

EDMONDS CITY COUNCIL RETREAT APPROVED MINUTES February 7, 2020

ELECTED OFFICIALS PRESENT

Mike Nelson, Mayor
Adrienne Fraley-Monillas, Council President
Kristiana Johnson, Councilmember
Luke Distelhorst, Councilmember
Diane Buckshnis, Councilmember
Vivian Olson, Councilmember
Susan Paine, Councilmember
Laura Johnson, Councilmember

STAFF PRESENT

Jim Lawless, Acting Police Chief
Phil Williams, Public Works Director
Patrick Doherty, Econ. Dev & Comm. Serv. Dir.
Shane Hope, Development Services Director
Scott James, Finance Director
Jessica Neill Hoyson, HR Director
Shannon Burley, Deputy Parks & Recreation Dir.
Dave Turley, Assistant Finance Director
Uneek Mayor, Court Administrator
Maureen Judge Council Legislative/Exec. Asst.
Jeff Taraday, City Attorney
Patricia Taraday, City Attorney's Office
Scott Passey, City Clerk
Jeannie Dines, Recorder

PURPOSE:

- **Strengthen foundation for constructive relationships and effective governing**
- **Enhance cohesion and shared understanding**
- **Increase familiarity with parliamentary procedures and public records requirements**

1. CALL TO ORDER

The Edmonds City Council retreat was called to order at 9:00 p.m. by Council President Fraley-Monillas in the Brackett Room Edmonds City Hall, 121 5th Ave N, Edmonds.

2. MINUTE TO ARRIVE/INTRODUCTIONS/WELCOME - COUNCIL PRESIDENT AND MAYOR

Facilitator Phyllis Shulman, Civic Alchemy, asked attendees to take a “minute to arrive,” an opportunity to put life aside and be present.

Staff, Councilmembers and the Mayor introduced themselves. Council President Fraley-Monillas thanked staff and Councilmembers for attending the retreat, an opportunity to build a working relationship between staff and Council.

Mayor Nelson thanked Council President Fraley-Monillas for organizing the retreat, a wonderful opportunity for veteran and new Councilmembers and recognizing the collective excitement and energy.

3. AGENDA REVIEW/MEETING BEHAVIORS

Ms. Shulman described her background. She described the purpose of the retreat, reviewed the agenda and described meeting behaviors such as be present, take responsibility for feelings, be mindful how something is communicated affects others, be respectful and to listen.

4. **EXERCISE: LEARNING ABOUT EACH OTHER**

Ms. Shulman conducted an exercise where attendees answered several questions about themselves. The group was divided into pairs to share the information and then shared highlights about each other with the group.

5. **SHARING WISDOM: THE ART AND CARPENTRY OF GOVERNING**

- **Brainstorm and Discussion: What Are Some Key Questions Regarding Governing, Organizational Structures, or Functions That You Want to Know?**

The group shared the following

- Silos, things happening in departments or committees without collaboration. Whether that is systemically entrenched or can be changed.
- How many can state what the City's mission is? We don't talk about it often enough. Build toward a common vision.
- Open mindedness – can be changed with new Mayor. Understand the past history and current issues, and plot for the future.
- Balance of profession communication, successful when staff and Council talk to each other. Is Council overstepping when call to talk something through with staff?
- Perception of things going on behind people's backs – public, Councilmembers, staff. Ways to communicate to take away mystery of what's occurring.
- Perception ends up being reality. Without strong relationship between administration and Council and trust people to do right thing, very visible to public and erodes effectiveness. Communicate effectively.
- Whether achievable to have a goal for community so projects and funding directed toward that. United front. Goals often project-specific and not for City overall. Goal statement and how work toward that.
- How build, embrace and communicate a vision to the community that is long term and connects things together?
- Do not have a united message/front regarding how want City Attorney to support Council. Change things in the moment or only make changes in bigger concept.
- To what extent does Council want City Attorney to initiate changes to the code where see problems in the code or wait until told to revise something. Proactive versus reactive?
- Becoming a more complex city, demographics are changing, pressures increasing. How gracefully and effectively mediate different expectations of the community given much more diverse demographic?
- How renegotiate relationship with residents in context of federal government?

