



## **Rules Committee Meeting**

**MONDAY, APRIL 1, 2019**

**6:00PM**

**Lorraine H. Morton Civic Center, 2100 Ridge Avenue**

**James C. Lytle City Council Chambers**

### **AGENDA**

- I. CALL TO ORDER/DECLARATION OF QUORUM: ALDERMAN BRAITHWAITE**
- II. CITIZEN COMMENT**
- III. APPROVAL OF MINUTES OF THE REGULAR MEETING OF JANUARY 22, 2019\***
- IV. DISCONTINUATION OF ADMINISTRATION & PUBLIC WORKS COMMITTEE AND SETTING OF START TIME FOR CITY COUNCIL MEETINGS\***
- V. AMEND COUNCIL RULES TO CHANGE START TIME FOR PLANNING & DEVELOPMENT MEETINGS FROM 7:15 P.M. TO 6:30 P.M.\***
- VI. CONSIDER AN AMENDMENT TO THE CITY COUNCIL RULES ON PUBLIC COMMENT AT STANDING COMMITTEES\***
- VII. MOTIONS TO HOLD AND TO TABLE AN ITEM\***
- VIII. ETHICS SUBCOMMITTEE REPORT**
- IX. EQUITY & EMPOWERMENT REPORT**
- X. HIRING PROCESS FOR CITY MANAGER ROLE\***
- XI. NEW BUSINESS**
- XII. ADJOURNMENT**

**\*Denotes materials included in packet**

MINUTES OF THE RULES COMMITTEE

Tuesday, January 22, 2019

6:00 p.m.

Lorraine H. Morton Civic Center

Jay C. Lytle City Council Chambers

Present: Ald. Peter Braithwaite, Ald. Judy Fiske, Mayor Stephen Hagerty, Ald. Eleanor Revelle, Ald. Robin Rue Simmons, Ald. Thomas Suffredin, Ald. Donald Wilson, and Ald. Melissa Wynne

Absent: Ald. Cicely Fleming and Ald. Ann Rainey

Presiding: Ald. Judy Fiske

Staff Present: Wally Bobkiewicz, City Manager and Michelle Masoncup, Corporation Counsel

**CALL TO ORDER/DECLARATION OF QUORUM:**

Ald. Fiske declared a quorum and called the meeting to order at 6:05pm

**CITIZEN COMMENT:**

Ray Friedman spoke on democracy, departments, and committees and if they have a binding decision on any issue. Talked about how to resolve issues past, present and future and how is filing a report and making it part of the record resolving anything. What is the resolution to the ethics complaint against Ald. Rainey and the suggestion to adopt a lobbying ordinance by Clare Kelly. He stated if issues have not been addressed or a resolution put forward the issue still remains.

**APPROVAL OF MINUTES OF THE REGULAR MEETING OF DECEMBER 3, 2018:**

Ald. Braithwaite moved approval of the December 3, 2018 minutes. Ald. Wilson seconded. Minutes approved.

**ANNUAL REPORT – BOARD OF ETHICS:**

Ald. Fiske said the Board of Ethics is required to file an annual report. She didn't think they have had one since 2015 and wanted to make sure they started following that. Ald. Wilson moved to accept and place on file. Ald. Braithwaite seconded. Motion passed.

**CONSIDERATION OF APPOINTMENT OF SUBCOMMITTEE TO CONSIDER REVISIONS TO THE CODE OF ETHICS, CITY COUNCIL RULES AND ADMINISTRATION OF THE BOARD OF ETHICS:**

Ald. Fiske said there is a staff report and recommended action. The suggestion is that the subcommittee be formed including Ald. Braithwaite, Wilson, Suffredin, and herself along with Mark Sheldon, former chair of Board of Ethics (BOE), to consider these issues. Ald. Wilson said this isn't just a good idea but something they need to do. The BOE was put in a situation that was not fair to them. This would give them a good opportunity to have a working group to include the public in a more conversational situation. Ald. Wynne said this last year it has become apparent that the ethics code really needed a thorough going-over and revision. If anyone decides not to serve she would be happy to take their place.

Ald. Revelle stated in the description of the BOE role it says to provide recommendations to the City Council on revisions to the Code of Ethics. She is assuming the subcommittee will engage the BOE for some input about their thoughts. Ms. Masoncup shared that when she and Ald. Fiske discussed the subcommittee, the suggestion was to not have the current BOE members debating that topic and how things would move through. But they could send a memo of suggestions and issues and the

subcommittee could take that into consideration.

