



COMMON COUNCIL AGENDA COMMITTEE OF THE WHOLE

Date: Wednesday, May 31st 2023
 Time: 6:00 P.M.
 Location: City Hall, 108 E. Green Street 3rd Floor, Council Chambers
 Watch Online: <https://www.youtube.com/@CityofIthacaPublicMeetings>

ITEM	Voting Item?	Presenter(s)	Time Allotted
Call to Order		Mayor Laura Lewis	
1. Special Order of Business			
1.1 Brief Update on City Manager Transition Process	No	Mayor Laura Lewis	15 Min
1.2 Brief Overview of Legislation Passed at Referendum	No	Ari Levine, City Attorney	15 Min
1.3 Special Topics Working Session			
a. Brief Presentation- Roles Clarification Activity	No	Deb Mohlenhoff, Chief of Staff	90 Min
b. Rules of Procedure- Review and Discussion			
c. New Budget Process- Discussion			
1. Meeting Wrap Up			
2.1 Adjourn	No		5 Min
		Meeting Length Estimate	120 Min



CITY OF ITHACA

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MAYOR'S OFFICE

Deb Mohlenhoff, Chief of Staff

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MEMORANDUM

Date: May 22, 2023

To: Common Council

From: Deb Mohlenhoff, Chief of Staff

RE: City Manager COW Prep-Work

The purpose of this memo is to give councilmembers some pre-reading and prep work to facilitate a productive Committee of the Whole Meeting on May 31, 6pm. The City Administration Committee reviewed the City Manager related topics and assisted with developing the goals and structure of the two City Manager related COWs.

As a reminder, the COWs are scheduled as follows:

DATE	TOPIC
May 31	Role Clarification, Voting Procedures, Rules of Procedure, Budget Process
June 14	CM Selection Process (with CM consultant present)
July 12 (Special Budget Mtg) REQUEST to MOVE TOPICS	Staffing & Structure of CM and Mayor's Departments, Board of Public Works

The City Administration committee set the following goals and objectives for the May 31 COW:

OBJECTIVES FOR May 31 meeting:

ROLE CLARIFICATION: Comprehensive understanding of role of Mayor, Council, City Manager; participate in role clarification exercises.

RULES OF PROCEDURE: Develop recommended modifications to rules of procedure to reflect new structure.

VOTING PROCEDURES: Clarification on voting procedures and any related changes, i.e., the Mayor now has a vote, understanding process for quorum, no more tie-breaking at full strength, etc.

BUDGET PROCESS: Defining the roles the Mayor and Council play in the new budget process; identifying potential changes to the process reflect new structure in which the City Manager presents the budget to Council.

There are several folders containing both research, related articles, book chapters, and examples in a shared folder here:

[City Manager COW Resources](#)

Please let me know if you are unable to access this folder. We will continue to use this folder for additional materials.

This folder contains the original materials for the referendum: [Original CM Legislation Documents](#)

This folder contains articles and information for role clarification: [Role Clarification Resources](#)

This folder contains examples of rules of procedures from other Cities as well as the current ROP document for the City of Ithaca: [Rules of Procedure Examples](#)

This folder contains examples and information for City Budget Processes: [Budget Process Resources](#)

Many of you also have inquired how the county functions with a County Administrator. Per your request, there is a short FAQ included at the end of this document that gives some basic detail on how the county handles these same items.

The following tables will help guide you through the various decisions and input that are needed in order to implement the change in the form of government. After a short presentation and a role clarification activity, we will dive into these questions and hopefully make some good progress on the topics. Please note, the table below corresponds to the current sections of the Council Rules of Procedure (ROP).

DECISION MAKING CHART – MEETINGS, VOTING, AND AGENDAS

ACTION	CURRENT	NEW IDEAS/OPTIONS
ROP SECTION I: MEETINGS		
Organizational Meeting	-ROP says we meet on Jan. 1	<ul style="list-style-type: none"> • Determine standardized date for first meeting of a new year – do we need two meetings in January? Holidays? • Adopt ROP each year at meeting? • Should include? <ul style="list-style-type: none"> ○ Swearing in of any new elected officials ○ Swearing in Acting and Alternate Acting Mayor ○ Determine standing committee meeting times ○ Disclosure forms announcement ○ Announcement of committee assignments & liaison appointments ○ Annual authorizations <ul style="list-style-type: none"> ▪ Official newspaper ▪ Adoption of any annual policies ▪ Marriage officiants • Reception to welcome new council members? <p>An example of an Organizational Meeting Agenda is here: ROCKY MOUNT NC Org mtg 2019-12-09 short agenda with links.pdf</p>
State of the City Address	-typically given by Mayor at first meeting in January	-if there is a separate organizational meeting, is the State of the City still at first Jan meeting?
Regular Meetings	-1 st Weds of every month	<i>See notes below about splitting meetings into voting meetings and working meetings (2 meetings per month possible for Council?)</i>