From the above, the group provided further comment on themes Ms. Shulman identified:

Vision, Commonality

- Establish mission statement and post on the website. Many have an eye for environment. Look at example for creating common mission and display on website. May help break up silos.
- Common goal is communication for citizens, neighborhoods, electeds, staff, etc. Determine better way to communicate which will reduce other issues.
- Communication is the tool, engagement is the driver, needs to be inclusive because community more diverse. Extensive outreach and ensure entire community is involved. Lost community's trust with first housing commission, Waterfront Connector, etc. Trust and engagement.

- How improve communication and engagement?
 - Explore and implement non-traditional ways of engaging the community. Will require more staff time and money. Diversity of demographic and people access and consume information differently
 - Timing of resources change, get the community's input first. Have first draft impacted by input.
 - Form mission statement that says how serve the public and strategic planning process to implement, can use strategic plan to explain actions to the public
 - Engage with structure. In past little opportunity for communication from public. Touch bases with community to tell what doing.
 - Missing internal focus on engagement. 240 ambassadors to community (police officers) to speak about what doing. Do better job establishing mission and connecting employees so they understand their role and communicate to the public.
 - Mayor has considered micro-meetings with neighborhoods. In the past on difficult issues, tend to get certain demographic – people who have time. Not getting full representation of demographic via regular channels. More traditional forms such as surveys get broader cross-section of opinion. The more Council can be informed by broader demographics the better.
 - Residents get engaged when a topic becomes emotional; budget does not generate emotion. How get people to care and not come in at last minute.
 - Flexibility of gathering input, establish other feedback channels.
 - Booth at events staffed by government employees to get feedback from public.
 - 40,000 contacts/year via the Police Department. Inform 240 employees/ambassadors of Council objectives so they can respond to the community's questions.
 - Internal newsletter via citywide email so everybody receives the same information.

Silos? And what could be done differently?

- Starts from top down. Over last ten years have been silos in certain areas. Some silos are perceived, some are real. Have become siloed due to lack of communication.
 - Is everyone at the table that needs to be?
 - Silos can be more efficient; broadening requires understanding values early on. A more systems view of issues.
 - Some silo thinking is natural, often begin with silo and bring others to table as necessary. Instead identify project and bring others to the table first.
 - Regarding Waterfront Connector, Mayor Earling developed team to solve issue of blocking beach, widespread outreach throughout the 8-year process. Wrong to assume public wasn't informed. What happened was a groundswell that engaged the community via misinformation. Council should have considered a range of options.
 - Use Waterfront Connector as an example of a process to avoid.
 - Communication Coordinator will be engaged with all department and be strategic advisor with communication and look strategically about engaging the public.
 - Comprehensive SMART sheet that looks at timelines of engagement and types
- **Discussion: What Piece(s) of Wisdom/Tricks of the Trade/Lessons Learned Would Each Person Like to Share?**
- Solid Mission Statement and Strategic Plan saved another organization during economic downturn.
 - Ownership even when make mistakes helps with internal and external engagement.
 - Mission statement building process with Council, staff and public, no touchback whether meeting/accomplishing. Need establish steps for checking on it.
 - Consensus not a pipe dream, when everybody comes to the table with open mind and weighs in on pros and cons, each solution has drawbacks, because talked through and vetted ideas, reach point

where there is a winner. Hope can get to a point where everyone talks and working as individuals who come together as a team by communicating.

