ICMA

MAKING IT WORK:

THE ESSENTIALS OF COUNCIL-MANAGER RELATIONS

KEVIN DUGGAN AND
MIKE CONDUFF

ICMA Leaders at the Core of Better Communities

ICMA advances professional local government worldwide. Its mission is to create excellence in local governance by developing and advancing professional management of local government. ICMA, the International City/County Management Association, provides member support; publications, data, and information; peer and results-oriented assistance; and training and professional development to more than 10,000 city, town, and county experts and other individuals and organizations throughout the world. The management decisions made by ICMA's members affect 185 million individuals living in thousands of communities, from small villages and towns to large metropolitan areas.

ISBN: 978-0-87326-431-0

Item number: e-44010

The views expressed in this publication are those of the individual authors and are not necessarily those of ICMA. Cited Internet sources were valid as of March 2016. Because URLs and websites are constantly changing, we cannot vouch for their current validity. (They were last accessed on June 6, 2016.)

To locate other ICMA print and digital publications, please visit icma.org/press.

CONTENTS

Foreword vii

Acknowledgements viii
About the Authors ix

Chapter 1: Overview of Council-Manager Relations 1

How roles, purpose, and mutual respect shape the context for achieving effectiveness

Your Roadmap for This Publication 2
Critical Nature of the Relationship 3
Establishing and Clarifying Roles 3
Developing Mutual Trust and Confidence 5
Managing the Group Process 9
Sidebar: More on Policy Making 6

Key Notes 11

Chapter 2: The Quality of Relationships 13

Using interpersonal and communication skills to sustain a solid foundation

Reinforcing Good Habits 14
Knowing Your "Audiences" and Those of Your Council 16
Understanding the *What, How,* and *When* of Communicating 17
Establishing the Manager-Staff and Council-Staff Relationships 20
Being Professional 23
Sidebar: If Having Good Council Relationships Is a High Priority, Act Accordingly 15
Sidebar: The "End Run" Situation 21

Key Notes 25

Chapter 3: Governance 27

A comprehensive system of players, roles, and rules that propel good government

The Governing Body 28
Understanding the Difference Between Owners and Customers 28
Roles Distinguished by the What *and the* How 31
Setting Targets 31
Identifying Risks 33
Delegating the Work 36
Assessing Performance 36
Practicing Discipline 38
Reporting Back 38

The Chief Administrator 38
Key Role 38
The Implementation Process 39
Other Players 39
Sidebar: Showing Your Colors 29
Sidebar: Timing Is Everything 30
Sidebar: Articulating Overarching Values 32
Sidebar: Strategies to Help Board Members Support Smart Risks 34
Sidebar: Clarifying Conflicting Directives 37
Key Notes 40

Chapter 4: New Council Member Orientation 43
Positive relationships start here
An Investment with a Solid Return 44
Reasons for Conducting an Orientation 46
An Opportunity Missed? 47
Structure of Effective Orientation Programs 49
Questions About Who, What, *and* When 49
Components of Effective Orientation Programs 51
Topics to Cover During Orientation 53
Common Types of Orientation Programs 59
Meeting with Manager Only 59
Formal Overview Orientation 60
Formal In-Depth Departmental Orientation 60
How to Plan Your Orientation Program 60
Effective Orientation Practices 63
Final Word 64
Sidebar: Starting Early: Orientations Before and After the Election 45
Sidebar: Ethics and the Elected Official 48
Sidebar: Designing Orientations to Meet the Needs of Individual Council Members 50
Sidebar: Orientation Notebook: What to Include 52
Sidebar: Visualized Life Stories Enhance Orientation Program 54
Sidebar: Communication Guidance for Elected Officials in the Age of "Going Viral" 57
Sidebar: Sharing Resources Between Two Orientation Programs 58
Sidebar: Extensive Council Member Manual 61
Additional Resources 64
Key Notes 65

Chapter 5: Council and Board Meetings 67
Where local government democracy takes center stage
The Right Ingredients 68

Meeting Protocols 69
Longer Term Agenda Planning 69
The Relationship Between Goals, Work Plans, and Meeting Agendas 70
Spacing Complex or Controversial Issues 70
Agenda Preparation and Planning 71
Who Sets the Agenda 72
Who Places Items on the Agenda 72
Factoring in Agenda Preparation Time 72
Providing Advance Public Notification 72
"Clocking" the Agenda 73
Weighing the Items 73
Ordering Agenda Items 73
Staff-Prepared Reports 73
Who Prepares the Reports 73
Training and Guidelines for Report Preparation 74
Report Sections 74
Final Report Approval 75
Recommendations 75
Working Through Controversial and Complex Issues in Advance 76
The "Multiple Touch" Rule 76
Receiving Council/Board Questions in Advance 77
Establishing Working Norms 77
Handling the Surprises 78
Staff Presentations at the Meeting 78
Who Presents 78
What Is Presented 79
Presentation Training 79
Style of Presentations 79
Staff Preparedness 80
Role of the Mayor or Chair at the Meeting 80
Role of the Manager at the Meeting 81
Letting the Council Decide 82
After the Meeting 82
When Things Do Not Go Well 83
The Right Ingredients for Successful Meetings 83
Final Word 84
Key Notes 84

Chapter 6: Best Practice Council Retreats 87
An essential tool for helping councils achieve their goals

1. Select a Facilitator 88
2. Develop a Purpose 88
3. Conduct Pre-Meetings 89

4. Use a Personality Profiling Instrument 89
5. Set the Agenda 90
6. Choose the Venue 90
7. Design the Room Setup 90
8. Be Thoughtful About Timing 91
9. Designate the Attendees 91
10. Carefully Design the Follow-up 92
11. Conduct a Debrief 92
12. Do Damage Control If Necessary 93
13. Delegate the Follow-up 94
14. Convey the Delegation 95

Sidebar: Retreat Checklists 94

Key Notes 95

Chapter 7: When Things Go Wrong 97

Learning how to manage the bumps in the road

The "Bad Apple" Governing Board Member 98
Undermining by Staff 103
The Organizational Misstep 105
The CEO Risk 105
Being Placed in Transition 106
Sidebar: Experience Is a Good Teacher 100
Sidebar: The One, Two, More Communication Approach 102
Sidebar: Addressing Problematic Situations or Individuals 104
Case Study: [Year 2002] Councilmanic Interference: When a Council Member Crosses the Line 108
The Problem 109
Investigation and Trial 110
Media Blitz 112
Form of Government on Trial 113
The Verdict 113
Lessons Learned 114
Conclusion 115

Key Notes 116

Chapter 8: "May the Force Be With You": A Set of 12 Best Practices in Council-Manager Relations 119

Mastering the essentials

Final *Final Word* 123

Related Resources 125

FOREWORD

Establishing, nurturing, and maintaining good relations with their elected officials is one of the key components of every city and county manager's job. No matter how good you are at organizing, delegating, motivating, and implementing, if there is significant friction or loss of trust between you and the elected body, the organization and, by extension, the community will suffer. If this relationship gets too bad, progress grinds to a halt, people start taking sides, and organizational life gets very difficult. On the other hand, when the relationship is based on mutual respect, understanding of roles, and open communication, the sky can be the limit.

Fortunately, these relationship competencies can be learned, practiced, and polished—hence this book.

Additionally, we all work in a much more diverse and representative world than in years past, and developing protocols, processes, and pathways moves governance forward in very positive ways. Think of the best relationships in your life—in almost every case, these important connections revolve around shared meanings. Having mechanisms to create connections allows us to forge the bonds necessary to tackle the difficult issues that face us all from time to time and, as with relationship competencies, these process competencies are learnable.

In our roles serving ICMA—Kevin as the West Coast Regional Director and Mike as Special Liaison for Governance—we have been asked to put forth what we currently believe to be best practices in these competencies.

If you are young in the local government administration world, we hope you will find these insights particularly valuable. If you are seasoned, perhaps they can help you adjust your behavior just a bit. Of course, you may be much better at some of these than others, and you may indeed have found practices[1] that work even better for you.

In any event, we want to encourage you to bring the same professionalism, ethics, and passion you use in your management world to your relationships with your elected governing bodies. In general, these are folks who care deeply about the community—as you do—and can benefit greatly from your dedication in helping them govern with excellence!

We hope you enjoy the journey!

Kevin

Kevin Duggan

Mike

Michael A. (Mike) Conduff

1 Speaking of *practices*, ICMA's "Practices for Effective Local Government Leadership" outlines 18 core areas critical for effective local government leadership. ICMA recognizes the leadership role of local government managers in creating and maintaining resilient and livable communities. While all of the practices are relevant to the management and leadership of local government, these four practices are specific to council-manager relationships: #2, Policy Facilitation; #8, Democratic Advocacy and Public Engagement; #14, Advocacy and Interpersonal Communication; and #17, Integrity. You'll find a complete listing and explanation of the practices in the ICMA University area of ICMA's website.

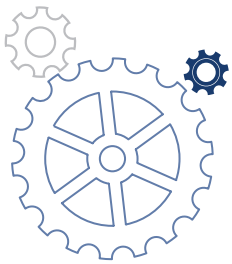
Acknowledgements

We are grateful to several individuals who have influenced the course and quality of our respective careers. I, Kevin Duggan, wish to acknowledge with thanks the work of ICMA Life Member Nadine Levin, who was my co-author on the orientation chapter. I also wish to acknowledge ICMA Life Member and former city manager Terry Ellis (Peoria, Arizona, and Kirkland, Washington), who collaborated with me on some of my early council-manager relations articles on which some of my current writings are based.

And I, Mike Conduff, wish to acknowledge my mentors Buford Watson (Lawrence, Kansas), and Bob Herchert (Fort Worth, Texas)—who very early on helped forge my perspective of how to work with city councils—and my best friend (and fellow city manager) Stan Stewart, who was always my accountability partner. I also owe a debt to my training colleague and frequent co-author Jim Hunt, past president of the National League of Cities and a 28-year member of his hometown city council, who continually gives me the opportunity to peek behind the curtain of elected officialdom and has refined my thinking on so many fronts.

Likewise, we both wish to thank our families for their unwavering support.

We'd also like to acknowledge the ICMA staff (you know who you are) with whom we've shared many career-shaping opportunities over the years. We are particularly grateful to Ann Mahoney, who as editor of this book, compiled our sometimes disparate voices into a single, coherent volume.



About the Authors

Kevin Duggan, ICMA-CM

ICMA West Coast Regional Director

Mountain View, California

kduggan@icma.org

Kevin Duggan is an ICMA Credentialed Manager and was appointed ICMA's West Coast Regional Director in May 2011. Prior to that he worked in California city government beginning in 1971, the last 27 years as a city manager for the cities of Campbell and Mountain View. As West Coast Regional Director, Duggan serves as the primary staff link between ICMA and members and professional associations in California, Oregon, Washington, Alaska, Arizona, and Nevada.