Special Meetings	-any 6 members can call a meeting by 24 hours notice?	-very outdated language about 'leaving notice of the meeting at the councilmembers place of business or abode -Do we need this section?
Voting	-Mayor votes only in a tie -quorum is 6; majority vote takes 6 -tax vote – Mayor gets a vote -Mayoral Veto	-No tie unless there is an even number; would this mean the item would fail automatically? -new quorum? Majority? 11 total votes possible -moot because mayor votes? -Does the Mayor still have a veto? Override?
Creating the Council Agenda & Distribution of Materials	-Items come from standing committees – consent agenda determination? -Mayor determines final agenda items -City Clerk prepares and distributes council agendas and minutes -all items need sufficient supporting information	-how to distribute? -CM or Mayor create final agenda? -Meetings for agenda planning? -Agendas for standing committees follow the same format? -electronic delivery? -defining sufficient supporting information?
Attendance	-notify three days ahead	-no recommended changes
Length of Meetings	-vote to extend	Some other options: MORRO BAY, pg 5 MORRO BAY Council Policies Procedures Manual 02.09.2021.pdf NOVATO, p. 39 NOVATO Updated City Council Polic.pdf
ROP SECTION II: ORDER OF BUSINESS		
Pledge of Allegiance	-Mayor led	-this is not current practice – remove?
Public Comment	-1 person, 3 minutes -3-4 people, 5 minutes -5 ore more, 7 minutes	Interesting ideas in CHARLOTTESVILLE ROP, pg. 8-9: CHARLOTTESVILLE City Council Rules and Procedures approved February 22 2022 (PDF).pdf
Consent Agenda	-voted as package -anyone can remove an item	-defining the characteristics of a consent item?
Reports and Resolutions	-Each committee chair gives a report -chairs present items from standing committees -do not need to read entire resolution	-keep chair report? We don't do this in practice -ROP says only read resolveds, this has not been the practice
New Business	-placeholder	-do we need this? How is this different from member-filed? -what items would be placed here?

Reports – Council Liaisons	-liaisons to various boards give updates	-changes?
Reports – City Clerk, Controller, Attorney		-do you want written reports included in agenda? -Add HR report? -Add CM report? What do you want in a CM report?
Minutes	-approve with no formal motion unless there is objection or correction	-we do them at the beginning of the meeting now with a vote
<i>The following sections may need review, but are not crucial to the City Manager implementation.</i>		
ROP SECTION III: ORDER AND DECORUM		
ROP SECTION IV: STANDING COMMITTEES		
ROP SECTION V: ACTING MAYOR/ALT ACTING MAYOR		
ROP SECTION VI: RECEIPT OF REPORTS		
ROP SECTION VII: VACANCIES		
ROP SECTION VIII: REMOVAL OF COUNCIL MEMBER		
ROP SECTION IX: RULES OF PROCEDURE		
ROP SECTION X: AMEDMENT/SUSPENSION OF RULES		
ROP SECTION XI: COMMUNICATIONS BETWEEN COUNCIL AND STAFF		
Communications		- The City Manager is the primary link between the Council and the professional staff. Therefore, the Council’s relationship with the staff will be through the City Manager.
Council Letterhead		-this is listed under ‘communications to staff’ but letterhead could be used for other purposes. -suggest that we need a new section each for ‘general communications, including social media’ and ‘council-staff relations’
This entire section probably needs a refresh – here are a few examples of what could be included:		
-Weatherford, pg. 9 WEATHERFORD Rules of Procedure.pdf		
-Kirkland, pg. 17-19 KIRKLAND council-policies-procedures-3-5-21-final-updated-goals.pdf		
-Yucaipa, pg. 6-10 YUCAIPA CodeofConduct.pdf		
ROP SECTION XII: BUDGET REVIEW MEETINGS		
<i>We will hold a brainstorming session on the new budget process and rewrite this section accordingly.</i>		
POSSIBLE NEW ITEMS TO CONSIDER		
COW (Committee of the Whole) meetings	-convened for special topics as needed -related staff determine agenda items -the only reference to COW in the current ROP is in the budget section	-working sessions instead with no voting items? -do we need language around convening a COW?