- Police Department developed mission, vision and values. Becomes part of culture. Posted on walls, incorporated into everything do. Constant feedback and check in. No value without buy-in.
- Unbiased leadership. Breaks open the gates of consensus, communication, trust, etc.
- Governance structure should be viewed through diversity, equity and inclusion, social and environmental justice lens to ensure addressing widest scope of residents, employees and visitors.
- Local governments have same mission/purpose, to promote general health safety and welfare of community. A good mission statement that connects what we do to overarching mission would be helpful and get it out to community. Biggest challenge with local government is everyone is so busy and do not have time to engage. Be mindful of what's realistic about percentage that will be actively engaged in government. Don't know what the silent majority needs/wants.
- When dealing with conflict/issue, attempt to remove ego and have issue/conflict separate from person. Better outcome. Do not say "we can't because," say "we can if."
- King County studied each department, talked to employees and developed a countywide strategic plan that resulted in a better understanding of what the county does and how it benefits community and/or organization. Budget requests were tied to mission. Created more two-way communication.
- Read your packet. Very obvious if winging or faking it by questions ask if answer is in packet or grandstanding. Be as prepared as possible and call directors especially as learning. Better to have discussion before meeting than at the meeting.
- As prepare/propose new ideas, think how will be implemented and ensure resources and means exist.
- In roomful of leaders, biggest job is not making decision, but facilitating decision-making collaboratively. Just because you're a leader in your subject matter, may not be best one to make decision.
- Power of "yes, and" so feel heard before provide information.
- Remember we're servants of the public and keep humility at all times. All try to retain a spirit of inquiry when something initially comes up that have negative reaction to.
- Understand the impact of your words and actions to the internal group and to the community. Affects relationships.
- Humility – be open to different ideas, different perspectives, understand someone else perspective. Judge by what do not what say. Take action, follow-up on things talk about.
- Pick up the phone, call people. Don't use email as primary source of communication, can be misinterpreted. Don't talk to others as a way of avoiding talking to a person directly. Do not assume you know what someone else is thinking.
- Do not confuse activity with progress. Can fill day being active but collectively focus on progress. Do not let process hinder ability to make progress.

6. GOVERNING FUNDAMENTALS-DISCUSSION

- **Attributes of Well-Functioning Groups Particularly in a Political Context**

Ms. Shulman reported during workshops she conducted at the state level for Roadmap to Washington's Future, the focus was 1) what do people in the state of Washington value and what do they care about in the future, and 2) what's working well and not working well related to Growth Management. One of the lessons learned was people want government to function, they're tired of divisiveness and want government to work together for the common good despite differences.

She posed the question, as elected officials, are we objects or subjects? Often elected officials and staff become objectified and people forget staff and electeds are individuals doing their jobs. The shift from being an object to a subject is key to effective governing. The more objectified people become, the easier

it is to communicate in insensitive, disrespectful, etc. ways, forgetting that people bring their passion and skill to the positions. Governing is not just elected officials but also staff who implement ideas, help Council understand the decisions they are making. Effective governance depends on relationships and establishing a shared code of conduct.

She highlighted several attributes of well-functioning groups, particularly in a political context:

- Approach with dignity – at core of effective functioning even when there are deep disagreements/differences
- Ability to see perspectives/ external considering – ability to step into someone else’s shoes, consider from a different perspective
- Going beyond assumptions and engaging in inquiry – difference between thinking you know why someone is acting or thinking a certain way or asking questions to get more understanding
- Not holding grudges – toxic to a political environment. Grudges are personal and constrains elected officials from connecting to the great needs in public service
- Systems approach – understanding connections, understanding how things are connected, what are the ripple effects, how the larger system impacts and informs your actions and vice versa
- Effective communication, ability to connect, and development of relationships – important to be able to know enough about each other to work together
- Interests compared to positions – interests are the needs, desires and concerns. Interests focus on what outcome is important and why. Problem solving can often be more effective once there is agreement on the interests of a group. Positions (solutions) are how people meet their interests. Positions can take into account the set of interests expressed.
- Technical challenge compared to adaptive challenge – a technical challenge is a challenge that requires the straightforward application of expertise to solve the problem. An adaptive challenge is a challenge that is more complex in that it necessitates addressing and/or changing people’s values, habits, practices and priorities.

