

**City Clerk Work Group  
Report to Mayor and Council of Rockville  
December 17, 2014**

**BACKGROUND**

The short tenure of the two most recent City Clerks and the current vacancy of the City Clerk position offered the Mayor and Council an opportunity to review the City Clerk's office. The Mayor and Council initiated discussions regarding the future of the City Clerk's office during the September 15, 2014 and September 29, 2014 Mayor and Council meetings. These discussions resulted in the appointment of a work group consisting of former Mayors, Councilmembers, City Clerks, and the current Chair of the Board of Supervisors of Elections. The Work Group's assignment was to assess the role and function of the City Clerk's office and submit a final recommendation to the Mayor and Council.

**Chronology of Events:**

August 8, 2014	Most recent City Clerk resigns.
August 11, 2014	City Council adopts resolution to designate an Acting City Clerk/Treasurer.
September 15, 2014	Community Forum included presentations to the Mayor and Council regarding the structure of the City Clerk's office and Mayor and Council discussion on the duties of the City Clerk/Treasurer.
September 29, 2014	Mayor and Council discussion – Work Group to evaluate the reporting structure of the City Clerk/Treasurer position; introduction of a resolution to amend Section 1 of Article VIII "Personnel" of the Charter of the City of Rockville so as to delete the provision that the City Clerk also be the Treasurer; City Council finalizes appointments to the City Clerk Work Group and establishes a due date (60 days from Work Group's first meeting) for the report from the Work Group. The Director of Human Resources and the City Attorney are appointed to provide technical assistance to the Work Group.

October 21, 2014                      City Clerk Work Group convenes and Glennon Harrison is elected Chair of the Work Group.

## **DISCUSSION**

The Work Group met on six (6) occasions to discuss the current structure of the City Clerk's office and the pros/cons of making changes to the current structure. There was one additional meeting attended by only five (5) members of the Work Group. Due to the lack of a quorum, notes in lieu of minutes are attached to this report. Each Work Group member shared their experience working with the City Clerk's office and the dynamics of the City Clerk's office in relation to the Mayor and Council, City Manager, and City Departments.

The Work Group met with the current Mayor, Councilmembers, City Manager, Acting City Clerk and the Deputy City Clerk. These meetings were held to gain insight into what each individual deemed was necessary to make the City Clerk's office function more effectively/efficiently. Additionally, each was asked their opinion of the current structure vs. having the City Clerk report to the City Manager.

The Work Group members also viewed segments of the City Council meetings that consisted of discussions regarding the structure of the City Clerk's office. The September 15, 2014 and September 29, 2014 City Council meetings were of particular interest.

The Work Group reviewed numerous documents to understand the issues specific to the City Clerk's office. The following documents were reviewed:

- (a) Councilmember Palakovich Carr's proposed scope of work for the Work Group;
- (b) Councilmember Feinberg's proposed scope of work for the Work Group;
- (c) City Code/City Charter sections pertaining to the City Clerk's official role;
- (d) City Clerk's job description;
- (e) City Council "green sheets" pertaining to Mayor and Council discussions on the City Clerk's office;
- (f) Survey of Maryland municipalities' City Clerk/Treasurer office structure; and
- (g) History of the City Clerk position on a national and international level

The Work Group recognizes that not all of the scope of work proposed by individual members of Mayor and Council was addressed. However, the Work Group discussed many issues

regarding the City Clerk's office and decided the primary focus should be the four (4) questions posed by the Mayor and Council:

1. Should the City of Rockville have a City Clerk or a different type of administrator with the current Clerk responsibilities?
2. To whom should the City Clerk report?
3. To whom should the City Clerk's staff report?
4. Who should hire and fire the City Clerk?

Work Group members were given opportunities to provide their individual ideas and opinions on the four (4) questions and to fully engage in discussions on the current and future role of the City Clerk in the City of Rockville. After much discussion and deliberation, the Work Group's recommendations to the Mayor and Council are as follows:

#### **RECOMMENDATION**

**Should the City of Rockville have a City Clerk or a different type of administrator with the current Clerk responsibilities?**

The Work Group understands that the City Clerk is a professional with a wide range of duties and competencies that are core to how well the Office of the Mayor and Council functions. The City Clerk is intimately engaged in guaranteeing that the processes that make city government work well are open, transparent, and politically neutral. In recognition of the professional level of the position, the Work Group recommends that the title of City Clerk be changed to **City Clerk/Director of Council Operations**.

