

Agenda Report Reviewed by:
City Manager: 

CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM REPORT

Meeting Date: May 3, 2022
To: Honorable Mayor and Honorable City Councilmembers
From: Vice Mayor Hinton
City Administration
Subject: Part-Time Clerk for the Sonoma County Mayors and Councilmembers Association
Recommendation: That Council support the creation of a part-time contract Association Clerk for the Mayors and Councilmembers Association and by motion authorize the City to support the same and direct the City Manager to budget for the City’s contribution to the costs, which will be shared amongst all Sonoma County Cities.
Funding: Currently Budgeted: _____ Yes No N/A
Net General Fund Cost:
Amount: \$ _____

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

*See Fiscal Impact Below:

PURPOSE/INTRODUCTION:

This item requests that the City Council support the creation of a part-time contract Association Clerk for the Mayors and Councilmembers Association and by motion authorize the City to support the same and direct the City Manager to budget for the City’s contribution to the costs, which will be shared amongst all Sonoma County Cities.

BACKGROUND:

Historically, the focus of the Sonoma County Mayors and Councilmembers Association (MCA) has been the exchange of ideas among fellow elected officials - both by educational presentations and by providing an opportunity to network with peers. The MCA Board of Directors (Board) also makes appointments to select regional bodies, as well as serving as the City Selection Committee for Sonoma County, as required under Government Code §50270. The MCA Board and General Membership meetings are held quarterly, per the current by-laws. The MCA also has a Legislative Committee, which our Cal Cities representative (Nancy Hall Bennett) has graciously hosted on behalf of the MCA.

By 2019, it had become clear that the speed, volume, and types of issues confronting Sonoma County cities required enhanced coordination to address issues of common interest. Additionally, the rotational system to manage the various MCA functions is time consuming, inefficient and lacks continuity. Therefore, on September 16, 2019, the Board met and developed an outline of the recommended changes to the MCA, which is attached to this staff report (Exhibit A). In addition, the Board Chair appointed, and the Board approved, an ad hoc subcommittee of the following elected officials tasked with updating the by-laws to implement the recommended changes:

- Tom Schwedhelm (City of Santa Rosa)
- Teresa Barrett (Petaluma)
- Melanie Bagby (Cloverdale)
- Neysa Hinton (Sebastopol)

However, after an initial meeting to develop a purpose statement, work paused as the region grappled with multiple emergencies, including wildfires and COVID-19. On November 18, 2021, the MCA Board re-appointed the ad hoc subcommittee to continue their work, with staff assistance from Jeff Kay (Healdsburg) and Damien O’Bid (Cotati). Given that cities are currently in their budget development process, the ad hoc focused on developing a draft scope and cost for a contract part-time Association Clerk to inform their budget processes. This will be followed by updating the by-laws for review by the cities.

DISCUSSION:

Currently, the MCA is an association without any staff or administrative infrastructure. Therefore, the cities in Sonoma County rotate responsibilities as Chair City and Program City, in alphabetic order so that each city serves in one of these roles every 9 years. The Chair City is responsible for chairing the meetings, updating the MCA handbook, creating and publishing the meeting agendas through close coordination with the Program City, the Host City and the County Clerk for City Selection Meetings, recording the meeting minutes, pushing out information to the member cities, and establishing a website to host MCA information for that year. The Program City, which is the next in line alphabetically, is responsible for arranging for the speakers’ program at the General Membership meetings. For each General Membership meeting, there is also a Host City. The Host City rotates with each General Membership meeting and is responsible for securing a meeting venue and related meeting logistics, choosing and developing the menu, securing potential sponsors to offset meeting costs, and collecting meeting reservations and payments.

The current rotational system is problematic in a number of ways. Rotating the administrative functions each year is inefficient, leads to a lack of continuity and focus between years, and requires extensive staff time by the Chair City, and to a lesser degree, the Program City and Host cities. Under the current system, many of these administrative tasks essentially need to be rebuilt every year, leading to staff impacts for the Chair City and unnecessary confusion for the membership. The part time Association Clerk is intended to provide basic administrative structure to the MCA, including record keeping, hosting of an MCA website, and general coordination and continuity of all functions currently performed by various cities, as described in the attached scope of work (Exhibit B). Employing a part-time contract employee is fairly common in other Mayors & Councilmembers Associations in the Bay Area, so while the proposed scope of work fits our unique needs, the role is relatively common in other associations.