Duggan began his career as an administrative intern for the city of Mountain View while earning a bachelor of arts in political science from San Jose State. He then served as an intern for the city of Campbell while obtaining his master of public administration, also from San Jose State. Duggan worked for Campbell for 18 years, the last 6 as city manager. He then returned to Mountain View in 1990 as city manager, where he served until April 2011.

Duggan has served as president of the both the City Manager's Department of the League of California Cities and Cal-ICMA. Other professional activities have included serving on the California State Board of Fire Services, participating in an International Management Exchange with Limerick County, Ireland, and serving on ICMA's Task Force on Organizational Structure and Governance. Duggan has served as an ethics trainer for ICMA and has written a number of articles for professional journals on topics ranging from budgeting during tough economic times, city council/city manager relations, and ethics.

Michael A. (Mike) Conduff, ICMA-CM

ICMA Special Liaison for Governance and President and CEO, The Elim Group

Denton, Texas

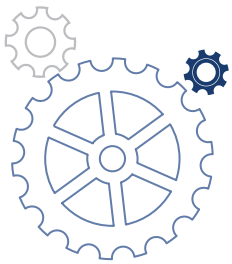
mike.conduff@theelimgroup.com

Mike Conduff is the president and CEO of The Elim Group—Your Governance Experts, a leadership training and organizational governance consulting firm headquartered in Denton, Texas. He is an ICMA Credentialed Manager, speaker, multiple-time best-selling author, and corporate coach, and has extensive leadership, management, and governance experience.

During his 30-year career in local government, Conduff served as the city manager of four university communities in the United States, each with extensive municipally owned utilities.

Conduff also served on the executive board of the International City/County Management Association; is a National Academy of Public Administration® Fellow; and is the Special Liaison for Governance for ICMA, in which capacity he writes a regularly occurring governance column for the internationally distributed *Public Management* magazine.

Conduff is the past chairman of the board of the International Policy Governance® Association, a worldwide organization of leading governance practitioners. His books on governance have been widely recognized and his book, *The On Target Board Member—8 Indisputable Behaviors*, now in its fourth edition, has been nominated for numerous awards.



Chapter 1

OVERVIEW OF COUNCIL-MANAGER RELATIONS

How roles, purpose, and mutual respect shape the context for achieving effectiveness

Few factors are as critical to the success of local government professional managers and the organizations they lead as is the quality of the relationship between the elected officials and the manager. A productive and positive relationship results in greater job satisfaction for all concerned and the effective translation of policy decisions into action. On the other hand, when the elected policy makers and the manager are not working well together, it invariably ripples through the organization and impacts effectiveness at all levels—ultimately resulting in the public not being well served.

This publication offers a variety of suggested techniques and strategies to maximize the likelihood of establishing and maintaining an effective working relationship with your governing board. Recognizing that not all the factors required for an effective relationship are in the manager's control, we created this guide to improve your ability to effectively address those factors over which you have influence.

The relationship of an appointed professional chief executive to an elected policy-making body constitutes certain basic characteristics that are constant regardless of a jurisdiction's size or form of government. And it is our intent that the principles and practices described here serve not only as a useful resource for new and aspiring managers but also as a helpful "refresher" for experienced managers.

Your Roadmap for This Publication

Making It Work: The Essentials of Council-Manager Relations starts at the heart of the matter. In this Overview chapter you'll learn why getting the relationships right from the very start is so important; how to achieve clarity of roles, desired outcomes, and policy development—and why; and what steps to take to establish mutual respect with your elected leaders. The very next chapter speaks to the skills you'll need to complement your technical and managerial expertise, offering suggestions on how to develop and use effective interpersonal and communication competencies.

Subsequent chapters offer a helpful perspective on the nature of governance; the *why* and *how* of conducting new council member orientations; how to plan and prepare for effective council meetings; the 14 steps to planning, conducting, and following up on council retreats; and things you can do to prevent or mitigate circumstances when things don't work out favorably for you. The final chapter encapsulates the advice offered throughout the book, and the resources list aggregates resources mentioned in the chapters. By the way, each chapter ends with a bulleted list of takeaways, or "Key Notes."

Also please note that throughout the text we use the terms *chief appointed official, professional manager, manager, chief administrator,* and *CAO* interchangeably. Likewise, we refer to the governing body also as the *council, the board, policy makers, council members, elected officials, and elected leaders.* We also interchange use of the word *manager* (third-per-

son voice) with use of the pronoun *you* (second-person voice) as dictated by the immediate context.

Enough stage setting . . . let's begin!

Critical Nature of the Relationship

What factors make the board-manager relationship so critical? The most fundamental is that the council-manager form of government is based on the professional manager's effective translation and implementation of policies established by the elected officials. A positive and productive relationship between policy makers and the manager greatly increases the odds that these outcomes will occur:

- Clear policy direction provided by policymakers
- Effective implementation of policy by the manager and staff
- Shared confidence among the council, manager, and staff
- Respect for varying roles and responsibilities
- Effective service delivery to the public
- Confidence of the public in the local government.

Without an effective relationship, just the opposite is likely to occur. The trust level is likely to be low, policy direction is less likely to be clear, instances of role conflict can increase, and a lack of clarity regarding organizational direction can result, affecting both staff performance and public confidence in the institution.

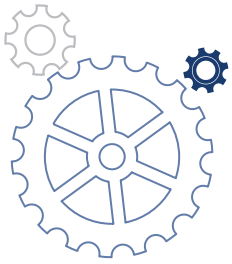
When the board-manager relationship is not working well (see the "When Things Go Wrong" chapter), the likelihood of reasonable risk taking and innovation is greatly diminished. Even worse, the organization can become risk adverse, with its staff focusing on self-preservation instead of organizational effectiveness and excellence.

Establishing and Clarifying Roles

As manager, one of your greatest challenges is working with elected officials to clarify roles and responsibilities. No doubt one reason for this challenge is that under the council-manager plan, the manager has significant authority and responsibility.

While the council-manager plan (i.e., form of government) was carefully constructed to result in a well-balanced distinction between the policy-making and management roles, these roles are not necessarily intuitive to the public and elected policy makers. Here are a number of ways to achieve mutual understanding of role responsibilities:

- **Explain the purpose and history of the council-manager plan.** The reality is that few members of your community, including quite possibly new council members, are familiar with how their local government operates and why it is structured the way it is. You can show council members why the plan exists and how it works.



Resources such as those available through ICMA's Life, Well Run program help demonstrate that this system of local government has a long and successful history and is not unique to your jurisdiction. They also help avoid the misimpression that you are promoting a government structure in your local setting to provide yourself significant power and authority.

- **Start the orientation process early.** Use council candidate and new council member orientation programs (discussed in more detail in Chapter 4) as an opportunity to review roles and responsibilities, both during the campaign and as soon as possible once candidates have been elected.
- **Describe the difference between policy making and administration.** Explain the differences between roles (recognizing that there are overlaps) and why council members are best positioned to determine the overall policy direction of the organization while you and your staff, by virtue of your education, training, and experience, are best able to implement their policy directives.
- **Emphasize that elected officials are the ultimate source of organizational authority.** While the manager often has very significant responsibilities (many of which the public might incorrectly assume are "owned" by elected officials), be clear regarding the role of elected officials as the ultimate organizational authority. Make it clear that elected officials, through their authority to determine who will be the manager, have the power to establish organizational goals, approve the budget, adopt laws, and exercise related powers—that is, they possess the ultimate authority for determining the direction of the organization and community.
- **Support the elected officials in their role.** Do all you can to make sure council members feel they are playing a meaningful role in the organization. To whatever extent they feel that they are not having a meaningful impact, they may seek to expand their roles beyond appropriate limits. You can, for example, assist elected officials in identifying and undertaking strategic planning, master planning, and the development of legislative policy guidelines. Such policy activities are much more likely to succeed with the active support and encouragement of the manager and staff.
- **Demonstrate that working through you is the best way to achieve responsiveness to council members' constituents.** Nothing is more important to elected officials than being able to demonstrate effectiveness (getting something done) to their constituents. Show them that the best way to get things done is by working through you. This will give elected officials the confidence they need and will help them avoid directly involving themselves in the implementation of policies.
- **Promote discussion of mutual needs.** It is important to initially and periodically discuss mutual understandings regarding what types of behaviors are needed for both parties to effectively perform their jobs.

You might actually make a list of these behaviors for review and discussion. Since mutual support and cooperation are so critical to success, the investment in such structured conversations usually pays high dividends. For example, a conversation can incorporate these two sides of the relationship coin:

- The manager can help support the council by
  - » Providing thoughtful, well-prepared, and clear recommendations
  - » Not playing favorites among council members
  - » Being responsive to citizen requests forwarded by council members
  - » Keeping the council well informed with timely information.
- The council can help support the manager by
  - » Respecting the manager's areas of responsibility and authority
  - » Not jumping to conclusions regarding citizen complaints about staff
  - » Not criticizing the manager or staff in public
  - » Setting reasonable expectations for goals and projects based on available resources.
- **Leave the policy-making role to the council.** At times it's tempting to try to fill a "policy-making void." This can occur when elected officials are either unwilling or unable to take on important/challenging public policy issues. There are even times when one or more elected officials expect/request the manager to take the lead on important public policy issues.

  It is usually best to leave the policy-making role to elected officials. Exceptions to the concept may be appropriate when the manager is viewed as a more impartial voice on an issue or when the issue has significant technical characteristics.

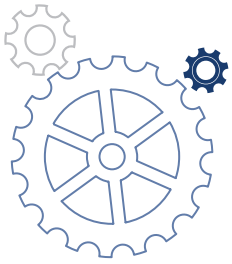
> "Nothing is more important to elected officials than being able to demonstrate effectiveness (getting something done) to their constituents. ***Show them that the best way to get things done is by working through you.***"

Developing Mutual Trust and Confidence

Nothing is as fundamental and critical to the council-manager relationship than being able to establish and maintain mutual trust and confidence. If the elected officials do not trust you, or lack confidence in you, all else will be futile. You can establish and maintain the trust and confidence of your elected officials in a number of ways:

- **Demonstrate your honesty and integrity.** Without this, a positive and productive working relationship is not possible. While that may seem intuitive, many of us can take this simple fact for granted. It is also possible to squander that trust by a lack of vigilance. While most people we work with will understand that no one is perfect and that we can, and will, make mistakes, overcoming a betrayal of trust is much more difficult. And often such a betrayal of trust can occur for relatively insignificant reasons.