It is the opinion of the Work Group this title better reflects the professional level and primary function of the position. As a result of our discussions with current members of the Mayor and Council, the Work Group recommends that the next City Clerk/Director of Council Operations possess the skills and experience necessary to conduct high level research and analysis to fully support the Mayor and Council in meeting their legislative and policy priorities and goals. To support the City Clerk/Director of Council Operations in this role, the majority of the Mayor and Council will need to agree on issues to be researched and analyzed. We recommend that the City Clerk/Director of Council Operations disseminate the results of his/her research and reports to the Mayor and each Councilmember. These enhanced research and analysis duties

would be in addition to the current City Clerk's duties of conducting elections, records management, attending the City Manager's senior staff meetings, staffing several boards and committees, and other administrative functions.

The Work Group recognizes that the additional duties assigned to the City Clerk/Director of Council Operations will require changing how some duties are handled today. Reflecting on the shift in technology and what is considered to be an official record, the Work Group recommends the use of audio/video of City Council meetings as part of the official record of minutes, with the City Clerk/Director of Council Operations providing a record of "action minutes" to be formally approved by the Mayor and Council. The City Clerk/Director of Council Operations (or her/his designee) should continue to attend all Mayor and Council meetings, but the City Clerk/Director of Council Operations should not be required to provide the Mayor and Council with descriptive or narrative minutes. It is our belief that this new approach to taking minutes will result in more time for the City Clerk/Director of Council Operations to attend to the research and analytical needs of the Mayor and Council.

The Work Group agrees that "Treasurer" should be removed from the current title because it no longer reflects the duties of the City Clerk and is currently the responsibility of the Finance Department.

The Work Group also discussed whether a residency requirement would provide additional benefits in terms of finding an ideal candidate for the position. The Work Group decided that residency should not be a requirement, although many members of the group felt strongly that the most successful City Clerks have had a deep understanding of the Rockville community and of its history.

#### **To Whom should the City Clerk/Director of Council Operations report?**

The City Clerk/Director of Council Operations should continue to report to the Mayor and Council. This is a position that requires the highest degree of trust and confidence on the part of the elected officials of the City, and it should be maintained as such. The Mayor and Council should make it clear to the City Clerk/Director of Council Operations that she/he has the discretion to refuse what she/he regards as an inappropriate request, task, or assignment by an individual member of the City Council. The City Clerk/Director of Council Operations should be given the authority to consult with the full Council if she/he feels an assignment does not reflect a majority of the full body. The Work Group agrees that the elected officials should

recognize and acknowledge that the City Clerk/Director of Council Operations does not work for either the Mayor alone or individual Councilmembers.

As a direct report to the Mayor and Council, the City Clerk/Director of Council Operations should simultaneously submit her/his budget request to the Mayor and Council and the City Manager. While the Work Group understands that the City Manager submits a unified budget for the City, we also think it is important for the Mayor and Council to be aware of the specific budgetary concerns and requests of their direct reports (including the City Manager, the City Clerk/Director of Council Operations, and the City Attorney). There is widespread agreement among the Work Group members and those appearing before the Work Group that the City Clerk's office would benefit from additional resources.

Because the City Attorney is also a direct report to the Mayor and Council, the Work Group also recommends that the City Attorney submit her budget request simultaneously to both the Mayor and Council and the City Manager.

Proposals to shift the City Clerk/Director of Council Operations to a position that is subordinate to the City Manager or City Attorney would not serve the needs of the Mayor and Council or the City of Rockville. This position is an important one in Rockville's history and arguably even more so in the Mayor and Council's successful governance of the City. There is a strong belief, among the majority of Work Group members, that there is no cogent argument for changing to whom the City Clerk/Director of Council Operations reports.

#### **To Whom should the City Clerk/Director of Council Operations' staff report?**

The staff of the City Clerk/Director of Council Operations should report directly to the City Clerk/Director of Council Operations. As a direct report to the Mayor and Council the City Clerk/Director of Council Operations should have the authority to hire and fire, as well as promote or determine that a reclassifications study of her/his staff be undertaken by the Director of Human Resources. The Work Group recognizes that this is a different reporting structure than currently exists. This being said, the City Clerk/Director of Council Operations should consult with the Human Resources Department and the City Attorney's office prior to initiating disciplinary action related to a staff member. Our recommendation is to maintain the merit employee status of the staff reporting to the City Clerk/Director of Council Operations.