Ald. Wilson moved to proceed with the appointment of the subcommittee. Ald. Wynne seconded. Ald. Wilson asked if this had to go before Council. City Manager Bobkiewicz replied the Rules Committee can appoint its own committee made up of Council members and members of the public. But the chair has to be appointed by the Mayor. Ald. Fiske added they also have a proposed member, former chair Mark Sheldon. She suggested they schedule the first meeting, select a chair at that time and then bring it to Council. Motion passed.

**CONSIDERATION OF AMENDING CITY COUNCIL RULES TO ADDRESS PUBLIC SPEAKERS  
CEDING TIME TO OTHER SPEAKERS:**

Ald. Wilson moved to have a rule that clarifies that they don't provide for ceding of time at Council meetings. Ald. Wynne seconded. Ald. Braithwaite asked, for point of clarification, if someone is reading in someone's place or on behalf of, that's different, correct. Ald. Fiske replied correct. Motion passed.

**FINAL REVIEW OF CHANGES TO COMMITTEE CHAIR ROTATION:**

City Manager Bobkiewicz pointed out page 17 of the packet has the listing of the remainder of committee chair rotations, 911-Emergency Telephone System, the Housing & Community Development Act Committee, MWEBE Committee, and the Transportation/Parking Committee, that the Rules Committee previously discussed. Ald. Braithwaite suggested with there only being two Aldermen on MWEBE Committee, the rotation could be one year each instead of six months. Ald. Rue Simmons agreed. City Manager Bobkiewicz clarified that Ald. Rue Simmons would serve as chair for 2019, Ald. Braithwaite for 2020 and Ald. Rue Simmons for the remainder of 2021. Ald. Wynne moved approval as amended. Ald. Wilson seconded. Motion passed.

**DISCUSSION OF NEED FOR SEPARATE RULES FOR CITY COUNCIL STANDING COMMITTEES  
AND/OR STATEMENT IN CITY COUNCIL RULES ON APPLICABILITY TO CITY COUNCIL  
STANDING COMMITTEES:**

City Manager Bobkiewicz reported the Standing Committees of the Council have generally used the rules of the Council for their purposes. However, there are some conflicts. For example, public comment being forty-five minutes. He does not think it is the intention that Standing Committees have forty-five minutes of public comment. The question is, should there be separate rules for Standing Committees, if not perhaps a statement that says the City Council rules will govern perhaps with some exceptions. Ald. Wynne said they should have a statement that the City Council rules will govern with some exceptions, because the committees really are designed to have an open conversation with the community. Perhaps leave the Council rules in place, except as the chair deems possible to change, to facilitate better discussion and deliberation of whatever matters are in front of them.

Ald. Fiske pointed out that this came about because at the last Rules and/or and Human Services Committee meetings they were criticized for not having 45 minutes of citizen comment in a meeting that was really intended to run no more than an hour or hour and a half. That would have allowed no time for the committee to address the twelve or thirteen items on the agenda. Had they applied that 45 minutes for citizen comment, and this was a conversation with the Attorney General, they would have been left with fifteen minutes or half an hour for the business of the committee. Ms. Masoncup added when they had to answer the Attorney General they found that the rules are silent on this topic. But they still said in application this is how it works, and responded in that way. Ald. Wynne asked was the question, for instance, there wasn't a full forty-five minutes provided or were there five speakers? Ms. Masoncup replied that the issue was that Ald. Fiske had said she thought it was 20 minutes for citizen comment. It was a shorten time period because there were so many issues on the agenda. It was

less than the 45 minutes provided under Council rules. As Chair, she thinks Ald. Fiske thought she had discretion to do so. Ald. Wynne asked were there enough people to fill up the 45 minutes. Ms. Masoncup did not think so. Ald. Wynne said if someone comes to a Standing Committee, they should have an opportunity to speak the same 3 minutes. But if there are only four people, they would have 12 minutes at the most of citizen comment.

Ald. Fiske said the conversation with the Attorney General was what discretion does the chair have, it seemed to default to the Council rules, which is the 45 minutes. If they want to construct committees to allow for 45 minutes of citizen comment at each meeting, they can do that, but that's going to affect the business they can accomplish at those meetings. So how do they manage both when they have meetings stacked on one another? Ms. Masoncup said citizen comment was restricted from 3 minutes to a lower increment than what was allowed under the rules and that was the complaint. It was one or two minutes per speaker, even though it didn't amount to 45 minutes. Ald. Fiske commented that at the previous Rules Committee meeting they were well over an hour with citizen comment, but didn't have a meeting that followed. What they learned was that Council rules are the default for all the committees, unless the committees have their own set of rules.