  We all understand that we should say what we mean and act as we profess, however, we also recognize how challenging that can be. Still,



SIDEBAR

MORE ON POLICY MAKING

> **Keep in mind that it is hard to defend the appropriateness of expecting elected officials to refrain from becoming directly involved in the management of the organization if you become directly involved in their policy-making arena.**

Here are some ways you can advance role clarity around policy development:

- **Appreciate the difference between affecting policy and advocating.** Of course, there is no "bright line" distinction between issues of policy versus issues of management. Managers invariably have an impact on policy by virtue of the many recommendations they are required to make. However, there is a distinction between affecting policy development and actively advocating policy positions.

  Keep in mind that it is hard to defend the appropriateness of expecting elected officials to refrain from becoming directly involved in the management of the organization if you become directly involved in their policy-making arena. It can also be very challenging when some of your council members want you to become involved and others do not. If you have a clear and consistent philosophy regarding how you do or do not engage in policy discussions, requests from one or more council members to do so are easier to address.
- **Provide elected officials skills training to be effective policy advocates.** Not many elected officials come into office already possessing experience or skills in this area. Training can include preparing elected officials to make public presentations, providing guidelines to effectively deal with the media, and showing how to represent the organization to citizens and various advocacy groups. By helping council members develop such skills, you decrease the likelihood that you will be requested to play the advocacy role.
- **Create a framework for the council's community policy development.** Rather than just assuming that the council knows how to develop policies to guide the organization, managers can assist councils in developing structures within which the council can develop and communicate its vision for the community.

Techniques for doing this include

- Establishing a formal process for examining organizational mission and values
- Agreeing on a formal goal-setting and evaluation process
- Establishing a framework for getting early input from the council regarding policy direction in development of the annual budget
- Developing a yearly legislative agenda or calendar to identify policy issues the council wishes to pursue.

there is no reason to be blunt or rude in order to be straightforward and accurate. Likewise, as important as diplomacy is, it must not evolve into misrepresentation or duplicity. Managers need to be aware that even a modest shading of the facts can easily be construed as misrepresentation and dishonesty.

Sometimes it is necessary to convey the hard truths, even if you know they will not be well received. Communicating these truths honestly and openly, and in a timely manner, will demonstrate that you have the strength of character to make difficult but necessary decisions.

When you accept a new position, you work hard to develop the kind of reputation that will carry you through both good and bad times. Take the need to do so seriously. Once you have established that reputation, avoid doing anything that will squander it.

> If the elected officials do not trust you, or lack of confidence in you, ***all else will be futile.***

- **Show that you respect and value the council's role.** Managers often do not fully appreciate how important it is to demonstrate to elected officials how much their role in leading government is valued and appreciated. Whether elected officials are veterans or new to office, look for opportunities to show your respect for their office and to recognize their role in the organization. Appropriate respect and deference to their roles can greatly impact how council members view themselves as well as you.
- **Communicate information clearly and accurately, and in a timely manner**. Elected officials rely greatly on the information staff provides, particularly information from the manager. They must have confidence in the accuracy of the information they receive and that they are well informed, especially when the news is bad. Officials do not like to be surprised, so be sure to consistently communicate relevant information in a timely manner.
- **Present recommendations fairly (don't "spin").** There are times when managers are so invested in a staff recommendation that they try too hard to convince the governing board to agree with the staff's opinion. Leaving out relevant facts, not impartially communicating the pros and cons of various approaches, and artificially limiting potential options are all ways that staff can inadvertently damage their credibility with the governing board.

  You need to provide information in ways that make it difficult to be accused of inappropriately managing information. When it comes to issues of significant policy impact, it's particularly important to offer the council legitimate alternatives, including a thorough review of the pros and cons of each option.
- **Make follow-through a high priority.** Consistent and reliable follow-through, whether relating to a major policy decision or a relatively minor citizen service request, is one of the best ways to establish and maintain the trust and confidence of elected officials. Effectively carrying out a policy decision that was not supported by staff communicates a

powerful message in regard to the respect and value you and your staff have for the policy-making process. And there is no better way to establish the confidence of your elected officials in the ability of staff to undertake major projects than to effectively respond to less significant tasks—including citizen service requests—and to follow up with officials once the matter is resolved in order to close the feedback loop.

- **Allow the democratic process to play out and respect the result.** The final decisions of your governing boards will not always be consistent with your preferences and recommendations. It's especially important at those times to remind yourself and your staff that local government is operating within democratic institutions, and the ultimate right to make many decisions resides with the elected officials and/or the citizenry.

  While hard to sometimes accept, elected officials even have the right to make wrong (or what you believe are wrong) decisions. By being willing to accept such decisions (and implement them faithfully), you clearly communicate your respect for "the process," and you develop the confidence of your elected officials that you understand and appreciate both their roles and yours.

- **Tolerate imperfection.** None of us as individuals, and certainly when we operate in groups, is perfect in what we do and how we do it. The key issue is how we react to that imperfection.

  One of the unique challenges in the public sector is that those imperfections often play out on a more public stage than in the private sector. If you have a mature understanding of this as a reality of the world managers operate in, you will decrease your personal frustration level. The less you are frustrated, the more effective you can be in addressing the organization's challenges. Additionally, once you appear to become personally frustrated, the more difficult it becomes to maintain a positive working relationship with your elected officials.

- **Direct public recognition to elected officials and not to yourself.** Public recognition is a major (if not primary) motivator and compensation for being a council member. Managers need to be extremely careful to not appear to compete with their councils for this "compensation." While we all enjoy positive public recognition, managers should direct as much of that recognition as possible to their council members.

- **Play up the public perception (and reality) of the council's community leadership role.** Avoid at all costs upstaging or outshining the council. It is amazing how successful managers can be in initiating important projects and initiatives and carrying them through if they don't need to personally take credit for these successes.

- **Do the "small stuff" well.** Managers always need the trust and

While hard to sometimes accept, ***elected officials even have the right to make wrong (or what you believe are wrong) decisions.*** By being willing to accept such decisions (and implement them faithfully), you clearly communicate your respect for "the process."

confidence of their elected officials, and they particularly need it when making significant recommendations to the board or council on important strategic issues and projects. Often these recom-mendations are related to complex and technical issues about which elected officials will need to rely on their trust of staff's honesty and competency to move forward. The best way to establish the trust and confidence needed to achieve "big things" is to consistently do the small things well.

You and your staff regularly are asked to deal with relatively minor issues (often constituent based) that c an be viewed as getting in the way of or taking time away from more important tasks. While these issues may appear to be relatively unimportant in your frame of reference, they may be very important to the constituent and the elected official. Elected officials rely on the manager and staff to solve the problems of their constituents; the elected officials' credibility is dependent on the follow-through of the staff.

Both your overall credibility and your working relationship with your elected officials are directly affected by your response to these low-priority requests.

> "It is amazing how successful managers can be in initiating important projects and initiatives and carrying them through if they ***don't need to personally take credit for these successes.***"

Managing the Group Process

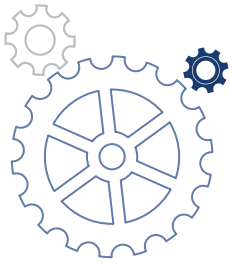
You are probably familiar with the traditional rule of thumb that an employee should only be responsible to one supervisor. Well, that's not the reality of local government managers. Managers have multiple "bosses" (i.e., the elected officials) yet their direction comes not from elected officials as individuals but as a group.

Your ability to increase the likelihood of receiving consistent and clear policy direction from your elected board is a key factor in your effectiveness. These tips can help create a favorable environment:

- **Establish whose job it is as early as possible.** One of the major sources of conflict between governing boards and managers relates to differences of opinion regarding roles.

  Life is much easier for the manager when there is clarity and mutual understanding/agreement regarding the appropriate roles of both parties. Sometimes one or both parties simply don't want to follow the established understandings. In other instances, however, an elected official may not have been provided the necessary background information to understand the reason for the distinction in roles.

  At the same time, managers need to exercise discipline by staying in their appropriate role based on their understanding with the governing board. Deviating from agreed-upon boundaries is seldom a result of a conscious decision to interfere with the governing board. Rather, it is much more likely a result of passionately believing that a certain course of action is best for the organization and/or community and that the manager's direct involvement and influence are necessary to



achieve the desired outcome. Nonetheless, if managers are perceived to be interfering with the governing board's policy authority, the board's respect for the manager's managerial authority will erode.

- **Seek clarity (even occasionally when clarity is not necessarily intended).** In most instances, direction from governing board members must come from the governing board as a group. Particularly in circumstances when an issue is complex and/or controversial, the direction of the governing body may not be clear. This can be a result of a true lack of clarity, or an instance when the governing board would prefer vagueness in its direction (usually when the governing board is trying not to overly antagonize a constituency on a controversial issue), or when there is a lack of consent or cohesiveness among council members.

  In these instances, you need to determine whether the lack of clarity significantly compromises your ability to effectively implement the decision. Usually the lack of clarity is not intentional, and the governing board will appreciate your desire to have clear direction.

- **Know when (and how) to intervene in the relationships between elected officials.** Not surprisingly, conflicts between governing board members often affect the functioning of the board as well as the effectiveness of the organization. There are times when one or more members of the board expect the manager to intervene. Proceed with caution:

  - *Involvement can backfire.* While most managers have the desire to try to assist their elected officials in a variety of ways, intervening in their working relationships can be difficult and have significant ramifications. You need to consider that while some members may welcome your involvement, others may not. Even worse, if you do become involved, and the issue does not improve, you may end up being blamed for the difficult relationship. Blaming the manager can become a substitute for board members taking responsibility for their own conduct.

    One approach is to provide informal feedback and suggestions to governing board members while avoiding becoming directly involved *as a go-between or mediator.*

  - *Seek allies, starting with the chairperson.* Often a better alternative to a manager's direct intervention in the relationship between governing board members is encouraging others, particularly other governing board members, to do so. Usually the first place to start is with the chair of the governing board. It is, in fact, the responsibility of the chair to facilitate the effective functioning of the governing board.

    At times, you may need to encourage the chair to become involved and/or offer suggestions on how to address the issue. Of course, it is possible that the mayor or chair may be the one wanting your direct involvement! In which case you may need to work with the mayor

> ...if managers are perceived to be interfering with the governing board's policy authority, ***the board's respect for the manager's managerial authority will erode.***

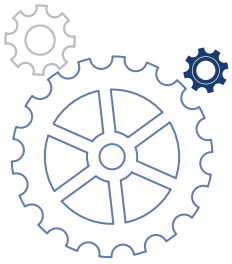
or chair to explain why you are not the best individual to take on the role.

- *Get outside assistance.* Another alternative is to seek a qualified outside facilitator to assist with relationship issues. The manager can play an important role in these circumstances by explaining the value of outside assistance as well as assisting (to the degree requested) in identifying potential facilitators. If possible, the ideal situation is to have a qualified outside facilitator with not only well-developed skills but also an outside perspective (in addition to an assumed position of objectivity).