• **Top Eight Tips for Keeping Communications Respectful**

- 1) Keep all communications (email, phone, twitter, etc.) civil and professional. Don’t say anything that you wouldn’t want 42,209 residents of Edmonds to read, hear, or see. Don’t make disparaging remarks about other city employees including elected officials in written or oral communications. Focus disagreements on policy and policy implementation, not on personal behavior or differences.
- 2) Only communicate about city business.
- 3) Other than coordination on scheduling, do not use city staff, offices, phones, or computers for campaign related activities.
- 4) Refrain from utilizing open public meetings to make personal attacks or criticism of elected officials, city staff, or community members. Take care of personal conflicts through direct communication -phone calls or private meetings.
- 5) Don’t use a public forum to shame others. Communicate to others how you would like to be communicated to.
- 6) Consider your body language when communicating or listening to others in public meetings. Keep side comments to a minimum during public meetings.
- 7) Minimize surprises at public meetings including vetting amendments or new ideas prior to introduction and/or discussion. Provide key questions for staff ahead of public discussions.
- 8) Utilize the following general guidelines for when best to utilize different forms of communication:

When best to use email/social media (remember these are all disclosable to the public)	When best to use phone or in person meeting
Constituent communications	Policy deliberations
Scheduling and logistics	Peer consultation

Sharing of existing information including briefing papers, etc.	Political strategizing
Newsletters and other outreach	Discussion and attempted resolution of conflicts or disagreements
Showcasing a city project or activity	Discussion of personnel matters
Sending questions to staff.	Exploration and discussion of misunderstandings
	Constituent engagement

Questions/comments (Ms. Shulman’s response in italics):

- When make a mistake, how deescalate the situation, confront person about mistake in productive way? *Try not to do in public. Start by saying I want to maintain respectful conversation and work through this with you.*
- Another form of communication that can be very detrimental/damaging is gossip or slander. Need to rely on personal integrity and code of ethics to not allow that to happen.
- When employees step out of line, there is a disciplinary process. When elected officials step out of line, do not have same disciplinary process. Has happened in past, extreme situations where elected official stepped out of line and community wants to discipline or publicly shame. *Shaming is not best way; if have agreed upon Code of Conduct, can remind of Code of Conduct. Censuring is last resort.* If recognize humanity and all make mistakes, forgive and be willing to accept self-blame and apologize privately. *May be times the Mayor and Council President take that role.*
- Council should hold executive session when authorized. Transparency and positivity cannot always coexist.
- Get on a human level and gain respect and communicate on a different level.
- If two Councilmembers are having a conflict, met for lunch so interact on different level.
- Do not say or do anything would not want to see on front page of newspaper or would not do in front of your child
- Understand the work is about position/job and not the person. If disagree with person, respond to them in the same way.
- Governance should not be either/or, okay to compromise or change mind.
- Consider the impact that conflict has on citizens, it makes them feel unsafe, unsure about government.
- Is Facebook a public forum for shaming an elected official? *Many ways such as Facebook, Council meeting, etc. Email is a public forum for Councilmembers as they are subject to public disclosure.*
- Consider ripple effect of negative Council interactions.
- What does workplace harassment mean for elected officials?
- Anti-harassment training is provided to new Councilmembers.
- Needs to be opportunity to interact in an informal way that is not in violation of Open Public Meetings Act an get to know each other. Open to the public but not conduct City business. Find a way to do that.
- Develop culture where feedback is okay and understand one’s intent may not be what was said.
- Humans have a strong sense of agency, feeling that a person who does something to us did it with intent. Recognize that it may not have been their intent.

The retreat was recessed for lunch at 12:10 p.m. and reconvened at 12:35 p.m.