Ald. Revelle said sounds as though they need separate sub-rule for their Standing Committees in terms of citizen participation. First of all, they break up their public comments in sections, they let the public speak prior to each item as opposed to one block of time. Saying they are going to have 45 minutes would be difficult to manage. They don't want to create a false expectation among the members of the public that there will be 45 minutes and they are welcome to fill it up. She suggested that the new Ad Hoc Committee craft a paragraph or two that addresses the citizen participation at Standing Committees and outline how that proceeds. She wondered if they could suggest citizens get 2 minutes at their comments at Standing Committee meetings as a way to encourage the conversation to move along.

Mr. Friedman asked if he could make a comment.

Ald. Wilson suggested some sort of rule be written that says, unless otherwise provided Council rules apply and then do an otherwise provided. Have a baseline amount of time, something significantly shorter, like 20 minutes, something to give the chair discretion to allow for more of that. Part of the rationale would be that Standing Committees often allow for multiple presentations. There might be an organized group opposed to a building or whatever it might be. In the past they have allowed them to make presentations that are a part of the working process, but outside the scope of public comment. They need to leave the chairs with enough room to, if the circumstances warrant, allow for more public comment, if there is something that requires greater discussion. But set that baseline at something smaller, because every week you don't want a couple people coming in saying there are 5 of them and they get to talk for 9 minutes each. It's not likely to happen, but it wouldn't be fair to the chair and the committee if that were to happen. Have clear cut rules so everybody understands what the expectations are but leave enough room for the chairs to really engage in that community conversation.

Ald. Fiske asked would it be enough to include that the chair has the discretion, under certain circumstances, to amend the Council rules in a Standing committee meeting. Ms. Masoncup said she would like less discretion with the chair because they are going to get a lot of argument from people on both sides. If they want to reduce the number of time and say 20 minutes, so anticipate 10 speakers per Standing Committee, she would leave that up to Committee. Ald. Fiske said she would want to allow citizens who come together to make a special presentation, to be able to come to the chair and request time outside of the citizen comment time. Ms. Masoncup said they can write a rule about that.

Mayor Hagerty said before they make a decision it would be helpful to hear from Mr. Friedman, Ms. Betty Sue Ester and anyone else who might want to speak since they don't have many people here tonight. These folks come regularly and if they do have something to share, he would like to hear it.

Ald. Wynne noted she likes the suggestion of two minutes and a twenty-minute time limit. The point is to have the committees deliberate and that there is more of a back and forth that they have with people who come to Standing committee meetings. They need to be very clear to the community, as Ald. Revelle said, they don't want to give false expectations, but be fair and allow the Council the opportunity to deliberate. She likes the idea of urging citizens to put together a presentation and providing a rule that permits that presentation to happen. She would accept, for the Standing Committees, a two minute rule per person with a maximum time period. It is essentially what they do at Council meetings, three minutes per person, but no more than 45 minutes of comments, so two minutes per person, but no more than 20 minutes of public comment. Ald. Fiske suggested having up to 2 minutes. She is worried if 30 people show up and they have 20 minutes and 2 minutes per person, there are going to be 20 people who can't speak. Ald. Wynne said they should include in the rule that the chair has the discretion to shorten the time period in order to allow everyone to speak. When they go on for long periods of time everyone gets exhausted and the quality of debate deteriorates. There was a time when they had no time limit for citizen comment and it would go for two and half hours sometimes.

Ald. Wilson clarified his point about the discretion. The sub-committees and committees are supposed to be more along the lines of working groups. For example, at Council public speakers come up to speak, unfortunately the rules are such that Council members are not allowed to answer. Committees shouldn't be like that. That is a change in the rule that would have to be clarified or added to the committees. So if a speaker raises a point that needs to get talked about, that person or group can be brought back into the conversation or the person who is making the proposal can answer the question to clarify so that they do have the ability to have dialogue with the people who show up. He does not want it to be a one way street and a bunch of people come and talk and then the committee talks amongst themselves and they don't engage the people who are here to work through the stuff.

Ald. Fiske called for Mr. Friedman to come up and speak.

Mr. Friedman thanked Mayor Hagerty who has always been respectful of speakers since he has been coming to Council meetings for two years. He has always divided the 45 minutes up where citizens had 30 or 45 seconds to speak. But being the only speaker tonight and being told he only had 3 minutes to speak, when 45 minutes is allowed is an insult. What's more important is to figure out a way citizens can get responses and answers to their comments. He doesn't need to come to City Council and Committee meetings every week to hear Junad Rizki say the same thing. Answer some of his questions/comments and move on. What is the resolution to Ald. Rainey's ethics violations? The resolution is not to put it on the shelf and save it for another day. Ald. Fiske pointed out that she was following the Council rules, that says 45 minutes for citizen comment and no more than 3 minutes per person.