The Work Group recognizes the City Attorney's office currently faces similar limitations in terms of the staff reporting structure. Although this issue is beyond the four (4) questions we were asked to address, we believe that the staff of the City Attorney's office should also report directly to the City Attorney. The City Attorney should have the authority to hire and fire, as well as promote, or to determine that a reclassification study of her/his staff be undertaken by the Director of Human Resources. Like the City Clerk/Director of Council Operations the City Attorney should consult with the Human Resources Department prior to initiating disciplinary action related to a staff member. Also, it is our recommendation that the City Attorney's staff maintain their merit employee status.

#### **Who should hire and fire the City Clerk/Director of Council Operations?**

The Mayor and Council, as the governing body, should hire and fire the City Clerk/Director of Council Operations. This position serves at the pleasure of the governing body, consistent with our City Charter, as well as the best traditions of municipal governance.

The Mayor and Council should commit to evaluating the performance of the City Clerk/Director of Council Operations with the goal of reaching a consensus on the work performance. Once a preliminary performance discussion has taken place among the members of the Mayor and Council, the Mayor should draft (for Council review and comment) a written performance review that provides a summary of noteworthy accomplishments and any improvements needed. Any agreed upon compensation should be granted to the City Clerk/Director of City Council Operations in a timely manner. The Work Group recommends that this also be applied to the City Attorney.

#### **Thank You**

The City Clerk Work Group, as individuals and as members of the Rockville community, would like to thank you for the opportunity to serve on this important committee. Although our deadline for completion of this report was tight, the working relationship among group members was cordial and positive throughout the course of our meetings. We would also like to acknowledge and thank Karen Marshall, the Director of Human Resources, and Debra Daniel, the City Attorney, for their advice, guidance, and contributions to the deliberations of the Work Group.

**Appendix A:**

**City Clerk Work Group**

**Minutes**

Tuesday, October 21, 2014

7:00 p.m. – 8:30 p.m.

Diamondback Terrapin Conference Room

Members present: Glennon Harrison, John Britton, Bob Dorsey, Claire Funkhouser, Larry Giammo, Helen Heneghan, Susan Hoffmann, Rose Krasnow, Lois Neuman, Bob Wright

Members absent: John F. Hall, Jr.

Staff present: Karen Marshall, Debra Daniel

I. Convene

II. Welcome and Introduction

The members of the City Clerk Work Group each introduced themselves to the other members.

III. Selection of Chair

Motion to elect Glennon Harrison as Chair of the Work Group was made by Susan Hoffmann and seconded by Helen Heneghan and was passed unanimously by those present.

IV. Review of Work Group's Contact List

The contact list was reviewed and it was agreed that a new contact list with corrections would be sent out.

V. Work Group Questions

The Work Group discussed the following questions posed by the Mayor and Council:

1. Should Rockville have a city clerk or a different type of administrator with the current clerk responsibilities?
2. To whom should the clerk report?

3. To whom should the clerk's staff report?
4. Who should hire and fire the clerk?

The following is a numbered summary of the points and issues raised during the discussion:

1. The current form of government with the Mayor and Council supervising the city clerk, city manager and city attorney works and should not be changed.
2. City clerk's and city attorney's staff is currently directly under the city manager and is technically hired and fired by the city manager according to the City's Code.
3. It is helpful to have a city clerk that attends senior management staff meeting and reports to the Mayor and Council.
4. City clerk can help advocate for Mayor and Council in management meetings.
5. Person interacting directly with the public and representing the Mayor and Council should report to the Mayor and Council.
6. Position of city clerk is not just responsible for the minutes but also must be a people person.
7. Rockville has a strong manager/weak mayor form of government, if city clerk reports to city manager then even weaker mayor.
8. Not sure how city clerk reporting to city manager weakens the Mayor and Council's authority.
9. Need to keep city clerk's loyalty with the Mayor and Council.
10. Mayor and Council seeking the Work Group's input in the form of pros and cons and minority reports and any other information the Work Group would like to provide to the Mayor and Council.
11. Issue of have three positions reporting to the Mayor and Council goes to issue of whether the Mayor and Council trusts the city manager.
12. The Work Group questioned several times the reason why the Mayor and Council convened the Work Group and what the Mayor and Council was attempting to address. Staff explained that the Mayor and Council have, in the past, looked at the structure of the city clerk's office when there has been a vacancy in the city clerk position.
13. Current structure works for the Board of Supervisors of Elections. If city clerk were to report directly to the city manager, the clerk would need to retain authority to make final decisions regarding the election in order to be able to effectively and efficiently run the election.