- **Clarifying Roles of Staff and Elected Officials (Scenarios)**

The group shared the following:

- Up to Mayor to determine how Councilmembers interact with staff

- There are differences between the role of the judge and court staff; judge cannot make decisions in court and also on business aspects of the court
- City Attorney is a contractor, not an employee or director so everyone has equal access. Mayor has ability to limit Council's access to directors. His role is to support all branches of government. He is here to advance interests of municipal corporation, not any one branch. Encourage email or call with questions. Because legislative branch can only take action via majority, his policy has been happy to answer questions from single Councilmembers and small-ish projects but bigger things that take a lot of work should have support from more than one Councilmember. May be times when he seeks input from Council for larger projects.
- What about resolutions? Mr. Taraday a Councilmember will often draft a resolution and ask him to review it. Sometimes it's obvious there is support for a topic. Tend to give more deference to Council President directing him to do something.
- Get a lot of emails from Councilmembers asking questions. Many are quick, sometimes opinions or questioning why doing something. Suggest if sending email to director, copy the Mayor. Like getting questions ahead of Council meetings so have time to research. Call or make an appointment to come in and talk.
- Councilmembers talking to staff versus the director has been challenging on occasion. Encourage Councilmembers to come to director instead of staff.
- Protocol under Mayor Earling based on hours, 2-3 hours, go directly to director, if longer go to Mayor. Councilmembers not allowed to go to staff, go through director.
- (Nelson) For now, continue previous policy. Have been instances where elected officials reach out to manager level and person not used to interacting with elected official and is eager to please. Initial communications with department director and directors go to staff as needed.
- Sometimes when present to Council, individual Councilmember makes request. Not certain whether should do that research if not majority. Suggest someone seek consensus. Mr. Taraday suggested asking for clarification/consensus at the Council meeting.
- Unanimous consent, Mayor asks if there is any objection to staff doing that research.
- (Nelson) like to be copied on questions/requests to directors. Encourage Councilmembers to ask questions before Council meetings or give staff heads-up if planning to ask a question.
- Councilmembers can ask questions/provide information to directors, but direction comes from Mayor. Example: garbage can over-flowing in park; telling a director to empty garbage is direction; instead provide as information.
- Be careful about notifying staff about potholes, sidewalk repairs, etc. near Councilmembers' homes to avoid impression responding more rapidly to Councilmembers' neighborhoods.

7. VISIONING DRAWING AND SHARING

- **What Is Your Vision of Positive, Effective, and Constructive Governing Over the Next 4 Years?**

Ms. Shulman asked Councilmember to draw, explain, poetry, etc. What is your vision of positive, effective, and constructive governing over the next 4 years? Identify what is mile marker one, an action that would be helpful to move in that direction. The group shared:

Name	Vision	Mile Marker One
Fraley-Monillas	Communication starting from citizens to City, and back to Council and staff to implement	Use TV, computer, mail, meetings, etc.
James	Limited buckets of money to allocate to all things, devise plan to allocate funds	Getting direction via Council priorities early enough to incorporate in budget process

Uneek Mayor	Court and people the court serves	Community court reduces recidivism, reduces jail costs, people receive services they need, etc.
Olson	Represent all, Councilmembers doing outreach to community and together develop best ideas and policies to serve community	One-on-one relationships
Burley	Collaboration and engagement, listening to the public	Clear and concise vision statement
Lawless	Org chart with public, government with legislative and executive working together to direct departments and communicate with public	Establish vision
Williams	Edmonds' future 2040, five pillars that contribute to future: safety, prosperity, services, community and environment	Pillars are the first steps
Paine	Getting an idea going, project announcement Council and to community	If community supportive of vision and able to articulate project's vision and impacts
Passey	Ground is symbolic of practical considerations; sky represents what can be	
Turley	Edmonds future: sky is pure, water sparkling, controversial projects get done	Learn from mistakes of past
Buckshnis	Slow and steady for future generations	Develop good vision
Doherty	Haiku: Edmonds Peoples Voice Inclusive diverse input It's good government	More public engagement
L. Johnson	Flower petals: continue building relationships and trust, full understanding of procedure, teambuilding exercises, mutually agreed upon code of conduct, mission and vision statement, robust and creative public outreach, engagement and communication, continuing education as individuals, groups and as city, and self-care	
Hope	People in a world together, rain and sun, water around, think about the built, cultural and natural environment as living and working together. Relates urgently to climate situation. Fuller understanding of how relates to all do	Key community buy in to climate action priorities
K. Johnson	Sunny future	Get email from citizens at podium email and respond to them. Disservice that no one responds.
Distelhorst	Word cloud of what people will think of local government in 4 years	Procedures that all Councilmember agree on
Neill Hoyson	Stairway, illumination and ability to have open dialogue and people going down that path, representing a continual journey	Agree on what that looks like – mission/vision