City Clerk Reid said he wanted to remind Council that there have been instances where folks have ceded their time within the 3 minute limit. One in particular, either for Harley Clarke or Affordable Housing, one group ceded all of their time of 3 minutes and one member read the statement and the meeting moved on. He thinks they should allow folks to cede time within the 3 minute limit that is already established within rules to ensure that they're using the time more efficiently, as opposed to having a group of folks stand up and transition mid paragraph while reading a statement. Also, if

provided the resources, the Clerk's office would love to serve in the role of ombudsman and provide answers to folk's questions that are posed during public comment. They could work with city staff to ensure those questions are answered, if that is something the Council wishes to do. Lastly, he would love to offer his services to serve on the committee to review the Council rules and the BOE to provide insight.

Betty Sue Ester noted that ceding of time has been done since she moved to Evanston, under Mayor Morton and then Mayor Tisdahl. She has attended a lot of committee meetings and served as a member of some. One being CDBG they did have back and forth communication with the community to understand what was being asked, what they wanted and what needed to be done before they sent their answers and results to the Council. That is not done at Council. When she sees how many people are at Council meetings it determines whether she is going to speak or not because if she only has a minute or less she is not going to get everything out. There has also been talk about time and the need to go home. That's kind of insulting when people come, speak and then leave. They need to hear the rest of the discussion. Council might want to encourage people to stay because they might hear something after the Council's debate that might change their mind or they might get answers to some of their questions. That's something you might want to share in terms of educating the public that Council meetings are not like committee meetings where you might speak after the committee has talked about an item. As Mr. Friedman said, they do need answers. Juggling time for people to stay and speak is going to be hard and something they will have to work with or either increase the time from 45 minutes to an hour.

Dan Coyne, 9<sup>th</sup> Ward thanked the Council for their service. He said questions are popping up on Facebook Live and it might help to clarify if they heard the question correctly. One in particular, the question is 40 minutes public speaking time for City Council, but maybe 20 minutes is the discussion about other committees for public comment. People weren't sure if you meant both or one or the other. The other question that people were hearing was is it the possibility that certain citizen groups could possibly speak and present beyond the public comment. The community was wondering what that process would be to allow a group of community folks to organize and speak outside of public comment.

Ald. Wilson said to sort of answer that he does not think they have made any change to the Council time period. That's not going to change. What they are really talking about now are the Standing Committees, Administration & Public Works, Rules, Planning & Development and Human Services. The presentation point was, for example, if there is a development proposal. At the chair's discretion allow people to put together information, if there is some sort of coherent point or zoning issue or something a little more complex that doesn't lend itself to a 3 minute public comment, that information could be presented in an organized fashion. It's probably case by case but that kind of thing. If it's part of the discussion it shouldn't take away from the public comment. If you've got discussion with the community members or you're answering questions that shouldn't eliminate the need for public comment to take place. Hopefully that clarifies it.

Mayor Hagerty, to Mr. Coyne's last question, said he has been approached by groups that have asked if they can get 10 or 15 minutes to speak at the City Council meeting and then won't take up so much of the public comment time and will be organized. The position he has taken is not to allow special interest groups, developers, or whoever wants to pitch their thing to City Council because his view point has always been that a lot of the work is done in committee before it comes to the Council. He has told people, there's public comment and they can come and make a statement or try to persuade the Council on certain aspects of the project.

Ald. Revelle noted if serving as chair of a Standing Committee, and if a group did want to make an organized presentation, they should contact the committee chair well in advance, not 10 minutes before the meeting. This will allow the committee to have an opportunity to think through the flow of the meeting. So getting advanced consultation would be really helpful.

Ald. Wynne-I agree with that. At planning and development there is a natural group, with respect to projects because with every group there is actually a group of legal objectors who live within a certain distance and they have a particular legal standing on that issue. That group tends to have a natural organization. And overtime, at least when I've been chair and other times when we've had an organized group, they get a similar amount of time to make a presentation for instance as a developer would. I think if we can think of the other standing committees and who would be a natural consensus group that might want to make a presentation that could be outside the citizen comment that would be helpful to the committee.

City Manager Bobkiewicz said they have heard a lot of good ideas and he would like to propose that he and the Corporation Counsel be tasked to perhaps come up with some draft language and come back to their next meeting with that, based on the discussions this evening. All agreed.