The MCA is not an entity with legal standing to enter into agreements or employ staff. Therefore, the part-time Association Clerk is intended to be an independent contractor, who would contract with one of the MCA cities that volunteers to serve as the Fiscal Agent. The Fiscal Agent would be responsible for contracting with the part-time Association Clerk, as well as managing funds for MCA functions. Determination of which City will serve as Fiscal Agent will be made at a later date. Additionally, the draft Association Clerk scope may be further amended once the MCA by-laws are updated, as necessary or desirable.

In the first year, there will be some initial start-up costs, such as developing a dedicated website for the MCA, which will be less in future years. The following table includes the estimated costs:

Description	Year 1	Future Years
Contract Part-Time Association Clerk	\$40,000	\$40,000 + CPI
Association Clerk Incidentals	\$2,000	\$2,000
MCA Website/Event Management	\$10,000	\$2,000
Total	\$52,000	~ \$44,000

It was initially proposed to split the costs equally among all 9 MCA cities. However, in recognition of the staff time required to manage and support the Association Clerk, as well as acting as the Fiscal Agent, the ad hoc subcommittee has recommended that the City who serves as the Fiscal Agent be provide a 50% discount on the

costs related to the Association Clerk contract. Using the above Year 1 estimate, each city would be required to contribute \$5,778 for the year if equally split. If the MCA ultimately elects to provide a discount to the City acting as the Fiscal Agent, the cost would be approximately \$6,139 in Year 1, if 50% of one city's cost is distributed to the other 8 cities. Future years are expected to be less after initial startup costs. The hiring of a part-time contract Association Clerk is expected to save significant City staff time by avoiding the need to support many of the MCA administrative functions that are supported by the Chair, Program or Host cities today. This time can instead be spent on supporting local city priorities.

CITY COUNCIL AND/OR GENERAL PLAN GOALS:

Goal 5: Provide Open and Responsive Municipal Government Leadership

5.3.3. Encourage and increase public awareness of City Policies, decisions, programs and all public processes and meetings, by investigating effective methods of communication and obtaining feedback from the community.

Goal 6: Maintain a highly qualified Staff that works to provide services to serve and protect the residents, visitors and business of this community.

Environmental Issues

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, if staff receives public comment from interested parties following the publication and distribution of this staff report such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of this item.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

FISCAL IMPACT:

Using the above Year 1 estimate, each city would be required to contribute \$5,778 for the year if equally split. If the MCA ultimately elects to provide a discount to the City acting as the Fiscal Agent, the cost would be approximately \$6,139 in Year 1, if 50% of one city's cost is distributed to the other 8 cities. Future years are expected to be less after initial startup costs.

RECOMMENDATION:

The City Council support the creation of a part-time contract Association Clerk for the Mayors and Councilmembers Association and by motion authorize the City to support the same and direct the City Manager to budget in the City Council budget a proposed budget for review by the City Council Budget Committee for recommendation of the City's contribution to the costs, which will be shared amongst all Sonoma County Cities.

Attachments:

Exhibit A - Outline of Proposed By-Law Changes

Exhibit B - DRAFT MC Assoc Clerk Contract

EXHIBIT A

**DRAFT – Summary of 9/16/19 Board Meeting – New Direction
(Revised 9/23/19)
Working Notes for Ad-hoc Sub-Committee
MAYORS AND COUNCILMEMBERS ASSOCIATION OF SONOMA COUNTY (SCMCA)**

Issues / Interests

- Increase effectiveness and impact of Sonoma County cities in county, regional and state issues.
- Review and improve the decision making structure and business process of SCMCA to be more agile in responding to issues of concern or advocacy.
- Improve the structure and focus of the meetings. Shift Board meetings to separate meeting date between General Membership meetings. Refine the purpose of each meeting. Allow all members to participate in the reception activities by not holding Board meeting at same time.
- Enhance programs/speakers with a focus on current priorities of cities at General Membership meetings.
- Provide greater consistency and reduce workload impact on Host City's City Clerk by contracting out to an individual to serve as the Clerk to the organization. Will require minor contribution from each city (amount to be determined – rough estimate \$2,000 per year).