> It is, in fact, the responsibility of the chair to facilitate the ***effective functioning of the governing board.***

KEY NOTES

- Start the council member orientation process early—even as candidates are campaigning—and as soon as possible once candidates have been elected.
- Do all you can to make sure council members feel they are playing a meaningful role in the organization.
- Keep in mind that if you become directly involved in the policy-making arena, it's hard to expect elected officials to refrain from becoming directly involved in the management of the organization.
- Communicating the hard truths honestly and openly, and in a timely manner, demonstrates that you have the strength of character to make difficult but necessary decisions.
- Effectively carrying out a policy decision that staff did not support communicates a powerful message about the respect the manager and staff have for the policy-making process.
- It is amazing how successful managers can be in initiating important initiatives and carrying them through if they don't need to personally take credit for these successes.
- The best way to establish the trust and confidence needed to achieve "big things" is to consistently do the small things well.



Chapter 2

THE QUALITY OF WORKING RELATIONSHIPS

Using interpersonal and communication skills to sustain a solid foundation

The knowledge and skills local government leaders tap into range from basic administrative/management competencies, such as finance and budgeting, human resources, and capital planning, to many specialty areas, such as public safety services, recreation/library services, and various maintenance activities. And, of course, managers need to have strong analytical skills, strategic problem-solving skills, and a long-term vision for their communities and organizations.

Yet it is often interpersonal and communication skills and talents that dictate to a greater degree a manager's long-term success. These skills ultimately translate into the quality of managers' relationships with their elected officials and other key constituents. See the "If Having Good Council Relations Is a High Priority, Act Accordingly" sidebar. No matter how technically skilled and talented a manager may be, without being able to establish and maintain effective working relationships with key constituents, primarily the elected board, the manager will not be able to maintain long-term success.

Reinforcing Good Habits

It surprises some managers to find out to what degree their expertise in technical areas can be overshadowed in the minds of their elected officials by their perception of the quality of their relationship with the manager. Chapter 1 described many good habits (see "Developing Mutual Trust and Confidence") that help solidify your relationships with elected officials. Steve Bryant (ICMA state liaison for Oregon) offered his own quick list of the "top five habits" essential to effective working relationships between managers and their councils in a November 2015 Public Management article. In addition, keeping the following points in mind can help you reinforce the habits that strengthen your relationships with your council members:

- **Don't underestimate the "soft skills" that fortify relationships.** Managers are apt to put less emphasis on the soft skills early in their careers when they're refining their technical skills, which managers appreciate as critical to their success. As managers advance in their careers, the soft skills become most critical because they are fundamental to success in working with elected officials and other key constituents.

  It's not uncommon for relationship-related issues and challenges to be the greatest source of difficulty facing managers—and they are often the toughest to deal with. A 2015 survey of 250 California city and county managers revealed that they considered relationship-related issues (versus technical issues) to be by far their biggest area of challenge in their work with elected officials.

- **Be open to feedback.** It can be quite problematic if you do not accurately understand how you are perceived by others—including by elected officials. Being open to, and even soliciting, feedback is an important strategy to better understand if how you intend to

SIDEBAR

IF HAVING GOOD COUNCIL RELATIONS IS A HIGH PRIORITY, ACT ACCORDINGLY

Managers know that their job security, how they feel about their job, and their effectiveness in the job all directly relate to the quality of their relationship with their elected officials. Yet managers don't always give the time and effort the relationships need. These two tips might help turn that around. (Also see "Developing Mutual Trust and Confidence" in the previous chapter.)

- **Reach out proactively.** Chief administrators have to balance many demands and must prioritize where they put their time and focus. Reacting to council member requests is a necessary but not sufficient aspect of a solid working relationship. You must also simply "put in the time" to proactively develop and maintain an effective relationship.

  New and first-time managers generally recognize the critical need to develop these relationships early in their tenure. But sometimes, over time, managers drift into spending less time proactively reaching out to and communicating with council members. This happens for a variety of reasons, including the demands of other work or possibly simply finding other aspects of the work more pleasant and/or fulfilling. However, not keeping these relationships (and the time necessary to maintain them) a high priority can ultimately be damaging.

- **Reinforce the relationship.** Council members also often develop a sense of how important the manager perceives them to be by the amount of time and effort the manager takes in establishing and maintaining a relationship with them. Although the need for such reinforcement can vary greatly among elected officials, you should never underestimate it.

  The basics of relationship maintenance include ongoing communication about important issues and policy priorities, as well as quickly responding to council member questions and concerns. Reinforcement goes beyond those actions to *proactively* reaching out to gauge how council members are doing and how they are perceiving the work of the organization. You can assume that your council members did not run for office in order to feel unimportant or ignored; don't inadvertently communicate that message by failing to focus on your relationship with them.

be perceived is how you are actually perceived. Obtaining regular performance evaluations from your governing board, while not always the most enjoyable experience for managers, is critical to increasing the odds of understanding how your performance is matching the expectations of your elected officials. In addition to other techniques to solicit feedback, techniques such as 360-degree evaluation instruments can be helpful in improving your understanding in this critical dimension of your performance. ICMA offers the ICMA Manager Evaluations Handbook as a guide for developing an evaluation tool that reflects a process mutually agreed upon by you and your elected body.

- **Develop a feedback plan.** Since the area of interpersonal and communication skills is one where there will always be room for growth and improvement, consider developing and periodically updating a plan for personal development. Develop a system of evaluation to provide feedback that will enable you to identify and assess your shortcomings. This will help you determine how you can grow further and identify resources to help you improve.

Knowing Your "Audiences" and Those of Your Council

Both the council and the manager have multiple and often diverse "audiences" that are important to their effectiveness. In most cases the audiences are the same, though the nature of the relationship can vary based on the differing roles of the manager versus the elected officials, as well as on the style each party brings to the relationships. Understanding who those audiences are and how to develop effective relationships with them is another key ingredient to a local government manager's success.

A primary, if not *the* primary, audience for the manager is the council. Establishing and maintaining an effective working relationship with the governing board occurs in the following important contexts:

- **Other working relationships.** You will not be successful, and will not maintain the governing board's support, if you are not able to establish and maintain an effective working relationship with a variety of other key constituent groups. Typical key audiences for the local government manager are
  - Governing board
  - Department heads
  - Community groups
  - Neighborhood associations
  - Employees
  - Employee organizations/unions
  - Newspapers/media
  - Business groups
  - Community nonprofit organizations

- Other jurisdictions with which a manager's organization must collaborate.

- **Effective relationship strategies.** From the outset, a local government manager has to develop useful strategies to work effectively with diverse groups of constituents. One significant challenge is prioritizing your time between the various groups and individuals with whom you need to relate. Another challenge occurs when you must make a decision or recommendation that will please one set of constituents but will be viewed unfavorably by another. That, frankly, is inevitable.

  The key, however, is to maintain a reasonable relationship with groups or individuals even when you can't make decisions in the manner that they are advocating. You increase the odds of being able to maintain those relationships when

  - You have worked to establish and maintain a positive relationship at times when a major issue is not in play. Develop a reservoir of goodwill before a potentially divisive issue needs to be confronted.
  - The manner in which you communicate/explain your decisions is professional and thoughtful. Being able to demonstrate that you seriously considered the concerns/perspective of the constituent group, even if you came to a conclusion different than what they advocated, can sometimes ameliorate their reaction to your action/position.

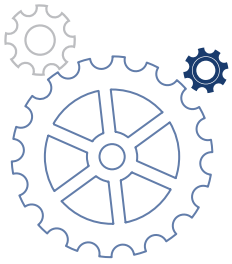
- **Impact of other relationships.** You need to be mindful of the impact that your relationships with various constituent groups will have on your relationship with the governing board and its members. The governing board will usually also share most if not all of these key constituent groups. And in the case of governing board members, they may view their relationship with such groups as a critical factor in how successful they are in their political careers.

  Even in situations where you have a reasonably positive working relationship with the governing board and its members, a challenging relationship with one or more key constituent groups can cause the governing board relationship to suffer. Managers have been removed from their positions not primarily because they were unable to work effectively with the governing board itself, but because they were unable to establish a reasonably positive working relationship with key constituent groups of the governing board.

> ***Develop a reservoir of goodwill*** before a potentially divisive issue needs to be confronted.

Understanding the *What*, *How*, and *When* of Communicating

How and when you communicate with your policy makers is one of the most important components of your relationship with them. A lack of timely and sufficient communication, or a disconnect regarding the style of desired communication, can be both a symptom and cause of a problematic working relationship.



- **Gauge what and how often to communicate, knowing that council members can use the amount and type of communication as an**

indication of their priority in your frame of reference. We often underestimate the degree to which council members look for subtle indications of how important the manager views their relationship. A perceived deficiency in communication or a disconnect regarding communication style can have a major impact on whether or not elected officials believe the manager values them, their working relationship, and their role in the organization.

How much time you are willing to devote to communicating with council members, the information you are willing to share, the timeliness of the communication, and the style in which the information is shared can all significantly impact the relationship.

- **Make sure the council always hears bad news from you first.** Nothing will damage the manager-board relationship more quickly than surprising council members regarding important information—particularly bad news. The worst "surprises" are when council members learn the information regarding significant and sensitive community issues from others (the press, community members, etc.). Additionally, if a council member needs this information in time to react to the public but you only provide it at the last minute, the effect can be similar.

  You never want your members to appear to the public as uninformed (or even out of touch) about what the organization is doing or about other important community issues. Bad news is difficult enough to deal with, but helping your council members by keeping them informed on a timely basis not only helps them adjust and appropriately respond to the news, but also avoids the impression that you are withholding information from them.

  A common reaction of managers is to wait to communicate bad news until more facts are gathered or until a solution to a problem is identified. While that can sometimes be an appropriate strategy in the short term, waiting too long can put council members in a very awkward spot, can damage their credibility with the media and the public, and can seriously, if not irreparably, damage your relationship with them.
- **Make sure the council is prepared to communicate to the public and media in advance of or during and immediately after a crisis.** Elected officials will often be under intense scrutiny during emergencies or crises. Keeping them well informed during such times is particularly critical. Whether or not elected officials are designated to be the face of the organization during critical situations, they always will be expected to know what's going on, and the public will look to them for accurate and up-to-date information. While the demands on the manager are likely to be intense under such circumstances, time must be taken to assure that elected officials are kept well informed.
- **Communicate in the manner that works for individual council members.** Individuals, and certainly elected officials, vary in regard to their preferred communication style. While it would be easier for the

local government manager to use only one style of communication with every board member, the manager doesn't have that luxury.

The variations in communication preferences are many and stem from time constraints, personalities, and work styles. For some members of the council, significant "face time" and one-on-one meetings are important. For others, written communication with considerably less meeting time is preferred. Additionally, managers need to recognize variations in the amount of information desired—from broad issue overviews to detailed reports with lots of background information.