Mayor Nelson	Getting all on one path, common vision and journey together	Retreat and next action steps, vision
Maureen Judge	Olympic Mountains and Sound, invest in human services	

8. PARLIAMENTARY PROCEDURES – APPLYING ROBERTS RULES OF ORDER (ANN MCFARLANE)

Council President Fraley-Monillas introduced Ms. McFarlane and described her background. Attendees introduced themselves. Ms. McFarlane described the origin of Roberts Rules of Order (RRO), referenced an abridged version of RRO that the City provided to Councilmembers, and book she authored, Mastering Council Meetings. Ms. McFarlane reviewed:

- Why are we here?
 - To inspire you to run effective council meetings using four fundamental guidelines
- Four fundamental guidelines
 - 1) The chair is the servant of the group, and the group is the final authority
 - 2) All members have equal rights, privileges and obligations. To ensure this, no one may speak a second time until everyone who wishes to do so has spoken once
 - 3) Courtesy and respect are essential at all times
 - 4) One thing at a time
- Point of Order
- Sample Discussion Guidelines for Local Government
 - Small Group Exercise to discuss the guidelines

Making and Processing Motions

- Main motion
 - Characteristics of Main Motion
 - It should be in writing if at all possible (project on screen, use 3-part form)
 - It should be clear and unambiguous. Don't say, "I move what he just said" or "so moved."
 - It should be phrased in the grammatically positive
 - It must comply with the bylaws and the procedural law of the land
 - You can have only one main motion at a time
 - Eight steps to process a motion
 1. Member makes motion
 2. Another member seconds motion
 3. Chair states motion
 4. Members debate and/or amend motion
 5. Chair restates motion and calls for vote
 6. Members vote on motion
 7. Chair states results of vote, whether motion passes or fails and what happens next
 8. Chair states next item of business
- Amendment
 - Four ways to amend
 1. Add or insert words
 2. Strike out words
 3. Strike out words and insert words in their place
 4. Substitute (tricky)

Ms. McFarlane invited the group to subscribe to Jurassic Park monthly e-newsletter at www.jurassicparliament.com.

The group participated in an exercise: Pickle Festival Practice Script

Ms. McFarlane reviewed:

- Strong Mayor as Chair
 - A strong mayor does not make motions
 - By custom in Washington State, a strong mayor may participate in discussion
 - The mayor may break a tie Except for three circumstances:
 1. Passage of an ordinance
 2. Grant or revocation of a franchise or license
 3. Resolution for the payment of money
- Why do we need these rules?
 - Win/lose is the only game most of us understand. We have a constant unspoken need for domination and actually find no enjoyment om win/win situations – Richard Rohr
- Three things you must have:
 1. Knowledge of how this system works
 2. A majority on your council in favor of civility and this systems.
 3. The personal moxie, chutzpah, energy and drive to put it all into practice
- Chair must control who speaks when
- Rules are proxies for values
- Key value in Robert's: Respect
 - Treat your colleagues with respect
 - If you don't respect them, act as if you do.
- Central Paradox
 - The chair is the most important person in the room and the least important person in the room
 - The chair must be strict on process – a benevolent dictator
 - The chair is not responsible for the decision that the group makes
 - The chair is the servant of the group and the group is the final authority

Discussion followed regarding the past practice of the Mayor asking the Council's permission to speak, making a motion to extend past the regular meeting adjournment time, process for streamlining questions after staff's presentation on an action item, establishing a process whereby Councilmembers ask questions and then a motion is made, ability to take action on a study item, and including draft motion language in the agenda memo.