The Work Group requested the following for the next meeting:

1. Beryl Feinberg's outline of the work group
2. Julie Palakovich Carr's outline of the work group
3. Job description of the city clerk
4. Links to the Mayor and Council's two agenda items on the city clerk

VI. Future Meeting

October 28, 2014 at 7 p.m. and November 5, 2014 at 7 p.m.

VII. Adjournment

Motion to adjourn made by Bob Wright and seconded by Bob Dorsey passed unanimously by those present.

**City Clerk Work Group  
Minutes**

Tuesday, October 28, 2014

7:00 p.m. – 9:00 p.m.

Diamondback Terrapin Conference Room

Members present: Glennon Harrison, John Britton, Claire Funkhouser, Larry Giammo, Helen Heneghan, Susan Hoffmann, Rose Krasnow, Bob Wright

Members absent: Bob Dorsey, John F. Hall, Jr., Lois Neuman

Staff present: Karen Marshall, Debra Daniel

- I. Convene
- II. Discussion of September 15, 2014 Council Meeting (Claire Funkhouser's Presentation)
- III. Discussion of September 29, 2014 Council Meeting (City Clerk Work Group Scope of Work)

Agenda Items II. and III. were discussed together. The following is a numbered summary of the points and issues raised during the discussion:

1. Three people report to the Mayor and Council because if only have city manager then much easier for city manager and Mayor to collude if the Mayor and Council have only one direct report. With three people reporting to the Mayor and Council, much more difficult to hide something. Checks and balances.
2. Concerns with who the clerk's staff reports to. Changing who the city clerk's staff reports to would require amendments to the City's Charter, Code and Personnel and Policies Manual.
3. A review of the job description really emphasizes that the city clerk is the face of the Mayor and Council and the City.
4. City clerk's office is understaffed. Need to hire technical writers to write minutes.
5. Other jurisdictions, like Sacramento, also have a 4<sup>th</sup> report to the Mayor and Council in the form of a city auditor.
6. Mayor and Council do not need someone to help them with the public since the public contacts the Mayor and Council directly.
7. Maybe Mayor and Council needs it own staff, like a chief of staff position.

8. Need an office for Councilmembers.
9. Chief of staff and other positions like technical writers should be considered separately from the questions posed by the Mayor and Council since the Mayor and Council can create these positions on its own.
10. City clerk should have knowledge of Rockville.
11. Requirement for bachelor's degree was removed.
12. City clerk can give the Mayor and Council history on issues since city clerk's should have less turnover than Mayor and Council members.
13. City clerk position helpful to figure out how to approach city manager on certain issues.
14. Elections are another reason to keep city clerk independent of city manager.
15. Should the city clerk have a different job title.

Motion to keep the city clerk position reporting to the Mayor and Council was made by Rose Krasnow and seconded by Helen Heneghan. The motion passed 6-1-1 with John Britton voting against the motion because he wanted to get more information on what the city clerk's job description should be and Larry Giammo abstaining because he felt more discussion was necessary.

The Work Group requested the following for its next meeting:

1. The prior job description of the city clerk
  2. The job description of the deputy city clerk
- IV. Discussion item: should the Work Group invite the Mayor, the City Manager, the Acting City Clerk, and Council Members Feinberg and Palakovich-Carr to provide their insights to the City Clerk Work Group during the two or three meetings? This could entail having each making a brief presentation of their views of such a change and answering questions posed by members of the Work Group.

The Work Group decided to invite the Acting City Clerk, Deputy City Clerk and City Manager to the next meeting and decided to invite the Mayor and Councilmembers to a later meeting date.

- V. Future Meeting: November 5<sup>th</sup>: discussion of issues related to Board of Elections, other issues TBD, and future meeting dates.

VI. Adjournment

Motion to adjourn made by Helen Heneghan, seconded by Bob Wright, passed unanimously by those present.

**City Clerk Work Group  
Minutes**

Wednesday, November 5, 2014

7:00 p.m. – 9:00 p.m.

