

CITY COUNCIL CONFERENCE MINUTES

October 25, 2011

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 25th day of October, 2011, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Dillingham Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal

ABSENT: Councilmember Spaulding

Item 1, being:

DISCUSSION REGARDING POLICIES AND PROCEDURES FOR COUNCIL COMMITTEES.

Mayor Rosenthal distributed a two-page assessment on City Council Committee norms regarding policies and procedures for Council Committees and said the topic was intended to be discussed at the September 17, 2011, Council Retreat; however, due to time constraints was not discussed. She said in the past the Council Committees have typically performed five main functions as follows:

1. Preparatory work leading up to Council decisions such as developing policy options and recommendations for the consideration of the whole Council, including examining options, reviewing Staff work, giving Staff direction, and guiding policy development.
2. Committees carry out tasks on behalf of the governing body, or when delegated with parameters by the Council. Delegated tasks do not include substituting Committee decision-making for the judgment of the body as a whole, i.e., design and implementation of the Municipal Finance Series and Water Series were accomplished through the guidance and efforts of Council Committees.
3. Committees work with Staff to implement certain operations and activities that do not involve making or changing policy, for example, a large part of the role of the Finance Committee is to monitor budget conditions and the Oversight Committee conducts targeted evaluations of ongoing programs.
4. Committees serve as a training ground for developing Councilmember expertise and specialization. As a working group, Council come to rely on the expertise of each other in areas where there may be less technical knowledge, experience, or interest.
5. Committees divide the labor so that we make the efficient use of Councilmember and Staff time. The trade-offs in dividing the labor is that more can be accomplished by delegating some authority to Committees for policy development, less reliance on Committees would require Council to impose fewer demands on Staff.

Mayor Rosenthal said Council will also discuss how much authority should be delegated to our Council Committees and said in the interest of time suggested Council has four different levels to consider as follows:

1. Limited advisory role - Council Committee investigates and reports but the Council makes the final decision;
2. Active advisory role - Council Committee investigates and suggests action and the Council will probably take the Council Committee's suggestions;
3. Limited agent - Council Committee can take action after the board has agreed to the action, i.e., "look into the matter, decide on the best course of action, inform Council their intentions, then go ahead and do so unless Council instructs them not to.
4. Active agent - Council Committee takes action and reports on the action taken.

Mayor Rosenthal said tonight's discussion only pertains to the Council Committees, i.e., Business and Community Affairs Committee, Community Planning and Transportation Committee, Finance Committee, and the Oversight Committee. She said that there was discussion at a recent Council Committee meeting that Council Committees should not give guidance to Staff, but instead the issues/items should be scheduled as a Study Session and/or Council Conference in order to gain input/guidance from Council as a whole. Mayor Rosenthal said many Councilmembers may attend those Council Committees regardless who are not appointed as Council representatives to a particular Council Committee and felt the virtue of the Council Committees are that they allow issues to be worked through and kept moving. She asked the Councilmembers to discuss and comment about how much latitude the individual Council Committees should have, as well as, their expectations for issues to come back to Council as a whole.

Councilmember Kovach said as long as there is a continued understanding that issues discussed at Council Committees will eventually go to full Council at either a Council Conference or Study Session, the process should not change. He said Council concurrently works on many issues and those issues have to be broken down into workable committees. He felt Council Committees also needed to have some limited power to request Staff to perform tasks so that achieving a positive goal or standard can be obtained on issues. Councilmember Dillingham agreed with Councilmember Kovach and said Council Committees should continue with the same process. She said Council Committees have done exceptionally good work over the past couple of years because of opportunities to work with Staff to collect a lot of citizen input and information which assists Council to make better decisions. Councilmember Quinn said the Council Committees work well the way the currently are and the guidance that is given to Staff helps to forego the Council's interest and concerns. Councilmember Ezzell agreed and said since Council receives all agendas, they can attend any meetings they desire to voice particular concern(s) and/or interest(s)

Councilmember Kovach said Staff presentations are brought to joint meetings as needed instead of repeating to every committee which makes the process very efficient. Councilmember Lockett said Boards and Commissions should funnel topics through Council Committees to help with inefficiency regarding duplicate information and Staff time. Mayor Rosenthal said one possibility might be for the Council Committee Chair to obtain routine Staff reports on Citizen Committees so Council can be better informed as to what is coming down the pipeline. Councilmember Dillingham agreed and said the Boards and Commissions could be divided amongst Council Committees for quarterly updates.