**FUTURE MEETINGS: NEED FOR SCHEDULED FEBRUARY 4, 2019 MEETING OR MEET NEXT ON APRIL 1, 2019:**

City Manager Bobkiewicz said February 4<sup>th</sup> they have a regularly scheduled Human Services Committee meeting. The current schedule for the Rules Committee is every other month, so it would be coming up. In addition, Council already has indicated their desire to meet on February 4<sup>th</sup> to discuss affordable housing issues. They would either have Human Services, followed by Rules, followed by Council or some other schedule. Ald. Fiske noted they don't need a Rules Committee meeting on February 4<sup>th</sup>.

City Manager Bobkiewicz stated they will have Human Services on Feb. 4<sup>th</sup> followed by the Council's affordable housing discussion. The next Rules Committee will be in April and staff will come back with the items discussed tonight. That would also include the report of the BOE and the ethics sub-committee that was appointed tonight.

**NEW BUSINESS:**

None.

**ADJOURMENT:**

Meeting adjourned 7:08p.m.

Respectfully submitted,  
Darlene Francellno

A video of this meeting is available at [www.cityofevanston.org/government/agendas-minutes/agendas-minutes--rules-committee](http://www.cityofevanston.org/government/agendas-minutes/agendas-minutes--rules-committee).



## Memorandum

To: Members of the Rules Committee

From: Wally Bobkiewicz, City Manager

Subject: Discontinuation of Administration & Public Works Committee and Setting of Start Time for City Council meetings

Date: March 27, 2019

### Summary:

Below is the excerpt of the minutes from the October 1, 2018 Rules Committee meeting discussion to amend the City Council rules to set time to end City Council meetings. Attached is a copy of the memo to amend Council rules to add 11:00pm end time for Council meetings.

### AMEND CITY COUNCIL RULES TO SET TIME TO END COUNCIL MEETINGS:

City Manager Bobkiewicz said it has been his experience that after eleven o'clock or so, decision-making becomes difficult for any City Council. Staff put together information for what other communities do around the country. Perhaps if there was a rule that at eleven o'clock if the Council was still meeting they would pause, review the agenda and make decisions as to how much further after eleven o'clock the Council wanted to continue.

Ald. Wilson said the work will still need to get done and the likely result would be they would have to come back for yet another meeting. The idea that there will be this option to roll it over items and it's going to be too easy to roll it over. He thinks things will pile up and they will not get stuff done.

Ald. Rainey commented that she reviews meetings on a random basis, without any knowledge of what time they ended. She noted that numerous meetings began, not when citizen comments began, when the first item on the agenda began. It was well after 9:30pm. If that is the case, then ending a meeting at 11 o'clock means they're not able to do the city's business. She recommends they have another survey as to when their first item on the agenda begins. Then take a look at requiring their meetings to begin at a certain time as opposed to when they should end. Their meetings need to begin no later than 8:30pm at the absolute latest. There have been meetings that did not start until 10:30pm.



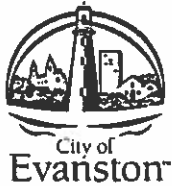
Ald. Wynne shared that in many other communities, legislative bodies have time suggestions for topics. She does agree that they should look at when they start their meetings. Ald. Rainey added the problem does not have to do with members of the Council dragging out certain topics or taking too long on individual topics. The problem has to do with beginning the meeting. As a matter of fact, she feels they don't give enough time to a lot of the most important topics. Ald. Wynne said another solution is to go back to having simultaneous Administration & Public Works and Planning & Development meetings. You don't get the ability to observe the other committee.

Ald. Fleming noted that when she was chair of Administration & Public Works there were a lot of things they did not discuss. They now do the consent calendar in Administration & Public Works meetings. If interested, she would suggest maybe next year, after the budget, looking at merging Administration & Public Work with Council. There were things they pulled off and maybe had a small discussion but those are also things they could ask a couple of questions to staff beforehand or ask at Council. Planning & Development could still be held before Council and given the topic and how long the public comment is they could just have Administration & Public Works, bills and all that stuff discussed by the Council.

City Manager Bobkiewicz suggested coming back at the December meeting with some options for the Council to consider and discuss more. The committee agreed.

Attachment:

Memo to Amend Council Rules to Add 11:00 p.m. End Time for Council Meetings



# Memorandum

To: Members of the Rules Committee

From: Susie Hall, Executive Assistant to the City Manager

Subject: Amend Council Rules to Add 11:00 p.m. End Time for Council Meetings

Date: October 1, 2018

**Recommended Action:**

At the direction of the City Manager, staff researched amending the City Council Rules to set a time certain for adjourning City Council meetings. Staff recommends adjourning City Council meetings at 11:00 p.m., unless there is a majority vote by Council to continue the meeting to 11:30 p.m. and/or unanimous vote by Council to continue beyond 11:30 p.m. Staff requests City Council discuss setting a time certain, and provide staff with direction to prepare an Ordinance for Council approval to amend the Rules.