9. PUBLIC RECORDS/OPMA 101 (PATRICIA TARADAY/JEFF TARADAY)

Patricia Taraday, City Attorney's Office reviewed:

- Public Records Act
 - Found in Chapter 42.56 RCW
 - Disclosure presumed unless exempt
 - Policy of accountability and transparency
 - One of most litigated areas of municipal law
- How Courts Interpret Act's Policy
 - Purpose of the PRA is "to provide full access to non-exempt public records."
 - "The purpose of the PRA is to keep pubic officials and institutions accountable to the people."
- What is a public record?:
 - Any writing containing information relating to the conduct of government or the performance of any government or proprietary function prepared, owned, used or retained by any state or local agency, regardless of its physical form or characteristics (RCW 42.5.010(3))
- Overview of definition:
 - Definition is "comprehensive" and subjects "virtually any record related to the conduct of government" to public disclosure. *Nissen v. Pierce County*, 183 Wn2d 863 (2015).
- Are my personal emails or document considered "public records?"

- No. a purely personal record having absolutely no relation to the conduct of government or its proprietary functions is not a “public record.”
- Are records created on my personal device or account subject to disclosure?
 - Yes, if they are public records
 - Content is what matters, no origin
 - Recommend use city issues email accounts and cell phones when conducting city business – city captures email automatically
- What is the City’s obligation when request for records has been made?
 - Respond within 5 days to requester
 - Provide fullest assistance to requestor
 - Conduct reasonable search for records
- When Councilmember is asked for records
 - Notify City Clerk
 - Inform requestor of process
- When Councilmember is the subject of request
 - Reasonable search for records
 - Sign affidavit if necessary
 - If questions, ask PRO or City Attorney
- After search is complete, now what?
 - After PRO searches and gather documents, the records must be reviewed for exemptions
 - Do any exemptions to disclosure apply?
 - Suggestion: Put “attorney client privilege” in subject line when cc City Attorney if believe info is attorney client privilege
- Important reminders
 - Adopt a spirit of cooperation and transparency
 - Customer service approach
 - Work with PRO when asked
 - Strive for over-inclusivity rather than under-inclusivity
 - Questions – ask PRO and City Attorney

Discussion followed regarding going through the official process if a constituent asks for a document, state retention guidelines, and annual cost to the City of public records request (\$150,000-\$250,000).

Open Public Meetings Act (OPMA)

Jeff Taraday encouraged Councilmembers to take the Attorney General OPMA training. He reviewed several real world examples of how the courts have interpreted the OPMA.

Discussion followed regarding it being potentially problematic anytime a Councilmember responds to an email sent to the entire body, generally safe if only receive email because passive receipt of email does not constitute participation, ability to have one-on-one conversation with Councilmembers, must have collective intent to meet to have OPMA violation, individually emailing multiple Councilmembers is problematic, better to wait to deliberate at a Council meeting, Councilmembers allowed to lobby each other but needs to be done carefully to avoid violating OPMA, and avoid telling Councilmembers about other Councilmember’s opinions.

Mr. Taraday summarized the OPMA is the easiest law for Councilmembers to accidentally violate so it warrants repeated training. He invited Councilmembers to contact him and/or Patricia with questions. Do not make the mistake that because you are using bcc, you are not violating the OPMA. He uses bcc’s to make it easy not to reply all.