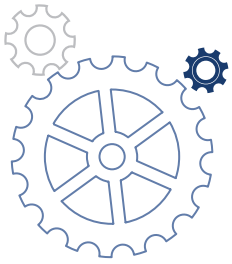
While it is possible to develop a consensus with the council in order to close the gaps on the extremes of these preferences, it makes no sense to communicate in exactly the same way to all elected officials when their communication preferences are quite different. If you don't have flexibility in this regard, you will inevitably leave one or more of your elected officials dissatisfied or feeling uninformed. Those council members can quickly become dissatisfied.

Your challenge is to determine how to make sure you communicate a "baseline" of important information so that no council members can legitimately say they were not equally informed.

> ***...it makes no sense to communicate in exactly the same way*** to all elected officials when their communication preferences are quite different.

- **Keep the council informed of major issues and important decisions outside its area of authority.** A council often cares about important issues beyond its direct authority. Keeping the council informed regarding key issues and decisions outside its area of direct authority can increase the council's confidence that you are taking care of these issues while also demonstrating that the council's involvement is not required.
- **Learn when and how to say *no.*** Often managers are required to say no to a variety of groups and individuals, including council members. That can be one of the most challenging positions for a local government manager, but it is inevitable. There are too many examples where a failure to say no has resulted in the manager becoming embroiled in ethical scandals, failing in professional obligations, and/or losing the faith and confidence of the remaining council members.

  However, often the key is not whether or not you say no, but how you say it. It's important to convey empathy to the person who has made the request. In addition, showing that you are willing to work with that individual (or group) to help identify other ways to address the goal can be very useful. Whenever possible, try to avoid making the issue "personal"—focus on the facts and your professional opinion.
- **Recognize that communicating with your elected officials doesn't "get in the way" of you getting your job done.** It is your job. Develop the mindset that communicating with your elected officials is an important component of your job, and not a distraction from your job. While you may prefer to spend your time on other tasks or there are times when it appears your time is not being well spent, remember that



the time you spend with your elected officials is usually very valuable to them and to your relationship with them. Never forget that you are the link between the organization and the council. This is why effective communication—and devoting adequate attention to maintaining the relationship—is an integral part of your job.

Establishing the Manager-Staff and Council-Staff Relationships

The relationship between the manager and elected officials does not operate in a vacuum. It is affected not only by the relationship the manager has with his or her own varied constituencies but also by the council's varied constituencies and audiences. One very important group affecting the success of both the manager and the council is the organization's staff.

As manager you must be able to select, lead, and maintain a qualified and effective group of staff, especially at the department head and managerial level. Likewise, it is important for key staff members (those who are most visible to the elected officials and community) to be able to establish and maintain the confidence of not only the manager but also the elected officials.

Managers can often run into challenges when their elected officials perceive that the manager is not maintaining a high enough standard for key staff members (i.e., the manager is perceived to be "protecting staff") or when they don't sense that the manager has an effective relationship with key staff members whom the council regards highly.

Therefore the need for the manager to establish and maintain a positive relationship with key staff is often a critical component of the manager's relationship with the elected body, as is the need to establish and maintain the credibility of the staff with the elected officials. Use the following observations as friendly reminders:

- **Remember that a manager's performance is tied to organizational performance.** You should never forget that you will be evaluated on not just your personal knowledge, skills, and performance, but also on that of the organization as a whole. Your ability to select quality staff members and, when necessary, change the composition of the staff, is a key area on which you will be judged. Your performance cannot be separated from the performance of the organization. Managers can often be judged harshly when they are unsuccessful in selecting quality staff members who are able to establish confidence in their performance with the council.

- **Build the relationship with key staff.** The absence of an effective relationship between the manager and key staff could have a significant negative impact on organizational performance and also could erode the council's confidence in the manager's abilities. It follows, then, that you need to devote considerable effort to establishing and maintaining a positive and supportive relationship with key members of your staff.

SIDEBAR

THE "END RUN" SITUATION

One of the most common and challenging issues managers can face in working with their elected officials is when one or more elected officials "end run" the manager in reaching out directly to staff. Regardless of variations in rules, regulations, and expectations regarding elected official contact with agency staff, it is a fundamental principal of the council-manager form of government that council members will not direct staff other than through the manager.

In some cases, all direct contact is discouraged. In other cases, asking questions is considered acceptable, particularly if directed at higher level employees such as department heads. Regardless of the specific protocols and expectations in your organization, the key is to start by creating as much clarity as possible regarding this topic. Without an early and clear discussion of the topic, you can expect that things will not go well.

Over the line. Unfortunately, you are likely to encounter circumstances at some point in your career when your elected officials will in fact "step over the line" and contact the staff either for answers to questions, to offer "suggestions" to the staff, or even to attempt to direct them to either do or not do something.

Easy adjustment. When this occurs, it's possible the elected officials simply didn't understand that they were not being consistent with expectations and protocols of the organization. In those instances resolution may be as simple as bringing this to the attention of the elected officials.

More difficult adjustment. However, in many cases you may encounter elected officials who don't want to "follow the rules." They may feel they can get what they want achieved more quickly/directly by reaching out to staff. They may also want to "demonstrate their authority" by doing so.

Resetting expectations. In those cases a more serious discussion with that elected official may be necessary. It will be important to point out why the reporting structure is set up the way it is (i.e., the reason for the form of government, why it is important, how it is not reasonable for employees to try to respond to direction from multiple sources, etc.). You can also point out how these actions can undermine your authority to effectively lead the organization and can actually result in a less effective response to their concerns. It is helpful to emphasize (and demonstrate) that the most effective way to get the information they need or action they request is through you.

Enlist support. You may also need to enlist the mayor or the council as a whole in cases where you are unable to have an impact on the conduct. They can help deliver the message about the expectations regarding elected official-staff contact.

Advise staff. It is also important to make expectations regarding council-staff contact clear to staff—including what to do if contacted by elected officials. Often it is helpful to give staff permission to say, "Sorry, that is a topic you need to take to the manager." While a difficult thing for a staff member to say to an elected official, if authorized to do so, it can make it a lot easier. Also, the staff needs to know that they should keep the manager informed of council contacts—and even let the elected official know that they will be letting the manager know.

ICMA members can access an excellent May 2004 Public Management magazine article on this topic, entitled "Six Reasons Why It's Best to Work Through the Manager," by Ken Hampian.

> ***The selection of key staff members*** is likely to be one of the most important factors on which a manager will be judged.

- **Start early to develop the relationship between key staff and the council.** A high priority for managers is the development of their relationship with newly elected officials early in their tenure. An almost equally high priority is establishing early on the relationship between the council and department heads and/or managerial team. Key staff members should be an integral part of the orientation program for newly elected officials. (See the "New Council Member Orientation" chapter.) The sooner these new officials understand the professional credentials of these staff members and begin to appreciate them as individuals (and not just titles), the better. Not establishing the protocols of these relationships can produce uncomfortable and usually unproductive encounters; see "The 'End Run' Situation" sidebar.
- **Help establish staff credibility.** Look for opportunities for key staff to demonstrate their skills to elected officials. You could achieve this by having staff make presentations at council meetings, committee meetings, or other meetings with the public where elected officials are present. It is also important to bring to the attention of elected officials the accomplishments of staff, including professional recognitions. Such exposure to elected officials helps establish staff's credibility. Above all, assisting staff members in understanding and meeting the performance expectations of the elected board is critical to their success.
- **Assist elected officials and staff in understanding the legitimately different perspectives each can bring to their roles.** It is natural for elected officials to bring a "nontechnical/community" perspective to their roles, whereas staff, quite naturally, bring a more "technical/professional" perspective. This is an appropriate by-product of local governments being both service providers and democratic institutions.
- **In a sense, the manager must be the translator between these different points of view.** You must be able to serve as an effective connection between these parts of the organization, helping each understand, appreciate, and respect the perspective of the other. If this is not done effectively, the by-product of these naturally different perspectives can be a lack of trust and confidence.
- **Establish and enforce high performance expectations for staff.** For the manager to maintain credibility, he or she must be able to maintain high staff performance. If the work of staff is not consistently meeting council or community expectations, this becomes a serious problem for the manager. The selection of key staff members is likely to be one of the most important factors on which a manager will be judged.

  While sometimes personally uncomfortable, you must be willing to establish and enforce standards of performance. If you are perceived as overly protective of staff or unwilling to address perceived performance issues, this can become a critical issue between you and the council.

  Challenges often occur when the manager determines there are performance issues with a key staff member who is viewed favorably

by one or more elected officials. In this circumstance, the manager needs to carefully assess how to proceed, including determining how to communicate to elected officials his or her assessment of that staff member's performance and providing evidence to serve as the basis for that assessment. This is often a critical step prior to taking action in regard to that staff member.

While managers do not control all the ingredients to achieve a positive and successful council-manager relationship, the manner in which managers undertake their roles and responsibilities can have a significant impact on the likelihood of achieving a high-performing organization.

Being Professional

The manager's ability to establish and maintain professionalism is critical to success and will serve as an important resource throughout her or his career. A well-informed understanding of the fundamental principles of the profession of local government management and the council-manager plan will always serve managers well. Bolster your professionalism with these actions:

- **Adhere to the ICMA Code of Ethics.** A fundamental guidepost for local government professionals is the ICMA Code of Ethics. The code informs managers' decisions regarding many issues associated with their work. A clear understanding of the code allows managers to do their jobs in a manner that is consistent with the accepted professional standards that have been developed and modified over the last 90 years.

  Due to the nature of a manager's work, including the responsibilities and authority he or she exercises, it is not uncommon for others, including council members, to ask managers to undertake their responsibilities in a manner inconsistent with their professional and personal values. The manager's knowledge of, and ability to refer to, the ICMA Code of Ethics and the principles of the council-manager plan will be helpful in responding to requests that are not consistent with these standards.

  Your familiarity with these topics allows you to explain to others why you cannot do something they may be requesting you to do. It is also less confrontational to refer to the requirements of the code or plan than to simply say you do not agree with the request.

  Educating the council and the community regarding the ICMA Code of Ethics can be a good way to establish realistic expectations. Indeed, introduction to the code is an essential component of any council/board orientation.

  One ICMA member has actually written op ed pieces in local newspapers in two of the communities she has served. She used these pieces to review and explain the ICMA Code of Ethics and her obligations relating to the code.

> The manager's knowledge of . . . the ICMA Code of Ethics . . . will be helpful in ***responding to requests that are not consistent with these standards.***

Seek ongoing professional development. You demonstrate your commitment to the profession and the relevancy of your professional skills through constant professional development. You cannot assume that the skills and knowledge you have today are going to be adequate to address the challenges of the future. Your willingness to continue to grow and develop as a professional not only enhances your skills but also communicates an important message to elected officials and fellow staff members regarding your commitment to high-quality performance.