Recommendations

1. Created Ad-Hoc Committee
 - a. Mayors – Tom Schwedhelm - Chair (Santa Rosa), Melanie Bagby (Cloverdale), Teresa Barrett (Petaluma), Neysa Hinton (Sebastopol)
 - b. City Manager – Cathy Capriola (Sonoma) and Damien O'Bid (Cotati)
 - c. Scope
 - i. Draft a purpose statement
 - ii. Develop a 1-page summary of changes and proposed vision
 - iii. Hold a transition meeting in January with outgoing and incoming Mayors
 - iv. Logistical Changes
 1. Board Meetings (Mayors) – Hold separately from General Membership
 - a. Gives time for thoughtful discussion on important issues
 - b. Allow Mayors to participate in peer relationship building
 - c. Focus is on business, decisions, formal actions
 - d. Meeting occurs between General Member meetings
 - i. Generally 2-3 week prior to General Membership meetings, or as required
 - e. Brief Board Meetings before General Membership – for City Selection Committee or SCMCA appointment votes
 2. General Membership Meeting
 - a. Allow time for relationship building and social
 - b. Speakers to be focused on education and priority issues
 - c. Limited Briefings of time sensitive or other items
 - v. Program / Speaker
 1. Gather input from speakers in October/November; submit to Mayors; committee of Mayors and City Managers to review and recommend speaker programming.

EXHIBIT A

2. Host City for the year will also organize the speakers once programming of topics is finalized.

2. Mayors to discuss with City Councils
 - a. Draft purpose statement
 - b. Summary of proposed changes
 - c. Top priorities for speakers / programs
 - d. Financial contribution from each City for staff assistance (example - \$2,000 per City for 2019)

3. Next Steps
 - a. Review proposed changes with the full Board at the next General Membership meeting, and report out at General Membership meeting
 - b. Next Ad Hoc Meeting
 - i. Job description and recruitment for contract Clerk
 - ii. Possibly start by-law revisions
 - c. Future (with contract Clerk onboard)
 - i. Finalize revised by-laws

EXHIBIT B

MAYORS & COUNCIL MEMBERS ASSOCIATION OF SONOMA COUNTY CLERK

NEED TO WRAP THIS IN A CONTRACT AGREEMENT

WITNESSETH

WHEREAS, the Mayors' and Councilmembers' Association (MCA) of Sonoma County is comprised of the Mayors and Councilmembers of the incorporated cities in the county of Sonoma; and

WHEREAS, the MCA Board of Directors (Board), consisting of Mayors of each member city, meets monthly, or holds special meetings more frequently as needed; and

WHEREAS, the MCA General Membership meets every other month (February, April June, August and October), and consists of elected officials from all member cities; and

WHEREAS, the MCA General Membership meetings typically rotate alphabetically, with the Host City responsible for locating a meeting venue and coordinating food service, with the Board developing the informational program for the meetings that the Clerk coordinates; and

WHEREAS, the MCA General Membership is desirous of securing certain professional services in order to carry out the purposes of the MCA, consisting of membership from all nine (9) cities in Sonoma County; and

WHEREAS, the Chair City of the MCA rotates through member cities alphabetically; and

WHEREAS, the MCA desires an independent contractor to provide Clerk services to the MCA consisting of but not limited to the following further described in Exhibit 1 attached hereto:

1. Preparation of the meeting agendas, meeting minutes, and resolutions.
2. Manage the date, time and location of MCA meetings,
3. Dissemination of information, and correspondence and
4. Coordination with the annually rotating Chair City and the Host Cities to provide professional, efficient and consistent management of the MCA so that Sonoma County cities can effectively coordinate on issues of joint interest; and

WHEREAS, the City of **XXXXXX** (Fiscal Agent) has agreed to serve as the fiscal agent for the MCA and will be responsible for invoicing cities on an annual basis for the cost of providing Clerk services based on the scope and annual budget approved by the MCA Board of Directors.