Black Eyed Susan Conference Room

Members present: Glennon Harrison, John Britton, Bob Dorsey, Claire Funkhouser, John F. Hall, Jr. (left meeting around 8:12 p.m.), Helen Heneghan, Susan Hoffmann, Rose Krasnow, Lois Neuman, Bob Wright

Members absent: Larry Giammo

Staff present: Karen Marshall, Debra Daniel

- I. Convene
- II. Joint discussion with Sara Taylor-Ferrell and Brenda Bean
  1. Both agreed that structure currently works fine.
  2. Both understand that the city clerk's staff is evaluated by the city clerk but ultimately reports to the city manager.
  3. Both concerned whether staff positions would remain merit employees if reported directly to the city clerk. Explained that staff positions could remain merit employees if reported directly to city clerk. Depends on how the positions are structured. In Sacramento, the city clerk's staff reports directly to the city clerk and are merit employees.
  4. Agreed that additional staffing would be helpful and that there was enough work in the city clerk's office for another full-time position.
  5. It would be helpful if the city clerk was familiar with Rockville and the city clerk candidates should not be required to be certified—can get certification after hire.
- III. Discussion with Barbara Matthews
  1. Has worked in jurisdictions where city clerk was hired and fired by city manager and in jurisdictions where that was not the case. Structure will work either way—whether city clerk is under Mayor and Council or under the city manager.

2. When worked in jurisdictions where the city clerk was under city manager, during elections, the city manager did not get involved in elections and city clerk served as staff to the elections board. If there were any issues related to performance of the city clerk that was a performance issue, not an election issue.
3. Not uncommon for city clerk to report to city manager.
4. Maybe Mayor and Council would benefit from some dedicated City staff like help with scheduling. Last city clerk requested an additional position during the last budget but city manager never had opportunity to determine if another position was necessary.
5. Agreed that Mayor and Council needs dedicated support and space.
6. This is a policy decision for the Mayor and Council.
7. Title "clerk" is not a problem when advertising for job opening. Title "clerk" is a job title very well known in this profession.
8. It was noted that a technical writer may not free up the city clerk's attendance at meetings since the city clerk would probably want to keep up on what happens at the Mayor and Council meetings.
9. City clerk has not served as treasurer in a very long time and would need financial background to serve in that role.
10. Discussed pros and cons of residency requirement. In metropolitan area, more important to have a person who can do the job since many factors go into whether a person is willing to move for a job. The city clerk's salary would need to be increased considerably if the City were to add a residency requirement.

IV. Review of City Clerk's office and City Manager's office organizational chart

Due to the lateness of the hour, the Work Group postponed this item until next meeting.

V. Review suggested City Clerk's office structure submitted by absent work group members

Due to the lateness of the hour, the Work Group postponed this item until next meeting.

VI. Discussion of issues related to Board of Elections

1. The city clerk's staff is very helpful in conducting the elections. City clerk's office involved with updating campaign finance forms, nursing home outreach, converting voter database into excel.
2. There are many duties of the city clerk related to the elections that do not involve the Board of Supervisors of Elections such as candidate statements in Rockville Reports, verifying signatures on petitions, candidate videos, training specific to Rockville, getting campaign reports online, inauguration, post-election wrap-up.
3. City clerk needs to be the one who has the ultimate authority to make decisions regarding the election process.

VII. Future Meeting

Each Mayor and Councilmember will get 10 minutes to speak at the next meeting. The Mayor will go first and then each Councilmember in alphabetical order.

VIII. Adjournment

Motion to adjourn was made by Bob Wright, seconded by Helen Heneghan, and passed unanimously by those present.

**City Clerk Work Group**  
**Notes from November 18, 2014**

(This was not an official meeting of the Work Group because the Work Group lacked a quorum.)

**Discussion with Bridget Donnell Newton, Mayor**

1. Since before coming on the Mayor and Council, considered city clerk the face of the City.
2. Consider the three positions appointed by the Mayor and Council like separation of church and state. Allows Mayor and Council to keep a finger on the pulse of the City.
3. Supported Work Group since one Councilmember wanted the Work Group and thought it was important to provide the necessary information requested.
4. Reluctant to lose the title "Treasurer" from city clerk title because of the checks and balances.
5. Thinks title "city clerk" is confusing because some people do not know what a "clerk," in this capacity, is. The title "chief of staff" has been raised.
6. City clerk staff should report to the city clerk. Same for city attorney's staff. Otherwise put employees in a precarious position working for one person but reporting to another.
7. Agrees that there may not be sufficient staff in the city clerk's office to do the job that is necessary.
8. Thinks this Mayor and Council is very involved and needs more support and help with research. Also, to help write speeches for Mayor and Council. Need an ombudsman that is more under the Mayor and Council and more beneficial to Mayor and Council.
9. Agreed that additional space for Mayor and Council would be good as well.
10. Agreed that city clerk certification is not necessary qualification to hire a city clerk. The most important thing is the person's love for Rockville.
11. Believes that residency requirement is important and agrees that it is important to provide housing stipend and/or other forms of housing assistance if require residency.