The ICMA Voluntary Credentialing Program is a focused and systematic way to promote ongoing learning and personal professional development.

- **Share your professional judgment, not your personal opinion.** An important way to maintain professional respect from others is to act in a way that always demonstrates that you are expressing professional versus personal opinions. You are not hired because of your personal opinions and preferences. You are hired to offer informed professional opinions. You can quickly lose credibility and the respect of others regarding your professional skills if it appears that your actions are primarily influenced by personal preference and not professional judgment.
- **Seek guidance from colleagues.** One of the most important resources for managers facing challenges or simply seeking advice is their professional colleagues. Many whom we encounter don't fully understand or appreciate our "world"—a profession with unique characteristics, responsibilities, and experiences. This can lead to managers feeling isolated and, at times, unable to share with others the issues and concerns they are facing.

  Your professional colleagues can be a tremendous resource when facing challenges or simply seeking career advice. They share a unique vantage point with you that can help them relate to what you are experiencing. In many cases, they may have already experienced circumstances similar to those you are facing. Because of this, they can offer what has worked or has not worked in their experience. At other times, a colleague can just lend a "friendly ear" to listen to your concerns without necessarily offering advice.

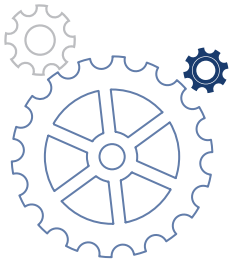
  Some areas have an established senior advisor program, which can be a tremendous resource. (On ICMA's website you'll find a description of the program and a roster of current senior advisors by state.) Senior advisors are experienced former managers who have likely either personally experienced (or know others who have experienced) similar challenges. It is often helpful simply to learn that others have encountered (and survived!) similar circumstances. If you need any more convincing, be sure to read Frank Benest's online "City Managers Need Coaches Too" column (Career Compass No. 45), which offers the reminder that everyone can benefit from a coach.

  It is important to create a network of colleagues (whether local, regional, in your state, or even in other states) to be able to consult when

necessary. Even managers who work in rural areas without colleagues in close proximity can use organizations such as ICMA to develop a network of colleagues. Such relationships are enriching during good times and often critical during tough times.

KEY NOTES

- Keeping council members informed about bad news on a timely basis not only helps the council adjust and appropriately respond to the news, but also avoids the impression that you are withholding information.
- It makes no sense to communicate in exactly the same way to all elected officials when their communication preferences are quite different.
- Never forget that you are the link between the organization and the council, and that is why effective communication is an integral part of your job.
- The manager's knowledge of, and ability to refer to, the ICMA Code of Ethics and the principles of the council-manager plan are helpful in responding to requests that are not consistent with these standards.
- Develop a reservoir of goodwill *before* a potentially divisive issue needs to be confronted.
- Establishing and maintaining good relationships with key staff members is particularly important because failing to do so can erode the council's confidence in the manager's abilities.
- Being open to and soliciting feedback is an important way to better understand if how you intend to be perceived is how you are actually perceived.
- Your network of colleagues will serve you well, especially when you're looking for advice or are in need of a good listener.



Chapter 3

GOVERNANCE

A comprehensive system of players, roles, and rules that propel good government

In the context of local government and for the purposes of this publication, the term *governance* is used to describe the full spectrum of control of an organization, from the elected governing body through the appointed chief administrator and on to the operations staff and employees. In this systems approach, the organization's success depends on all participants in the process functioning well in their defined roles. This chapter articulates who the players are, what parts they play, and the procedures they can use to be most effective.

Because so much of a manager's job satisfaction and ultimate success hinges on a productive relationship with the governing body, this chapter describes the governing role and how the manager can help the governing body understand it and operate effectively within it. Obviously the chief administrator cannot do this job for the governing body, or even make the governing body do it, but a thorough understanding of the value the governing body adds to the governance process is critical.

It is also helpful to describe this in some detail so that you can recognize good governance on the part of elected officials when you see it, and help them achieve it when it is lacking.

> The governing body articulates ***on behalf of*** others the desired vision of the community.

The Governing Body

Understanding the Difference Between Owners and Customers

One of the hallmarks of our profession is that the elected governing body represents the collective community. The governing body articulates *on behalf of* others the desired vision of the community. Think of the governing body as similar to the board of directors of a corporation—in this case, a local government corporation. The governing body seeks to understand the will of the various individual owners and translate it into a collective sense of direction. This is generally referred to as the policy arena and is clearly the domain of the elected officials.

As the local government professional, the chief administrator can often help elected officials—especially new ones—understand their role because, unfortunately, they often do not. It is not unusual for individuals to run for local elected office without much—or any—experience governing. Consequently, as is discussed elsewhere in this book, the chief administrator's skill in providing this educational component to elected officials can be critical for long-term organizational and governance success.

Who are the owners? One of the governing body's first and most important tasks, which the manager or other professional can help facilitate, is discussing, deciding, and understanding who the community "owners" are, what they want, and of what they want, what they are willing to pay for. Property-owning residents is an easy first cut on the "Who are the owners?" question. But what about nonresident property owners? What about residents who are not property owners? What about corporate prop-

erty owners? What about other institutions: churches, nonprofit organizations, service providers, school districts, universities, and so on?

Who are the customers? A subsequent question that helps clarify the nuances of ownership is about the customers of the organization. Customers are easy to spot in such areas as utilities, recreation and parks programs, and the like, where folks choose to sign up, pay a fee, and consume a product or use a service. But what about a casual visitor who simply enjoys a quiet moment in a park? The renter whose utilities are included in the monthly payment? That student at the local university who lives on campus? What about that nonresident involved involuntarily in the municipal court process?

The insight, of course, is that most people fall into one or the other and often both the owner and customer categories. That's why it's so important for the governing body to look at the underlying good it is trying to do, on behalf of which segment of the community, clearly separating the issue from the individual or party.

SIDEBAR

SHOWING YOUR COLORS

This discussion of owners, customers, and levels of service can get very involved, especially since the governing body members generally fall into both categories. One of the recent ICMA Program Excellence Award winning communities uses a "placard fan" approach to institutionalize this insight. During retreats or more informal work sessions, they print the various roles from which an individual governing body member might operate on colored card stock hand fans (one color per role) and ask members to hold up the appropriate role placard when they are speaking so that the other members and the staff can visualize them in that role and interpret their comments appropriately.

For example, the mayor is also a property owner, a customer, a school board member, and a volunteer in community organizations as well as the parent of children active in the school and in community programs. When discussing fee philosophy for parks programming, the mayor might hold up the mayor placard and talk about establishing fees that are competitive with neighboring and peer communities. Then later in the conversation, the mayor might hold up her parent placard and speak about the challenges associated with paying for multiple participants in city-sponsored programs.

The value of course is that while it is the same person speaking, the role—and consequently the governance component of the comment—is easily recognized and treated appropriately.

The private sector is very clear about this difference in ownership and customership. Owning stock in a major fast food company does not entitle you to short circuit the line at the drive through. Even a significant ownership stake in a major amusement park company does not allow you to use the park outside of normal operating hours. An owner and a customer can be the same person, and very often are, and still be treated differently depending on the issue at hand.

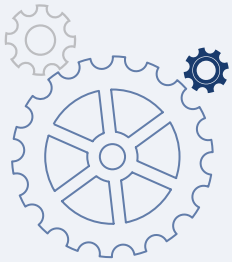
In other words, before tackling items brought to it by the staff or citizens, the governing body should ask itself, "Is this an ownership or customership issue?" And since the governing body by definition is the steward of the community on behalf of the owners (however owners are defined), then the governing body has an obligation to focus on that ownership perspective.

This of course means that the administrator is responsible for providing customer service at the level the community is willing to pay for. Missing the mark in this arena is one reason why governing body members often insert themselves in operations—either out of a desire to "help" the staff or "fix" the process. When the governing body is clear about the level of customer service it expects—and is willing to pay for, then the administrator can implement the procedures and processes necessary to provide it.

SIDEBAR

TIMING IS EVERYTHING

Many communities start this good governance education early by conducting a council candidate orientation after the local filing deadline and ahead of any election. They use the time to underscore the value of the relationship between the governing body and the professional administrator, the role that each plays in the governance of the community, and how inquiries from the campaign trail can be handled. While only some of the candidates will be successful, these orientations are a great way to help educate interested individuals about the council-manager form of government.



Following the election, these communities conduct new council member orientations to further clarify the roles and responsibilities of the elected/appointed partners and the behaviors appropriate to each arena.

Administrators then fairly quickly use a retreat process to solidify relationships among the governing body members and to revisit any significant outcomes that the governing body is pursuing.

Roles Distinguished by the What *and the* How

Best practice governing bodies are clear about their role—they know their job and are disciplined about staying in their appropriate arena. The members of the governing body work together to provide policy decisions that benefit the community as a whole and provide quality service to all. They alone can answer the *what* question and must also refrain from engaging in the *how* implementation. They ask themselves, "On behalf of the owners, what do we want, when do we want it, and how much are we willing to spend to get it?" With these parameters clearly laid out, governing bodies can then determine risk and assess organizational performance against their standard.

Many governing bodies choose to articulate their job in a manual or job description. Elsewhere in this e-book we discuss what types of behaviors and responsibilities such a manual might cover. Additionally, many local governments have charters or state laws that prescribe the range of responsibilities. From a governance perspective, it is sufficient to say that understanding the difference between articulating a desired outcome and directing how it is to be achieved (the latter being the role of professional staff) is most critical. It is a foundation of good governance.

Here again the chief administrator can greatly assist the governing body by providing education about what good governance entails. The administrator can also maintain and keep up-to-date any documents that are developed in the form of a council manual.

> ***...when the governing body articulates the desired future state,*** it makes it much easier to understand the work necessary to achieving it.

Setting Targets

With a thorough understanding and acceptance of owner values, the governing body can best assure the accomplishment of its desired state by setting targets. In fact, the clearer the target and the better delineated the bull's-eye, the greater likelihood staff will accomplish the desired outcome. Stephen Covey, of *The Seven Habits of Highly Effective People* fame, called this "beginning with the end in mind." As staff you recognize that when the governing body articulates the desired future state, it makes it much easier to understand the work necessary to achieving it.

Starting with values, vision, and mission. With the concentration clearly on the owners, the governing body can look to the future and describe that future in terms as if it had already occurred. This tried-and-true method of articulating values, vision, and mission is a great place to start. What the community values is a critical question. While the values of safety, health, and attractiveness might be somewhat universal, many others are not. Do the owners desire ultra-low density with not much public infrastructure, or would they rather see moderate density with significant public infrastructure? Is homogeneity prized over mixed use? Neighborhood parks or regional parks? Preservation of natural beauty or repurposing? Do aesthetic considerations outweigh being development friendly? Rapid growth, slow growth, no growth?

