days unless the committee Chair proposes an alternate schedule.”
2. Committee Reports: So that Council, staff and the public have advance notice and information about substantive proposals, the committee recommends that the Guidebook be amended to state that “the committee chair will briefly report committee findings during Councilmember reports. Items needing Council action or substantive discussion will be scheduled for an upcoming meeting.”

Recommendations – Agenda Setting and Scheduling:

1. Preparing the Proposed Agenda: General Government recommends that:
 - The City Manager propose the agenda based on his/her overall knowledge of Council’s priorities, city projects and timelines, and emerging issues
 - The Mayor and Mayor Pro Tem review the proposed agenda in consultation with the City Manager.
2. Council Review and Input on the Agenda: General Government recommends that at the end of each business meeting Council review the upcoming agenda schedule and preliminarily agree to the proposed agenda for the next week. Final approval would occur when the Agenda is approved at the start of a meeting.
3. City Manager Discretion: The committee recommends that the City Manager have discretion to add or delete items on the agenda after Council’s preliminary review, with notification to the full Council.

Recommendations – Councilmember Reports / Questions to Staff

1. Length of Reports: General Government Committee reminds Council that the current Guidelines suggest that Councilmembers should do their best to be concise and keep Reports to no more than 5 minutes per member. The committee acknowledges that the Mayor and Committee Chairs may have additional information to share, and they recommended amending the Guidelines to include additional time for the Mayor and Committee Chair reports.
2. No Surprises / Items Needing Substantive Discussion: General Government recommends that Councilmember Reports on substantive issues needing Council deliberation be scheduled for discussion at the following Council meeting so that there is time for each member, staff and the public to review background information.

3. Questions to Staff: General Government recommends that clarification be added to the Guidelines stating that Councilmembers may pose questions to staff at any time during a meeting, and that the questions should be directed to the City Manager or City Attorney, as appropriate, unless a staff person is making a presentation. The City Manager will determine who on his/her staff is the appropriate person to respond.

Appendix.

Proposed changes are shown in bill tracker form with strikethrough and underline.

Proposed Guideline Changes Regarding Shared Leadership / Committee Appointments

2.5b. Appointment of Committee Members.

~~Other than the Committee of the Chairs,~~ Committee members are selected ~~appointed~~ by the City Council at its annual goal-setting retreat. The Mayor does not serve on a standing committee due to the Mayor's additional ceremonial responsibilities and to provide leadership opportunities for as many Councilmembers as possible.

Appointment of Council committee members will be made by majority vote of the Council at the next business meeting following the retreat.

2.5c. Selection of Committee Chairs.

Committee Chairs are selected by the City Council at its annual goal-setting retreat. ~~Each year, the Council selects a Chair for each committee during the retreat.~~ The Mayor Pro Tem does not serve as a Committee Chair since the Mayor Pro Tem assists the Mayor in fulfilling ceremonial responsibilities and to provide leadership opportunities for as many Councilmembers as possible. The Committee of the Chairs consists of the current Chairs of the Finance, General Government, and Land Use/Environment Committees.

Appointment of Council committee chairs will be made by majority vote of the Council at the next business meeting following the retreat.

2.9 Representation on Interlocal and Community Boards by Councilmembers

The City of Olympia has a number of interagency agreements, which require representation by a member of the Olympia City Council on that agency's board (such as LOTT Alliance, Animal Services, etc). In addition, other community boards, councils, commissions, or committees often request City Council representation on their board (such as the Visitor and Convention Bureau, Economic Development Council, etc). This type of representation facilitates communication and provides interaction with other governmental bodies and community agencies. The City Council appoints members to some of these groups on an as-needed or as-requested basis.

Membership appointment to these groups is made each year by consensus of the Council at its annual goal setting retreat. If more than one Councilmember desires to serve as a member of a particular outside group, the member for that group will be appointed by a majority vote of the Council. The two

Councilmembers not serving in a given year as Mayor, Mayor Pro Tem, or Council Committee Chair will be given first opportunity to request which Interlocal appointment is their primary choice, and Council will place high priority on honoring the request.

Where applicable, the Council will appoint an alternate to attend outside boards, councils, commissions, or committees in the event the main delegate to such group is unable to attend. The main delegate should notify the alternate as soon as possible after the main delegate realizes they will be unable to attend an upcoming meeting of the outside group.

Councilmembers participating in policy discussions at board meetings will represent the consensus of the Council. Personal positions will be identified and not represented as the position of the City. Councilmembers are responsible for reporting inter-agency actions and positions to the full Council. Time for such reports is regularly scheduled on the Council meeting agenda.

Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

Proposed Guideline Changes Regarding Agenda Setting

3.5 Scheduling and Publishing the Agenda

The agenda is the schedule of items the Council has determined it ~~they~~ will address at a meeting. ~~Agenda items may also be certain items proposed for the Council to address (i.e., lot vacations, ordinances to accept grants, etc.).~~

The agenda is proposed by the City Manager, reviewed by the Mayor and Mayor Pro Tem, and approved by the Council as a whole.

3.5a. Olympia's Agenda Setting Process:

Each Monday morning the City Manager meets with Department Directors to review potential agenda items and develop a proposed Agenda. Items may also emerge on short notice throughout the week for inclusion by the City Manager on the proposed Agenda. On Monday or Tuesday, the City Manager meets with the Mayor and Mayor Pro Tem to review the proposed agenda. The agenda packet is prepared by the City Council's Secretary for website posting by 5:00 p.m. on Thursday, unless there are technical difficulties.

At each Council business meeting, a copy of the agenda for upcoming meetings as proposed by the City Manager and reviewed by the Mayor and Mayor Pro Tem will be distributed to the full Council for preliminary agreement. The Agenda posted for the following meeting or meetings (depending on the time between regular Council business meetings), will be the one(s) preliminarily agreed to by the full Council unless changed by the City Manager with notification to the full Council. The City Manager has the discretion to add or delete items from the preliminary Agenda with email or phone call notification to the full Council explaining the reason for the change.

3.5b. Agenda Approval:

The final agenda will be approved by majority vote of Councilmembers in attendance at the meeting. At a regular Council business meeting, the Council may amend the Agenda by majority vote to add or delete items. At special meetings, such as Study Sessions, additional items may not be added since a minimum of 24 hours notice of Special Meeting agenda topics is required by State law.

~~The proposed agenda is set by the Mayor and/or Mayor Pro Tem in consultation with the City Manager, and is usually available by 3:00 p.m. on the Thursday immediately preceding the meeting.~~

~~Each Monday morning the City Manager meets with Department Directors to go over proposed future agendas, at which time any issues that need to be brought forth to the City Council are discussed with the City Manager.~~

3.6 Agenda - Order of Business

The City Council has established the following order of business for its regular meetings:

1. Opening and Roll Call
 - a. Changes to Agenda
 - b. Approval of Agenda
2. Special Recognition (Including Proclamations)
3. Public Communications – not to exceed 30 minutes
 - a. Council response to public communications
4. Consent Calendar
5. Public Hearings
6. Other Business or Study Session
7. Continued Public Communications
8. Reports and Referrals
 - a. Council Intergovernmental/Committee Reports and Referrals
 - b. City Manager's Report and Referrals
9. Review and Preliminary Approval of Upcoming Agenda(s)
10. Adjournment

The order of business may be revised by a majority vote of the Council. Items pulled from the Consent Calendar for substantive discussion will be moved to a later place on the Agenda at the discretion of the Council with placement recommendation made by the Mayor.