**Discussion with Virginia Onley, Councilmember**

1. Believes that city clerk position should remain under the Mayor and Council. Mayor is the face of the City and the city clerk is the face of the Mayor and Council.
2. Expects strong leadership from city clerk position as well as good communication skills, able to relate to all ages and races.
3. Believes line of responsibility is stronger if city clerk staff reports to city clerk directly rather than the city manager which would weaken it. If city clerk staff

reports to city clerk then the city clerk's office will be a stronger office and more accountable.

4. Comfortable contacting city clerk staff directly for assistance. Also, comfortable contacting city staff directly but has been told not to and is abiding by city manager request not to.
5. Think number of employees in city clerk office is right for now. Need to get right leadership in the office first then decide what amount of staffing is needed.
6. Mayor and Council definitely need some office space.
7. If council support specialist position was in Mayor and Council's office instead of city manager's office then the Mayor and Council would get periodic reports and the position could be more of a citizen outreach position.
8. Mayor and Council should hire, fire and evaluate the city clerk.
9. Would like to see city clerk and city attorney budget requests during the budget process.

**City Clerk Work Group  
Minutes**

Tuesday, December 2, 2014

7:00 p.m. – 9:00 p.m.

Black Eyed Susan Conference Room

Members present: Glennon Harrison, John Britton, Bob Dorsey, Claire Funkhouser, John F. Hall, Jr. (by conference call around 8:15 p.m.), Helen Heneghan, Susan Hoffmann, Rose Krasnow, Lois Neuman, Bob Wright

Members absent: Larry Giammo

Staff present: Karen Marshall, Debra Daniel

- I. Convene
  
- II. 7:15 p.m. Discussion with Councilmember Palakovich Carr
  1. Councilmember Palakovich Carr indicated that the issues related to the City Clerk's Office that prompted the creation of the Work Group involved both structural and personnel issues.
  2. Since role of city clerk no longer involves being the City's treasurer, how is city clerk different than other department heads in the City. The issue is how elected officials deal with personnel.
  3. Issues have been created because some members of the Mayor and Council are in the office more often than others.
  4. Comfortable with citizens being responded to by the City Manager's Office. If any issues, prefer that citizens come directly to the Mayor and Council.
  5. If city clerk reports directly to Mayor and Council then city clerk's staff should report directly to the city clerk. If city clerk reports to city manager then city clerk's staff should report to city manager.
  6. Use city clerk for logistical matters mostly like getting conference rooms.
  7. No problem with city clerk reporting all interactions to city manager.
  8. Recruiting has not been a problem.
  9. Issues raised with Work Group are driven by the Mayor and Council for different reasons.
  10. Makes sense to require residency for all appointed officials.
  11. City clerk need not have content knowledge regarding everything the Mayor and Council does since the city clerk can get information from staff.

III. 7:30 p.m. Discussion with Councilmember Feinberg

1. Councilmember Feinberg agreed that there is a difference between a professional city clerk and a clerical position. Would like to see more responsibility placed in the city clerk position to provide more support to the Mayor and Council. There is no support for the Mayor and Council and that is a structural weakness in the City.
2. Hard to always ask city manager for research. Need someone in the city clerk's office to do research for individual Mayor and Councilmembers.
3. Be better if city clerk was independent from city manager. Better to have checks and balances.
4. Sometimes need additional information in order for Mayor and Council to have all the information needed to have a balanced discussion of an agenda item and city clerk could help with getting the additional information.
5. Agreed that if city clerk provided information for all five Mayor and Councilmembers, some members may have more access by being in the office more often. Issue would be prioritization.
6. Performance reviews of city clerk requires Mayor and Council to be on the same page regarding work measures. Can tell, for instance, based on minutes, whether a city clerk's performance is good or bad.
7. Wanted Work Group to provide Mayor and Council with best practices and wanted the Work Group's collective wisdom on whether there was a different reporting structure that was better than the current one.
8. Possibly need additional position in city clerk's office, maybe a part-time position.
9. Does not think there needs to be a residency requirement.

IV. 7:45 p.m. Discussion with Councilmember Moore

1. Councilmember Moore believes that City structure in many ways has not kept pace with growth of City including the city clerk's office. City clerk's office no longer handles most of citizens issues because of other positions in the City such as the permits desk. City clerk no longer the face of the City so shouldn't be structuring city clerk's office around that role.
2. Mayor and Council is terrible at managing down and terrible at managing across. Bad for five people to supervise one person. Can't avoid it with city manager but maybe able to avoid it with city clerk. If put city clerk position under city manager or city attorney, think it would work better.