> It is in this community visioning process that ***individual community identities begin*** to become most clear.

Agreeing on the community's values. This rigorous focus on the future of the community is the true and significant purview of the governing body. With the community's values discussed and agreed upon, the conversation on vision becomes more thoughtful, and any disagreements or discussions can be evaluated against these values. Again, what do the owners want, and what are they willing to pay for? It is in this community visioning process that individual community identities begin to become most clear.

"Our city is a safe, clean, affordable city. We are a family-friendly community of strong moral character, solid values, and a caring spirit. We strive to provide the right balance of cosmopolitan and rural areas by offering a well-planned and growing community that focuses on a wide variety of business, educational, cultural, entertainment, and recreational opportunities. We are a diverse, friendly city that encourages individuality and excellence."

This vision is clearly different than, "Our city combines world-class events, science and technology, arts and culture, and history and architecture with great neighborhoods and opportunities for all."

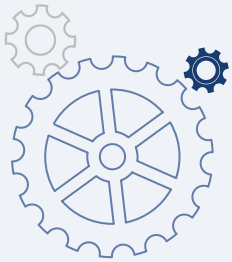
And both are different from, "Our city is an oasis of natural beauty that maintains open spaces in balance with distinctive development, trails, and quality-of-life amenities amid an ever-expanding urban landscape."

Again, note that these statements all occur in the present tense, even if this desired state has not yet been achieved, and leave sufficient room for

SIDEBAR

ARTICULATING OVERARCHING VALUES

When the governing body discusses values, vision, and mission, it is important to note that these are not operational values, or even the group values of the governing body. These are community values best understood by input from the community—formally or informally. Some councils use formal listening sessions on certain topics to gain insight from attendees. Others use surveys, coffees with the mayor, council district constituent meetings, or neighborhood or home owner association meetings to gather this input. Particularly in very diverse communities, this owner input piece can be challenging. Still, irrespective of the methodology, the intent is to hear from community members about what they value so that the governing body can coalesce the input into overarching values.



the professional staff to make reasonable interpretations of their meanings and, consequently, the mechanisms to achieve them. Management of a city or county becomes a unique endeavor once the vision is articulated, and so the implementation must reflect the values and vision of the council.

Identifying Risks

As in all things, there is risk associated with local government. Some of these risks are inherent in a 24-hour-a-day, 7-days-a-week operation with many separate lines of business. Each time a police officer makes a traffic stop, each time a sanitary waste worker descends into a manhole, each time an electric lineman climbs a pole, each time a parks worker starts a gang mower, there is the potential for bad things to happen. These are obvious job-related risks.

Other risks include portfolio protection, credit risk protection, human resource risk, customer protection risk, confidential information risk, economic risk, business continuity risk—the list seemingly goes on and on.

It is the responsibility of the governing body to be thoughtful about the risks it faces and, more importantly, to decide how to mitigate those appropriately through delegation to the chief administrative officer. The governing body does not deal with the organization risk directly; it simply defines its collective degree-of-risk comfort zone and delineates the limits of the risk it is prepared to take. As the professional staff, the chief administrator can determine recommended best practice, solicit local comparable practice, and even (if asked) provide recommendations to the governing body as they debate these significant constraints on executive latitude.

For example, policing is inherently dangerous, with inexperienced officers certainly more likely to make mistakes than seasoned ones. The council's comfort zone in this arena might simply be that all officers be adequately trained and supervised, with the directive to the chief administrative officer not to allow undertrained, unsupervised officers. Within this parameter the administrator might interpret this to mean only seasoned officers can be hired, or conversely, that inexperienced officers can be hired and then must have a prescribed number of hours with a field training officer before they can operate independently.

Financial risk is another huge arena where the council should define its comfort zone. Is the council comfortable with self-insuring some risks, or is commercially available insurance more acceptable? If commercial, at what level—100% replacement, 80%, and so on. Is this different for rolling stock than real estate? What about employee health insurance?

How about hiring practices? Is the governing body comfortable with simply adhering to appropriate law, or is a higher standard desirable for its particular community? What about human resource practices? Customer treatment? Other risks?

Taken in conjunction with owner input about the articulated quality of life in the community, the governing body's decisions need to reflect a level of service and level of protection that align with the community's

> "The governing body's decisions [about risk tolerance] ***need to reflect a level of service and level of protection*** that align with the community's vision."

SIDEBAR

STRATEGIES TO HELP BOARD MEMBERS SUPPORT SMART RISKS

So, how can the chief executive help board or council members take responsible risks? Our practice as long-time city managers in various communities, plus now as consultants promoting innovation and good governance, suggests that boards must help create a safe environment for responsible risk taking. There is no perfect way, but here are some suggestions on how you can support boards in their risk tolerance:

1. **Don't allow people to personally criticize staff for well-intentioned efforts.** This is critical if your board is serious about promoting innovation. Residents can criticize ideas or policies but not the people involved. As a chief executive, you can work with your council to develop and adopt a list of protocols to promote decorum and minimize staff bashing at public meetings. As part of a new board member orientation or an annual board training session, you can discuss the rules of decorum. Finally, if the board chair fails to encourage board members or the public to adhere to these standards, you can ask for a break and remind everyone about civil discourse and a need to focus on ideas, not people.
2. **Call everything a "pilot" (even if it really isn't!).** Why? Residents will more likely expect some mistakes or failures if it is a trial from which the local government will learn what works and what does not.
3. **Do a risk assessment in public.** Discuss in public that innovation does not occur without some risks and inevitable errors. Provide a risk assessment as part of an innovative proposal and discuss what is a responsible risk versus what may be a gamble or reckless risk. As part of the risk assessment, thoughtfully balance potential downsides and upsides.
4. **Tie the innovative proposal to the larger agenda.** It is easier to promote a risk if it can be linked to the board's already approved priorities or strategic plan, or if it can be discussed as an extension of another public or private investment already underway.
5. **Seed innovation by creating a small risk fund.** Propose to the board that it create a small pool of money that groups of employees and perhaps community partners can compete to spend on creative ideas. Ensure that the competition process is fair and that reports are provided to the board on what is learned for future innovation. Identify wherever possible the return on investment over time. The net gain (e.g., cost savings, productivity improvements, and crime or traffic reduction) will offset the losses from other projects that do not pan out.
6. **Engage in proactive media communications.** While there are never any guarantees about fairness when dealing with local media, it is always a good idea to proactively meet with media representatives so that they understand the rationale for the innovative approach, what is being proposed and what is not, and the risk assessment that is being conducted.
7. **Take action before every question or concern has been addressed.** The great organizations in the private and public sectors have a "ready, fire, aim" orientation. Suggest to the board that staff wants to get things "roughly right" and explain that any creative approach will need fine tuning as efforts unfold. This may prevent a board from sending an innovative proposal back for more staff work countless times until the idea dies or staff just gives up.

8. **Partner with a nongovernmental group and spread the risk.** Collaborating with a nongovernmental partner can generate more and sometimes better ideas on how to address the challenge. Given the "trust deficit" experienced by many local governments, the partner can also take the lead and "front" a particular innovation. This approach also spreads the risk and some of the costs to more groups.
9. **Take an incremental approach to risk and innovation.** If the local government takes a few incremental steps in starting a project, it is easier to back off a risky project if things go terribly wrong or if the city gets hit with significant opposition. Typically, such initial steps do not require a heavy financial investment at the beginning. In other words, it is "reversible." Conversely, if the initial efforts create positive results, the local government can slowly build momentum and public support for the endeavor.
10. **Be transparent about all results, especially about any mistakes, yet encourage the board members to demonstrate reasonable restraint in their criticism.** Ensure that the staff disclose any shortcomings or failures and what is being done to correct the situation. Encourage the board members to express any concern about the lack of progress or any failure to achieve what was intended and make any helpful suggestions without personal criticism.
11. **Debrief the experience with the board and community.** At key points along the way as well as at the end of an experiment, help the board and staff in public session address the following questions:
    a. Given our goals, what has gone well?
    b. What has not gone so well?
    c. How did we respond to inevitable problems?
    d. What did we learn for the future?
12. **Celebrate "fabulous flops."** Of course most of us are good at scheduling time on a board agenda to recognize a successful project and the staff involved. However, it is even more powerful to celebrate at a public meeting an audacious effort that falls flat. Such "fabulous flop" awards encourage staff and community partners to experiment even if they fail.

vision. These are clearly governing body decisions, but as in most of the governance arenas, a strong partnership with the chief administrator is hugely valuable.

Note that while many of these decisions seem pretty clear and are often taken for granted, it is important to have these conversations in advance of any pressing need. Discovering whether buildings are insured to replacement value, original value, or depreciated value *after* a disaster is often problematic. Any of these situations may be quite viable and acceptable, but it is important that everyone understand what they are, to avoid surprises and pointed fingers. The sidebar "Strategies to Help Board Members Support Smart Risks" provides tips on creating an environment that enables councils to take responsible risks.

> The governing body holds the CAO accountable for ***achieving the targets and staying within the risk parameters***.

Delegating the Work

Once the governing body has agreed on the risks it faces, it can then effectively delegate the achievement of the targets within the appropriate parameters. This is truly where a professional credentialed CAO can have the biggest impact. It is his or her job to understand, interpret, and articulate what the governing body has asked for, translating it into organizational performance activities that stay within the established risk boundaries. A well-managed local government demonstrates efficient, effective operations focused on outcome achievement appropriately delegated throughout the organization.

Again, the value of the council-manager form of government is most clearly on display in this handoff from desired outcomes to the implementation of activities to accomplish them. The governing body holds the CAO accountable for achieving the targets and staying within the risk parameters. The governing body does not have to "help" the CAO accomplish the outcomes; indeed such help is generally a hindrance not a help in implementation. This is not to say the governing body cannot offer advice and counsel or serve as a sounding board for suggested activities. After all, they in many cases have a great sense of how constituents and community members might react to any given activity, and the CAO would be foolish to not factor this wisdom into the decision-making process. It is important, though, for the CAO to let the governing body members know in advance that, while seeking their feedback, it is still an administrative decision on how to proceed.

When governing bodies have the discipline to maintain this separation, it allows them to hold the manager fully accountable and removes the "Well, I was just following your suggestion" excuse when there are challenges.

Assessing Performance

The governing body is also the only group that can appropriately judge progress toward its desired targets with operations that stay within the

defined risk parameters. It must assess whether the CAO appropriately understood what was asked for and designed an organizational response that is effective and appropriate given what was said about risk.