Councilmember Kovach suggested including and allowing public participation and/or comments at Council Committees and Study Session meetings regarding agenda items that are being discussed. Mayor Rosenthal agreed that Council Committees should allow public input and participation but felt Study Session and Council Conferences are Council "work sessions" that bring Council as a whole up to speed on issues and they are not ideal settings to gain public input and participation. Councilmember Lockett felt a tremendous amount of Norman citizens are not able to attend night meetings and the City needed to search for methods of obtaining public input in ways other than attending meetings.

Mayor Rosenthal suggested periodically reserving a Council Conference or Study Session for updates regarding Council Committees. Councilmember Lockett asked about citizens preparing questions regarding Study Session topics and submitting them to the City Clerk to be addressed by Council. She said she would rather have citizen input prior to voting on an issue. Councilmember Dillingham said citizens could submit either a hard copy or electronic form to the City Clerk's office and the City Clerk could forward to Council before the issue is voted upon.

Mayor Rosenthal asked how Council would like the City Manager to respond when the demands of Council Committee work and an individual Councilmember's request compete for limited Staff resources that hinder progress on major goals. She said occasionally requests from individual Councilmember(s) involve major Staff commitments but are not issues on the adopted policy agenda. Mayor Rosenthal said there is a need to prioritize requests versus Staff needs and Councilmember Griffith said there should be a balance. He suggested maximizing Staff time for productivity regarding adopted policy issues and any individual Councilmember request would be given an approximate timeline and/or update determined by the City Manager. Councilmember Lockett agreed, but said some requests are simple requests and would not involve a great deal of Staff analysis or report, therefore they may not need to be first addressed to the City Manager. Councilmember Quinn said it can be difficult for Staff to interpret whether a short answer is suitable or detailed answer is appropriate and Staff is lean. He felt a triage process is a good idea. and suggested Councilmembers give clear and concise requests to the City Manager, so that he can determine if an immediate reply can be given or not. He also suggested Council be attentive and careful of time requesting of Staff. Councilmember Kovach asked what the mechanism would be to make certain requests do not fall through the cracks and Councilmember Quinn felt following up with the City Manager is a two-way street. He said if a Councilmember deems a request to be very important and has not received a response they should contact the City Manager for follow-up. On requests/projects that become complicated and take a lot of Staff time, Mayor Rosenthal suggested another "fail-safe" mechanism would be for the City Manager to request a Council Committee Chair to help prioritize issues.

Mr. Steve Lewis, City Manager, gave several past scenarios that required routine Staff work, as well as, more complicated scenarios that involved more Staff research. He said individual requests from eight Councilmembers and the Mayor are typically a steady flow because of Ward issues, etc., and while some of those requests can be handled quickly, others may require several weeks or months for Staff to research and gather information. Councilmember Lockett asked if the City Manager and/or Staff get a lot of duplicate requests and Mr. Lewis said yes at times. Councilmember Lockett said the purpose can not be forgotten; Councilmembers are elected by the citizens and must be responsive to them. Councilmember Ezzell said it is incumbent upon the City Manager to raise the issues and reprioritize when needed. Mayor Rosenthal said this is an awareness issue making certain we as a Council are communicating and understand that some demands can not be fulfilled as quickly as others.

Items submitted for record,

1. City Council Committee Norms, Background for Retreat Discussion, dated September 17, 2011, prepared by Mayor Rosenthal

Item 2, being:

DISCUSSION OF COUNCIL POLICIES AND PROCEDURES REGARDING APPOINTMENTS TO BOARDS AND COMMISSIONS AND REVIEW OF THE NUMBER AND ROLE OF EXISTING BOARDS AND COMMISSIONS.

Mayor Rosenthal said Council received information about the City of Norman Boards and Commissions to include whether they are established by resolution, ordinance, statute and City Charter, etc., the breakdown of each according to the number of members, ward specific, specific expertise, and term, and a comparison table of boards with other cities to include Midwest City, Moore, Edmond, Lawton, and Broken Arrow. She said there has been recent discussion about diversity within the City's Boards and Commissions and she researched from 2007 to present to look at changes with respect to diversity. Diversity is not only geographic, but also age, race, gender, etc., and she distributed her analysis to Council. She reminded Council there will be an ordinance on the November 8, 2011, agenda for first reading repealing the three (3) inactive Boards; Cable Communications Advisory Commission, Utilities Commission, and Traffic Appeal Commission.