**Summary:**

Over the past 3 months, 6 out of 8 Evanston City Council meetings have gone longer than 2 hours, 4 meetings lasted longer than 3 hours, and 3 meetings lasted longer than 4 hours. Not only can this be exhausting for the Council, it causes the meeting last late into the night making it difficult for the residents and interested parties to stay engaged for the full duration.

Staff found that Oak Park begins its meeting at 7:30 p.m., but a Village Board meeting “shall conclude no later than 10:00 p.m. It is the goal of the Village Board to conclude meetings by 9:30 p.m.”

In addition, several municipalities in California amended their Council Rules to set an end time for its meeting. The Rules also include alternatives to adjourning by requiring a vote from its Council to extend meetings or at the discretion of the Mayor.

City	Start Time	Time End	Extension of Time, Other Exceptions
Corte Madera	6:30 (moved up from 7:30)	9:30	Majority to continue to 10:00, unanimous to continue past 10:00

Larkspur	6:30 (moved up from 7:30)	10:30	Mayor's discretion to take vote to end or continue
Fairfax	6:30	10:00 – review agenda	Any items not started by 11:30 are continued to next meeting
Oakland	5:30	12:00	Majority vote by Council in attendance

If City Council would like to consider staff's recommendation to end its Regular Council meetings at 11:00 p.m., the Legal Department will draft a Resolution amending the Evanston City Council Rules for Council approval.

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**Attachments:**

Excerpt from Oak Park Village Protocols

Excerpt from Corte Madera Council Rules

## **V. Meetings**

### **Executive Session**

Executive Sessions, if needed, are generally reserved for all Regular Meetings at 6:30 to 7:30 p.m.

Executive sessions will begin on time, and, if held prior to a public session, will end at least five minutes before the start of the public session.

For the purpose of Roll Call, the Village Clerk will use the title and the last name of each Trustee or Village President (i.e. Trustee Smith).

Each agenda item will provide a clear statement of staff recommendations (similar to Regular Agenda Items), or if staff can't come to consensus, then a clear statement of Option A vs Option B, etc. It is important for staff to share viable alternatives, even when there is strong staff consensus for a specific recommendation.

Executive Session time should be used for discussion and not for acquiring excessive amounts of additional information.

After Board direction is provided, the Village Manager will make a statement recapping the direction given.

### **Regular Meetings of the Board**

Regular Meetings are schedule at 7:30 p.m. on the First and Third Mondays, unless the meeting is on a holiday in which case the meeting is on Tuesday.

Meetings of the Village Board shall conclude no later than 10:00 p.m. It is the goal of the Village Board to conclude meetings by 9:30 p.m.

During the months of April, August and December, it is preferred that only 1 meeting is held that month. This is a Regular Meeting on the first Monday of the month only.

For the purpose of discussion during a meeting, it is preferred that the President use the Trustee's first name when recognizing them to speak at a meeting, or among discussion between members of the Village Board or for staff to address the Village Board.

Consideration of an agenda item will begin with the President reading the item and then recognizing staff or citizen board/commission chair, who will provide a brief summary.

Staff or outside expert presentations will be limited to 10 minutes, unless an advance request is made and deemed appropriate for a longer period of time.

At a Regular Meeting, it is preferable to take one round of questions first to determine if there is sufficient information to make a decision.

5. TYPES OF MEETINGS

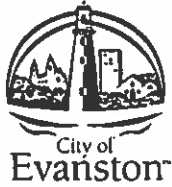
- 5.1 Regular Meetings: Unless closed session or other matters are noticed to begin at an earlier time, the Regular Council Meetings are to commence at 6:30 P.M. on the first and third Tuesday of each month, unless otherwise specified in advance in accordance with the Brown Act.

All Regular Council Meetings shall end by 9:30 P.M unless the Council extends the meeting by motion of Council. Council may extend the meeting to 10:00 P.M. by the affirmative vote of a majority of Councilmembers present, and beyond 10:00 P.M. by the affirmative vote of all Council members present.

Should a scheduled Council meeting fall on a legal holiday, the meeting shall be canceled or rescheduled. If a Council regular meeting falls on Election Day, the Council shall hold its meeting on the Monday prior to that day unless the Council chooses to schedule it for another day

Consistent with the requirements of the Brown Act, the Mayor, in consultation with the Town Manager, may, by motion, reschedule any canceled regular meeting to another day.