10. FINANCE BRIEFING (SCOTT JAMES)

Finance Director Scott James reviewed budget basics:

- What is a budget?
 - The budget is an economic plan that allocates the City's resources to accomplish the goals and objectives established by the Mayor and Council
- The budget serves five essential purposes
 - Legal compliance
 - Financial plan
 - Policy document
 - Management tool
 - Public information document
- Community Accountability
 - Financial accountability
 - How are we spending the money?
 - What are we accomplishing?
 - Purpose accountability
 - What are we spending their money on?
- Distributed
 - 2018 Citizen's Report
 - Budget in Brief
 - Monthly Financial Report

Mr. James reviewed budget and fund accounting:

- List of funds
 - 36 funds in budget
- Why use Funds?
 - Because we have to – required by GAAP and law
 - And because we should
 - We operate many distinct type of businesses
 - Keeping these independent is important
 - Restrictive nature of certain revenues
 - Drawback – transfer between funds inflate city budget
- Types of Funds
 - Proprietary – again as the name implies
 - Business type funds where
 - The nature of the activity results in a desire to know what degree revenues cover expenses
 - Internal Service Funds
 - Internal businesses (where we are our own customer)
 - Equipment Rental and Technology Rental Funds
 - Enterprise Funds
 - Where customer is external to City
 - Water, storm and sewer fund
 - General Government (least restrictive)
 - Capital Project Funds
 - Used to account for projects which result in capital assets
 - Park Capital Construction Fund
 - Debt Service Funds
 - To account for the proceeds and repayment of long-term debt
 - Can be voter approved or “councilmanic” debt
 - 2014 Debt Service Fund

- Special Revenue Funds
 - Used when the revenue source is restricted to particular use
 - Example: Hotel/motel funds, real estate excise tax donations
- General Funds
 - Least restrictive – funded primarily by taxes and fees
 - Can be used for any legal purpose of the City
 - Police, Fire, Parks, Planning, Permitting, Engineering, salaries, etc.
- Significance in Budgeting
 - Each fund requires a separate budget
 - All budgets must be “balanced”
 - No fund can benefit from the appropriations of another
 - Revenues and beginning equity must be at least equal to authorized expenditures
 - Compliance with budget will be audited by staff and by the State Auditor’s Office

Mr. James provided several quiz questions (answer in italics):

1. The City receives our monthly sales tax remittance from the State. This revenue would be recorded in a:
 - a) *General Fund*
 - b) Special Revenue Fund
 - c) Debt Service Fund
 - d) Proprietary Fund
2. The City receives a donation so the City can purchase a park bench dedicated to the memory of a loved one. This revenue would be recorded in a:
 - a) General Fund
 - b) *Special Revenue Fund*
 - c) Debt Service Fund
 - d) Proprietary Fund
3. The City receives a customer payment for their water service. This revenue would be recorded in a:
 - a) General Fund
 - b) Special Revenue Fund
 - c) Debt Service Fund
 - d) *Proprietary Fund*
4. What are the top three sources of revenue for the City?
 - a) *Charges for Services*
 - b) *Property Taxes*
 - c) *Sales Tax*
 - d) Utility Tax
 - e) Real Estate Excise Tax

11. FOLLOW-UP FOR NEXT RETREAT

Council President Fraley-Monillas advised a follow up retreat is planned in April; staff will poll for dates. Suggested topics included:

- Budget / Revenues – including I-976
- Vision/Mission statement
- REET
- Citizen issues
- Harassment training
- Communication (silos)
- Boards and commissions

12. **CLOSING REFLECTIONS (COUNCIL PRESIDENT AND MAYOR)**

Council President Fraley-Monillas thanked everyone for coming and participating, relaying there are two more retreats planned this year.

Mayor Nelson thanked Council President Fraley-Monillas and Ms. Judge for organizing the retreat. He thanked staff for attending and for participating. Hopeful after today's experience, there will be interest in getting together on a regular basis in a retreat format to learn how to work better together and service the City better. He was optimistic about a wonderful year working together.

The retreat was adjourned at 4:28 p.m.