3. Need to set up a structure that protects city clerk from five bad managers. Don't feel city clerk position is different enough from other jobs in the City to be supervised by five people.
4. If city clerk under the city manager then would fix the issue of city clerk's staff being under the city manager. This is definitely a structural issue at the moment.
5. Have to have city manager supervised by five people and need city attorney to be under Mayor and Council to balance out city manager.
6. The more staff is insulated from politics the better. Thinks city clerk can be hired and fired by Mayor and Council and report to the city manager.
7. Councilmember Moore did not support the formation of the Work Group because he felt that the Mayor and Council could make the decision regarding the structure of the city clerk's office on its own. He appreciates the insights the Work Group can provide and the time the Work Group is spending on this issue. The hope is the structure can be set up better.
8. Does not think residency is required. Concerned could lose city manager or city clerk over residency requirement.
9. If Work Group objects to city clerk reporting to city manager, consider city clerk reporting to city attorney.
10. Could change style of minutes. Could just use video recording. Does not advise having outside person do minutes.

V. Next Steps

Work Group members send to staff written responses to the four questions posed by the Mayor and Council and staff will organize the responses for review at the next meeting.

VI. Future Meeting

1. December 9<sup>th</sup> at 7:00 p.m.
2. December 17<sup>th</sup> at 7:00 p.m.

VII. Adjournment

Motion to adjourn was made by John Hall, seconded by Helen Heneghan, and passed unanimously by those present.

**City Clerk Work Group  
Minutes**

Tuesday, December 9, 2014

7:00 p.m. – 9:00 p.m.

Black Eyed Susan Conference Room

Members present: Glennon Harrison, John Britton, Claire Funkhouser, John F. Hall, Jr. (by conference call), Helen Heneghan, Lois Neuman, Bob Wright

Members absent: Bob Dorsey, Larry Giammo, Susan Hoffman, Rose Krasnow

Staff present: Karen Marshall, Debra Daniel

- I. Convene
  
- II. Overview of Committee Members' Responses to the 4 Questions
  1. The Commission reviewed the document prepared by staff that organized the Work Group's responses to the four questions posed by the Mayor and Council and discussed including certain language in the Work Group's report.
  2. The majority agreed to keep the title City Clerk and include language to add certain responsibilities to the City Clerk position under title Director of City Council Operations (DCCO).
  3. There was consensus to offer the Mayor and Council options on how to handle the minutes including hiring a technical writer, doing action minutes and relying on the video of the meeting for specifics as allowed by law.
  4. There was discussion on whether the City Clerk's salary should be on par with Directors.
  5. There was consensus to remove the Treasurer designation in favor of the DCCO designation.
  6. There was discussion on whether to require residency of the City Clerk. There was consensus that if require residency, then need to increase the City Clerk's salary. The Work Group decided to report to the Mayor and Council the pros and cons of residency and note that whether to require residency is within the discretion of the Mayor and Council.
  7. There was consensus to not require city clerk certification prior to hire.
  8. There was majority consensus to keep the City Clerk reporting to the Mayor and Council.

9. There was majority consensus to have the City Clerk's staff be directly responsible to the City Clerk but keep the City Clerk's staff merit employees. In addition, the Work Group wants to emphasize that the City Clerk will need the support of Human Resources and the City Attorney's Office in directly managing the City Clerk's staff. Also, City Clerk should submit the City Clerk's Office requested budget directly to the Mayor and Council as well as the City Manager. Work Group discussed that the same structure would apply to the City Attorney's Office in regards to City Attorney's Office employees and budget.
10. There was majority consensus that the City Clerk should continue to be hired and fired by the Mayor and Council.

### III. Identify Key Points for Report to City Council

1. The Work Group discussed including language in the report explaining the difficulties of benchmarking the City Clerk position since jurisdictions are so diverse in the handling of the position.
2. There was a general consensus that the City Clerk's Office was understaffed for the amount of work it needed to accomplish and any increase in responsibilities like those that would come with the title DCCO would require additional staffing.
3. The Work Group discussed the pros and cons of adding the responsibility of conducting research on behalf of individual Mayor and Councilmembers and there was a general consensus that research on individual issues should be conducted by the individual Mayor or Councilmember and that any research provided by the City Clerk's Office should be limited to benchmarking type research and any research should be conducted on request by the Mayor and Council as a body.