- 5.2 Special Meetings: A special meeting is a meeting that is not regularly scheduled and is held to transact specified business only. Special meetings may be called by the Presiding Officer or by Council by motion. The call and agenda for a special meeting shall specify the day, the hour, and the location of the special meeting and shall describe the subject or subjects to be considered. No special meeting shall be held unless it complies with the twenty-four (24) hour minimum notice requirements set forth in the Brown Act. All members of the Council, the Twin Cities Times and the Marin Independent Journal shall receive written notice at least 24 hours before the time of the meeting unless otherwise made unnecessary by the Brown Act.
- 5.3 Emergency Meetings: The Council may hold an emergency meeting if a majority of the Council determines a work stoppage, crippling disaster, or other activity severely impairs public health and/or safety. Emergency meetings may be called without complying with either the 24-hour notice or posting requirements as provided in the Brown Act (Government Code Section 54956.5).
- 5.4 Adjourned Meetings: When members of the Council wish to continue a regular or special meeting to a later date, a successful motion to adjourn the meeting and to continue it to a definite later time, makes this second meeting an Adjourned meeting. Any meeting of the Council may be adjourned to a later date and time.
- 5.5 Workshops/Study Sessions: From time to time the Council will hold workshops or field trips at a time and place to be designated by the Presiding Officer. Study sessions or field trips shall be considered meetings and shall be duly noticed and open to the public and the press, as provided by law. Such study sessions or field



## Memorandum

To: Members of the Rules Committee

From: Wally Bobkiewicz, City Manager  
Michelle L. Masoncup, Corporation Counsel

Subject: Planning & Development Committee Start Time

Date: March 26, 2019

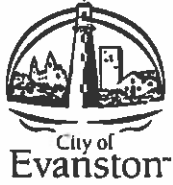
### Summary

City staff seeks confirmation from the Rules Committee that permanently moving the start time of Planning & Development from 7:15 p.m. to 6:30 p.m. is acceptable.

### Background

Section 9.6 of the Rules and Organization of the City Council provides the start time for the Planning and Development Committee that it "shall convene at 7:15 p.m. on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of the month on the night of scheduled City Council meetings."

City staff recommends that the Rules are amended to provide that the Planning and Development Committee meeting start time is 6:30 p.m. or later depending on the time that the Administration and Public Works Committee adjourns. Frequently, there is a gap in time between the committee meetings and amending the start time will help with reducing the length of time associated with the City Council meetings.



## Memorandum

To: Members of the Rules Committee

From: Wally Bobkiewicz, City Manager

Subject: Consider an Amendment to the City Council Rules on Public Comment at Standing Committees

Date: March 27, 2019

Recommended Action:

It is recommended to replace the current City Council Rule 6.1 language that states "Any citizen may address a committee at the invitation of the chair of the committee. Official Public Hearings for citizens shall allow for comments by the City Council and citizens."

Recommended language:

"City Council standing committees shall provide opportunities for citizen comment at the beginning of each meeting. If there are five or fewer speakers, ten minutes shall be provided for Public Comment. If there are more than five speakers, a period of twenty minutes shall be provided for all comment, and no individual shall speak longer than two minutes. The committee chair will allocate time among the speakers to ensure that Public Comment does not exceed twenty minutes. The business of the Committee shall commence twenty minutes after the beginning of Public Comment.

In addition, the Planning and Development Committee shall allow an additional twenty minutes of public comment for each Planned Development application following the guidelines above prior to the item being heard by the committee."



## Memorandum

To: Members of the Rules Committee

From: Wally Bobkiewicz, City Manager  
Michelle L. Masoncup, Corporation Counsel

Subject: Motions to Hold and to Table an Item

Date: March 27, 2019

### Summary

City Council members requested an explanation of the difference between Motions to Hold and to Table an Item before the Council.

### Background

#### **A. Table:**

1. Rule language: City Council Rule 18.6 sets forth the table motion -

“A motion to table any matter is not debatable. If adopted by majority vote of the Aldermen present, all further debate on the subject shall end. A motion to take a matter from the table may be proposed at the same meeting, or at any subsequent meeting.”

2. Application: To table a discussion is to lay aside the Council agenda item in such a way that it will be considered later in the same meeting or at a subsequent meeting. The two key differences between a Motion to Table and a Motion to Hold are: (a) the Motion to Table is not debatable; and (b) the Motion to Table needs the majority vote of aldermen present versus a Motion to Hold only needs the vote of two aldermen.