Mayor Rosenthal said she obtained a helpful booklet from the State of Washington on local government citizen advisory boards from 2008 and read key statements to Council, "...Citizen advisory boards perform a critical role in advising the policy-making body on important and complex issues. Citizen advisory boards are structured in a way so that individual citizens can share their opinions and to formulate recommendations in a focused and small group format. Though they are considered a traditional approach to citizen engagement, citizen advisory boards serve as an increasingly vital role in most local governments. Boards remain a primary process for involving residents in the democratic decision-making process. Democracy can only be realized when individuals come together across neighborhoods and economic lines to assist in the making of community decisions and shape all of our lives..."

Councilmember Kovach suggested a 30 day period between notice of vacancies and filling of vacancies and felt Council should be more consistent with rotation policy, i.e., some citizens are not allowed to serve more than two terms while others have served far longer than two terms. Mayor Rosenthal said in instances where a citizen serving longer than two terms is allowed to remain on a particular board/commission was typically due to a large board/commission turnover and remaining majority of the board/commission had less than a year or two of service. She said there is some virtue in having some continuity in cases such as these and when board/commission appointments must have a balance between the experience as well as creating opportunities. Councilmember Ezzell felt Council should not arbitrarily move people off boards/commissions after serving term(s), whether it is one, two, four, etc., and said not all boards/commissions are as active as others; therefore, limits should be made on a case by case basis. Councilmember Dillingham agreed and said she would hate to lose good members due to term limits.

Councilmember Kovach said he is concerned about how Council will handle possible conflicts pertaining to board/commissions appointments and Councilmember Dillingham felt a 30 day notice should allow a Councilmember to discuss any matters with the Mayor, taking care of this issue. Mayor Rosenthal said Staff will routinely report any vacancies and suggested that Councilmembers be cultivating citizens in their wards to serve. Councilmember Gallagher agreed a 30 day notice for board/commission applications would be appropriate and Mayor Rosenthal said that can be strived for, but not always possible, i.e., cases where people vacate or are no longer eligible to serve on boards/commissions, leaving a position that needs to be filled quicker than 30 days.

Councilmember Lockett requested Staff include a boards/commissions list in Thursday Council packets when a term is about to expire, allowing Council the opportunity to ascertain if any citizens in their ward are interested in serving. She felt it was beneficial to have different wards and/or areas represented for a number of reasons. Councilmember Quinn asked when the 30 day notice period would begin and Councilmember Kovach felt if the City Clerk gave the Mayor a 30 day notice when a term is due to expire, then the Mayor can forward that information to Council to see if there is any interest to find a replacement in a particular ward. Councilmember Kovach understood that a 30 day notice may not be possible if a citizen resigns and/or is terminated.

Ms. Brenda Hall, City Clerk, said Staff provides information on the weekly report when resignations are received. She said her office receives board/commission applications quite often and are available for Council to consider when vacancies become available. She said the applications are filed by committee, instead of by ward. Mayor Rosenthal said she will work with Staff to include more information in the weekly report to assist with potential vacancies.

Items submitted for record

1. Boards/Commissions/Committees Summary, dated October 20, 2011, prepared by Ms. Brenda Hall, City Clerk
2. Breakdown of Boards and Commissions Appointments dated September 15, 2011
3. Comparison of Boards with other cities dated October 6, 2011, prepared by Ms. Brenda Hall, City Clerk
4. Analysis of Board Appointments from July 2007, to present prepared by Mayor Rosenthal
5. General Guidelines for Board and Commission Appointments
6. Memorandum dated October 20, 2011, from Mr. Jeff H. Bryant, City Attorney, to Honorable Mayor and City Councilmembers
7. Draft Ordinance Amending Article IV, Board of Hospital Management, and Repealing Article VI, Cable Communication Advisory Commission, Article XVIII, Utilities Commission, and Article XX, Traffic Appeals Commission
8. Rule of Three request received October 3, 2011, from Councilmembers Spaulding, Gallagher, and Lockett regarding the dissolution of the Norman Enforcement Authority

The meeting adjourned at 6:25 p.m.

ATTEST:

City Clerk

Mayor