Vision/Priority Setting Meeting	n/a	Suggested that each January the Council convene in a work session to set goals and priorities for the year – both budget and issues EXAMPLE: Kirkland ROP p 4-6 KIRKLAND council-policies-procedures-3-5-21-final-updated-goals.pdf
Study Sessions	n/a	The purpose of these meetings shall be for informal discussions between staff, advisory bodies or consultants, the public, and the City Council regarding specific programs, projects or policies. Council may provide direction, but no formal action will be taken during a Study Session. Study Sessions may be conducted in a variety of formats, including Public Workshops. EXAMPLE AGENDA: BOULDER Study Session Agenda 2023 5 25 Meeting(832).pdf EXAMPLE: Morro Bay pg. 6 MORRO BAY Council Policies Procedures Manual 02.09.2021.pdf
Town Hall Meetings	n/a	Info in Charlottesville pg. 8-9: CHARLOTTESVILLE City Council Rules and Procedures approved February 22 2022 (PDF).pdf
Legal Holidays	n/a	create language for when a standing meeting of council falls on a holiday – can include other meetings? - What holidays do we consider when changing meetings? (Equity Lens?)
Define Role of Mayor, Council, City Manager	n/a	Good example in NOVATO: NOVATO Updated City Council Polic.pdf Also in Charlottesville pg. 12: CHARLOTTESVILLE City Council Rules and Procedures approved February 22 2022 (PDF).pdf
Code of Ethics	n/a	Example in Weatherford ROP, pg. 8: WEATHERFORD Rules of Procedure.pdf
Defined Commitment to Equity	n/a	-in many other ROP there are specific references to the roles/responsibilities of council members as it relates to DEI One example is in Lancaster, TX, pg. 4 <i>“The Council will recognize and address the rights and privileges of the social, cultural, and physical historical characteristics of the community when setting policy; and, to strive to enhance the cultural diversity of its citizens.”</i> LANCASTER TX Rules and Procedures - 2021.pdf

Summary of how Tompkins County Operates with Legislature and County Administrator

Who makes the agendas for meetings and standing committees?

- Chair of the Legislature creates full legislative agenda; items come from standing committees
- County Administrator, Finance Director, and Attorney provide a report at each meeting
- Department Chairs request items to be added to standing committees; this comprises most of the agenda
- If a Legislator or a standing committee wants action to be taken on a certain issue, the Chair will request that the County Administration write a resolution to address the issue requested; the County Administrator can assign this to the appropriate Department Head or staff
- Legislators do not write resolutions; unless it is something related to a state or federal level that they want to advocate – like an advocacy resolution or a statement of support

What is the County Administrator's role in agenda planning or meetings?

- The County Administrator has a weekly meeting with chair and vice chair of the legislature so that they are aware of what is happening with staff/in departments so that there are no surprises on either side
- If there is something the County Administrator thinks is important to the legislature, they will suggest that it be added to the agenda as a special presentation (i.e.; HSC funding process, update on government facility, etc.)

Who sets budget priorities? How does this happen?

- In April each year the County Administrator and Finance staff look at the state budget and then the County Administrator prepares a presentation including a fiscal target with maintenance of effort budget guidelines
- The County Administrator then hosts a budget retreat, the administrator gives a presentation on the fiscal climate and Legislature sets a fiscal target for departments to follow in their budget preparation process
- At the Budget retreat, the Legislature also gives guidance to the County Administrator on priority issues that should be addressed in the budget
- For the first time this year, the County is implementing a more specific strategic planning process that will identify priorities and link them directly to the budget
- The retreat is a public meeting – but has not had participation from public in the past

Who prepares the budget? How does it get modified?

- Once the legislature has set the fiscal target, departments submit their budgets according to target
- If a department cannot meet the fiscal target, anything above the target is submitted as an Over Target Request
- In September, the County Administrator presents the recommended budget to the legislature and then hands the budget to the Chair of the Legislature to amend as desired
- In September, the legislature only looks at over target requests not base budget, as the base budget was prepared according to the fiscal target
- After all of the amendments are made, If the legislators can't get a majority to approve budget, the recommended budget stands as presented by the County Administrator

Does the County have any Rules of Procedure?

-Yes and they are viewable here:

<https://www.tompkinscountyny.gov/files2/legislature/Rules%20of%20the%20Legislature%202021.pdf>

Does the County have any guidelines about legislator-staff interactions?

-Yes. Page 14-16 of the Rules of Conduct document addresses these interactions.

-“Recommendations as to staff execution of policies: Legislators shall refrain from recommending how staff should perform the day-to-day operational aspects of their job functions. Staff are hired based upon their knowledge and experience, and Legislators must maintain due regard for the need of individual staff to exercise judgment in the method and manner of conducting their work. Legislators acknowledge that Staff do not directly report to or work for Legislators. In the event a Legislator believes it is necessary to make recommendations to staff on operational elements of staff work, such recommendations shall be made to the County Administrator.”

-If a legislator violates the rules of conduct with regard to interacting with departments, the Chair has a conversation with the legislator to remind them of proper procedure and the County Administrator has a conversation with the Department Head or staff member to remind them to include the County Administrator on interactions with legislators