### IV. Next Steps

Staff will draft report based on Work Group's discussion and bring back for review and approval at the next meeting.

### V. Future Meeting

The Work Group's next meeting will be on Wednesday, December 17<sup>th</sup> at 7:00 p.m.

VI. Adjournment

Motion to adjourn was made by John Hall, seconded by John Britton, and passed unanimously by those present.

**City Clerk Work Group  
Minutes**

Wednesday, December 17, 2014

7:00 p.m. – 9:00 p.m.

Black Eyed Susan Conference Room

Members present: Glennon Harrison, Bob Dorsey, Claire Funkhouser, John F. Hall, Jr. (by conference call beginning at 7:25 p.m.), Susan Hoffmann, Rose Krasnow, Lois Neuman, Bob Wright

Members absent: John Britton, Larry Giammo, Helen Heneghan

Staff present: Karen Marshall, Debra Daniel

I. Convene

II. Approve Minutes

1. October 21, 2014 Minutes: Motion to approve the minutes was made by Claire Funkhouser and seconded by Rose Krasnow. The motion passed 7-0.
2. October 28, 2014 Minutes: Motion to approve the minutes was made by Susan Hoffmann and seconded by Bob Wright. The motion passed 6-0-1 with Lois Neuman abstaining.
3. November 5, 2014 Minutes: Motion to approve the minutes was made by Susan Hoffmann and seconded by Rose Krasnow. The motion passed 7-0.
4. December 2, 2014 Minutes: Motion to approve the minutes was made by Susan Hoffmann and seconded by Bob Dorsey. The motion passed 7-0.
5. December 9, 2014 Minutes: Motion to approve the minutes with an amendment to Section II.2 was made by Lois Neuman and seconded by Claire Funkhouser. The motion passed 5-0-2 with Susan Hoffmann and Rose Krasnow abstaining.

III. Review and Approve Final Work Group Report to City Council

1. John Hall joined the discussion by conference call.
2. Work Group reviewed the draft report and agreed to certain edits.

3. Motion to approve the report with edits was made by Susan Hoffmann and seconded by Bob Dorsey. The motion passed 8-0.
4. Work Group members thanked Chair Glennon Harrison and staff for all of their hard work.

IV. Work Group Chair's Presentation of the Report

There was consensus that the Chair's presentation to the Mayor and Council should include a recitation of each of the recommendations and focus on the content of the report. The date for the presentation is not yet scheduled but is likely to be in February, 2015.

V. Adjournment

Motion to adjourn was made by Bob Wright and seconded by John Hall. The motion passed 8-0.

## **Appendix B:**

### **City Clerk Work Group Report: Focus on Elections**

Submitted by Lois H. Neuman, Chair, Board of Supervisors of Elections

Current structure works for the Board of Supervisors of Elections, that is keep the City clerk independent of the City manager. The Clerk should continue to participate as supervisor of the administrative function during elections and retain authority to make decisions regarding the election to insure a fair election process, free of political influence or interference.

Election cycles require constant compliance with strict regulations and laws during election and off-election years. The City clerk's office must know and implement required procedures during the entire election cycle. The City clerk works closely with the Board of Supervisors of Elections to administer election processes.

Specific examples of the election responsibilities carried out by the City clerk's office include: updating campaign finance forms, nursing home outreach, converting voter database into Excel, organizing the post-election meeting, and maintaining records and archives. Independent functions that may not directly involve the Board of Supervisors of Elections include: placing candidate statements in Rockville Reports, verifying signatures on petitions, arranging candidate videos, organizing election judge training specific to Rockville, getting campaign reports online, and inauguration.

Election administration operates under complex guidelines to insure the public the election is secure, confidential and fair. The City Clerk's office is an integral part of retaining the public trust and offering the needed transparency. Conscientious election administration requires attentive, reliable staffing support to carry out election details especially related to the integrity of the process.

## **Appendix C:**

### **Members of the City Clerk Work Group**

Glennon Harrison, Chair and former Councilmember

John Britton, former Councilmember

Robert (Bob) Dorsey, former Councilmember

Larry Giammo, former Mayor

John Hall, Jr., former Councilmember

Susan Hoffmann, former Mayor and Councilmember

Rose Krasnow, former Mayor and Councilmember

Robert Wright, former Councilmember

Claire Funkhouser, former City Clerk/Treasurer

Helen Heneghan, former City Clerk/Treasurer

Lois Neuman, Chair, Board of Election Supervisors

### **Staff**

Debra Daniel, City Attorney

Karen Marshall, Director of Human Resources