3. Possible Revisions to Deliberate: The rule is not clear how an alderman takes a matter from the table. We submit that the Rules be amended that if an item is tabled for consideration not for a later time in the meeting, that a member must move to take it from the table to consideration and noticed for the next regular Council meeting. Additionally, the Rules should specify that taking the motion from the table requires a motion and a second.

#### **B. Hold:**

1. Rule language: City Council Rule 18.12 establishes the rule on the motion to hold -



"At the request of two Alderman, any matter except a special order of business may be held over for consideration until the next regular meeting of the Council. Any matter so held over may not be held over a second consecutive time by this procedure. An Alderman may ask either the City Manager or the Alderman requesting the holdover to explain the impact of the holdover at the time the holdover is requested. If a request to hold the matter over is contested by a motion to overrule the request, duly made and seconded, the motion to overrule will be sustained if at least two-thirds (2/3's) of the Alderman present vote in favor of the motion. A motion to overrule is debatable. Any citizen may inspect the matter under such deferred deliberation at the office of the City Clerk."

2. Application: This motion is utilized most often when additional information is needed for the aldermen to fully deliberate and consider the item presented for consideration. If a motion to hold an item is used, it will continue to the next regular meeting and cannot be held again. The motion to table is different because it does not have the



## Memorandum

To: Chairman Braithwaite and Members of the Rules Committee

From: Wally Bobkiewicz, City Manager

Subject: Hiring Process - City Manager

Date: January 10, 2019

### Recommended Action

It is recommended that the Rules Committee receive this report and provide direction to staff as appropriate.

### Summary

The City Council has requested that the Rules Committee review the process for hiring a City Manager and provide direction to staff.

The City of Evanston adopted the Council-Manager form of government by referendum in November, 1952. Bert Johnson, the City Manager of Boulder, Colorado was hired to be Evanston's first City Manager in 1953. Since then, seven individuals have held the position of Evanston City Manager. Tenure in office has ranged from three years to twelve years.

The process to hire a City Manager varies by community. I am outlining a process below that is consistent with the process used in 2008-09 to hire me as well as recommending some additional and steps for consideration.

#### 1. Select an Interim City Manager

Once a vacancy occurs in the position of City Manager, the City Council must select an Interim City Manager. Section 1-8-2 of the City Code states, "In the case of the disability of the City Manager, or if he/she is to be absent from the City for more than thirty (30) calendar days, the City Council shall designate a qualified administrative officer of the City to perform the duties of the City Manager during such disability or absence." The City Council could select an Interim City Manager from among the City staff and make an outside appointment.

## 2. Hire an Executive Search Firm

Most, if not all communities of our size and complexity, would use an executive search firm to conduct a national recruitment for the position. This allows for a wide ranging recruitment for qualified candidates and allows an outside group working directly for the City Council to conduct the selection process. The City's Human Resources Division can issue a Request for Proposals from qualified firms. It should be expected that a recruitment would cost between \$30,000 and \$35,000 including direct costs of the search firm, advertising and travel expenses of candidates to be interviewed.

## 3. Develop Parameters of Search Process

Communities conduct searches in many different ways. I believe it would be important for the City Council to consider the following issues once an executive search firm is selected:

- A. Will the full City Council make decisions on all aspects of recruitment or will a subcommittee be utilized to assist the recruiter through the process?
- B. Will the City direct the recruiter to host community meeting(s) at first to get input on qualities desired in next City Manager before a job announcement is prepared and issued?
- C. At what point will the candidate names be released to the public? Many cities now have an opportunity for community members to meet candidates as part of the selection process. It will be important for the City Council to decide this at the beginning of the selection process so that potential candidates clearly understand at what point candidates will be identified to the public.
- D. What processes will be used to review candidates? Typically, an executive search firm will receive all applications, conduct an initial review of candidates and then present to the City Council a group of candidates for consideration. The City Council would then select a group to interview. The City Council will need to decide if community members, employees and/or peers would be involved in the candidate review process and if so, how.

## 4. Timeframe for Selection Process

The length of time for selection process can vary. A firm calendar of events can usually be established for entire process from date job announcement is issued. The time to create job will depend if there are community meetings to help assist with developing job description. Once job announcement is released, applications are usually received by search firm over a 30-45 day period. The search firm will then usually take 21-28 days to prepare a group of candidates for the City Council to review and select from for

interviews. First interviews then usually occur 14-21 days later. The City Council will likely want to have a second round of interviews itself with final candidates.

#### 5. Appointment

Once a final candidate is identified, the search firm and the City would negotiate a contract for terms and conditions of employment which must be approved by City Council in open session. Selected candidate would usually report for work 30-60 days after approval of contract.