WHEREAS, in recognition of the in-lieu contributions to manage the Contractor and act as the Fiscal Agent, the City of **XXX** will receive a 50% discount on the annual agreement; and

WHEREAS, the Contractor is organized and equipped for the purpose of providing such professional services.

**PROPOSED FUTURE MOTION ACTION OF THE MCA GENERAL MEMBERSHIP,
CONCURRENT WITH OR IN ADVANCE OF BY-LAW AMENDMENTS**

The Mayors & Councilmembers Association of Sonoma County (MCA) hereby:

1. Approves the Scope of Services for an Association Clerk (Exhibit 1).
2. Approves a budget of \$XXXXXX for Year 1.
3. Authorizes the Board of Directors to work with the Fiscal Agent to select a contract Association Clerk.
4. Authorizes the designation of the City of X as the Fiscal Agent.

BE IT FURTHER RESOLVED that the MCA authorizes the Fiscal Agent to bill each city for the agreed upon cost share for Clerk services.

EXHIBIT 1 SCOPE OF SERVICES

1. The Association Clerk (Contractor) shall perform the following activities and services:
 - a. Serve as the Clerk of the MCA, including:
 - Updating the MCA Handbook as needed, but no less than annually.
 - Drafting meeting agendas for review by the Chair City; and
 - Publishing approved agendas in accordance with the Ralph M. Brown Act.
 - Clerking MCA meetings, including any subcommittee meetings; and
 - Keeping good and sufficient record of the proceedings through preparation of meeting minutes and resolutions.
 - Distribute information of common interest to the MCA, as directed by any of the member cities.
 - Track MCA appointments and vacancies and put out requests for nominations as vacancies occur or in advance of terms expiring. Provide cities sufficient time in advance of the MCA Board meetings to agendaize and discuss applicants.
 - b. Coordinate with the County Clerk and Chair City for City Selection Committee meetings, including:
 - Publishing agendas in accordance with the requirements of Government Code §50270-50279.2.
 - To track City Selection Committee appointments and vacancies of regional agencies and put out requests for nominations as vacancies occur or in advance of terms expiring. Provide cities sufficient time in advance of the City Selection Committee meetings to agendaize and discuss applicants.
 - c. Coordinate with the League of California Cities North Bay Representative, who serves as Secretary of the MCA Legislative Committee, to ensure regular updates to the Board and MCA membership; and
 - d. Receive direction from the MCA Board on presentation programs for the MCA meetings and work with the Chair City to identify potential speakers to fulfill the program direction. Coordinate with and arrange for the speakers to present at MCA meetings. Coordinate with the Host City to ensure the venue has sufficient A/V equipment for the presenter, and other duties as needed to effectively coordinate the presenter logistics.
 - e. Coordinate with Host City to obtain the date/time, venue location, menu, cost and related information from the Host City. Distribute this information to MCA cities via an online event platform capable of taking member reservations, food orders, collect payments and provide timely confirmation of

totals with Host City prior to the meeting. Within 30 days of the meeting, remit payments collected to the Host City.

- f. Maintain and consistently update the MCA website to host meeting materials, provide a platform for MCA coordination, and generally host MCA information.
 - Retain digital files of all matters related to the MCA and post meeting agendas, and related documents, and business meeting minutes, resolutions, and position/comment letters on the MCA website for public access.
- g. No later than February of each year, in coordination with the City of XXXXX, prepare and present any proposed changes to this agreement to the MCA Board.
- h. Maintain files for all reports, correspondence, and other business of the MCA.
- i. Perform such other duties as the MCA Board may from time to time direct.

OTHER CONTRACT TERMS AND CONDITIONS

Term: The initial term of this agreement shall be five (5) years, renewable in 5-year increments by the MCA Board.

Costs: \$XXXX/year, with a CPI escalator of X%. Contractor shall also receive an automobile allowance of XXXX per month. Contractor shall also be reimbursed for out-of-pocket expenses incurred on behalf of the MCA.

Billing: Contractor shall bill the Fiscal Agent monthly.