For example, a commonly articulated outcome is that the community be "safe." Many governing bodies go further to articulate what safe means to them. They might do this in terms of performance against a standard such as, "The community enjoys a part one crime rate (as defined by the Uniform Crime Reporting Program) that is in the lower quartile for communities of our size."

With this objective in mind, the CAO can implement the method and scale of policing that is appropriate and affordable. And he or she can assess the myriad other factors—such as lighting, neighborhoods, infrastructure, and communication—that affect and impact safety and that are all in play in the achievement of the desired outcome.

Because the chief administrator is tasked with a result, the governing body can refrain from establishing a committee, a subcommittee, or a task force that inserts itself into the operational process. Establishing predetermined times for the governing body to examine progress toward the outcome and compliance with the risk parameters is a step that helps the governing body maintain its focus on policy.

SIDEBAR

CLARIFYING CONFLICTING DIRECTIVES

Many community charters clearly delineate that the chief responsibility of the governing body is to determine policy and to hire the CAO. State law then prescribes the ministerial acts of the governing body, which sometimes include approval of all expenditures, ratifying contracts, and approving such items as plats or zoning changes. This often results in lots of confusion. If the governing body has to "ratify" a contract, do they need to be involved in setting the terms? If they have to "approve" all expenditures, do they have to see those expenditures prior to funds changing hands?

Most communities adopt procedures that clarify these conflicting directives. For example a Texas city whose council recently was awarded the "City Council of the Year" designation separates its agenda into Statutory, Consent, Regulatory, and Governing categories, with definitions of each making it clear when the governing body is merely approving an action that was already taken in accordance with previous direction versus when it is having significant policy conversation about future direction.

Practicing Discipline

While good governance—that is, each element of the organization-wide system knowing its role and how to execute the role—is not so hard to achieve, maintaining good governance requires dedication and discipline. The temptation on the part of the governing body to suggest solutions and strategies is constant. In fact, pressure from the community and the positive feedback for getting involved in operations often make it especially enticing. It is common for those in elected office to want to help, to serve others, and to problem solve, and these desires often lead to forays out of the policy and outcome arenas into the procedures component of the organization. Of course, as soon as the governing body suggests or even approves a particular methodology of achieving one of their outcomes, they have absolved the CAO of responsibility for it. After all, if the governing body tells the CAO how to do something, the governing body owns the results—good, bad, or in between.

Reporting Back

Since the authority to govern begins with the owners, and because it is their resources that are used for the collective benefit, it is incumbent on the governing body to inform the owners of what the organization has done on their behalf and seek feedback. This "full-circle linkage" is ultimately the beginning of a new cycle of understanding what the community wants and providing direction.

Many cities do this through a year-end report—similar to a corporate annual report—or through a series of community meetings, or even a state-of-the-city address with feedback sessions.

The Chief Administrator

Key Role

Much like any CEO, the chief administrator is specifically charged with fulfilling the governing body's vision in an effective and efficient fashion. Considered an implementer rather than an initiator of policy, the chief administrator's role is to interpret what she or he has heard from the governing body into actionable items for the staff to accomplish. Since the governing body is acting in good faith, it is incumbent on the chief administrator to ensure that the organization is as well.

The governing body provided the targets as part of its efforts. Next the chief administrator has to clearly understand and translate the targets into actions for the organization to undertake within the resources available. Sometimes this means interpreting what the governing body meant by what it said. This interpretation must be reasonable within the confines of the resources, and the action steps to achieve them should be clearly stated, tied to budgets, and with progress measured.

We discuss in some detail in the Overview chapter of this e-book the components of the relationship between the chief administrator and the

governing body, so for the purposes of good governance, suffice it to say that a strong elected/appointed partnership is critical for successful implementation of articulated goals or targets. Communication is key.

The Implementation Process

Ideally each component of the organizational implementation can be directly traced to the appropriate council outcome. Think of these implementing components as strategies for accomplishment, which in the aggregate result in a strategic plan, or what some communities call a "strategy map." For the sake of transparency, each strategy can have accompanying action items or tactics necessary to support or achieve the desired result, with the responsible staff person(s) identified, all of which is linked directly to the strategy map. Additionally, the budget document can be tied to the strategies with monies very clearly associated with the relevant council outcome. Efforts are measured and accomplishments reported regularly. In short, both elected officials and management are aligned in such a way as to provide the best possible results for the community.

Both parties recognize and appreciate the special value of good governance when the CAO's management of the organization aligns well with the governing body's stipulated organization outcomes.

> "Both parties recognize and appreciate the special value of good governance when the CAO's management of the organization ***aligns well with the governing body's stipulated organization outcomes.***"

Other Players

While we are dealing largely with the relationship between the CAO and the governing body, the CAO of course must rely on the members of her/his team to implement these strategies. Depending on the size of the organization, this can involve deputies or assistants through key directors and/or department heads. The CAO needs to be sure each member of the team understands the outcome, the strategy, the resources, and the key performance indicators, and then must hold each member accountable for successful implementation.

These accountability methodologies can vary significantly from community to community, but most have the commonalities of agreed outcomes, agreed time frames with check-ins, agreed data capturing, and appropriate report outs. Many CAOs use a staff leadership retreat following the governing body retreat to provide clarity about direction and get leadership team buy-in. The process here is not as important as ensuring that the organization knows that each member has a role to play in implementing council outcomes and will be held appropriately accountable for results.

These critical individuals must in turn do the same for their individual teams so that at the end of the day, each and every employee can know that their contribution to the success of the organization is real and appreciated.

Good governance requires that all parties in the municipal organization understand their unique roles. It is the governing body's responsibility to focus on its unique connection with the "owners" and convert owner desires into appropriate community and organizational outcomes. And it

is the chief administrator's responsibility to translate those outcomes into organizational activities that accomplish the outcomes.

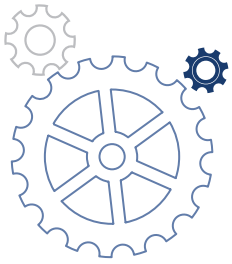
Good governance occurs when these separate functions are accomplished with full respect for everyone involved in the process. This core principle of good governance, in combination with the principles articulated in the Overview and Working Relationships chapters, constitutes the basis of the following tip sheet for creating effective relationships with your elected officials:

- Understand how elected officials define success in their roles.
- Make yourself available to talk to/meet at their discretion.
- Be a careful listener to both what is said and what is meant.
- Always give the impression that elected officials and their concerns are a priority to you and the organization.
- Make sure that the follow-up to the council's and its constituent's issues is timely and responsive.
- Never allow disagreements to become personal.
- Always show due respect for the roles elected officials play.
- Be patient and avoid demonstrating frustration.
- Demonstrate emotional maturity.
- Always be truthful and accurate—never "shade" or "spin."

KEY NOTES

- Good governance happens when the players (the governing body, the chief administrative officer, and staff) truly understand and respect each other's roles in the process.
- The governing body by definition is the steward of the community on behalf of the owners (however owners are defined) and has an obligation to focus on that ownership perspective.
- It's never too early to offer good governance education; a council candidate orientation prior to any election makes sense in many situations.
- A rigorous focus on the future of the community is the true and significant purview of the governing body.
- It is in the community visioning process that individual community identities begin to become most clear.
- The governing body coalesces community input into overarching values and articulates the desired outcome(s).

- The CAO directs how this vision is to be achieved and implemented.
- The governing body defines its collective risk comfort zone—a level of service and level of protection that align with the community's values. The CAO uses these parameters in interpreting how to achieve the desired outcomes without crossing boundary lines.
- Establishing predetermined times for the governing body to examine progress toward the outcome and compliance with the risk parameters is a step that helps the governing body maintain its focus on policy. Just as real estate is all about location, location, location, good governance is all about communication, communication, communication—be it with the community, the governing body, or staff.



Chapter 4

NEW COUNCIL MEMBER ORIENTATION

Positive relationships start here

Early orientation for new members of the council is both a responsibility and an opportunity for local government managers. A well-organized and informative orientation program must help council members clear the hurdles they encounter while adjusting to their new roles and responsibilities. At the same time, an orientation helps new council members establish effective working relationships with peers on the governing board and with staff. And not least of all, a solid orientation program ensures a good first impression for newly elected council members.

It's easy to undervalue the effectiveness of new council member orientation: Managers and staff may not fully appreciate how difficult it is for most individuals to adjust to the roles and responsibilities of a local elected official. With the rise of social media and other forms of electronic communication, council candidates and newly elected council members are more frequently exposed to—you might even say bombarded by—more information from more sources. While some of this information is accurate, much may not be.

An Investment with a Solid Return

Your thoughtful and comprehensive outreach to candidates (see "How to Plan Your Orientation Program" later in this chapter) and newly elected members increases the likelihood that they will start their careers in local government with a foundation of accurate information. Although an effective program requires considerable time to plan and execute, the effort will result in a rewarding orientation for all involved.

Most newly elected council members have some sense of the local government administration, staff responsibilities, and the organization as a whole, and these impressions will be either reinforced or modified by their experiences during their first few weeks and months on the job. Design your orientation program to play a significant role in forming those impressions. No one approach works best. The orientation should reflect the circumstances of the community, the needs of the new council members, and the manager's and organization's style.

While the program is unique to the people and organizations at hand, it also consists of fundamental components and practices that seem to work well in most situations. This chapter starts by examining more completely the reasons for and benefits of conducting an orientation program and then takes a look at these common elements of successful orientation programs:

- Structure of effective orientation programs
- Components of effective orientation programs
- Topics to cover during orientation
- Common types of orientation programs
- How to plan your orientation program
- Effective orientation practices.

Note: This chapter is adapted from "New Council Member Orientation: Developing a Positive Relationship," by Kevin Duggan and Nadine Levin, *InFocus,* Volume 46, Number 2, 2014. ©ICMA.

SIDEBAR

STARTING EARLY: ORIENTATIONS BEFORE AND AFTER THE ELECTION

Mountain View, California

The goal of Mountain View's candidate orientation program is to have candidates who are better informed about city operations and issues, with the hope of having less misinformation during the campaign. The orientation can also have the benefit of alerting candidates to the complexity of the issues they will confront, with the potential that candidates will be less likely to take premature positions without adequate information during the heat of a campaign.

A candidate orientation also provides a forum to cover state or local regulations related to election campaigns. Better informed candidates are likely to be more responsible campaigners and eventually better council members. Once the voters make their decision, Mountain View implements a newly elected council member orientation.

Source: City of Mountain View, California, Administrative Procedures Manual.

Lake Forest, Illinois

Term limits and the election cycle necessitate that Lake Forest annually conduct new aldermen orientations. From Lake Forest's experience, it is best to start the process as early as possible. Local government managers in Lake Forest start providing information to candidates as soon as their names have been certified for the ballot.

All candidates receive city council and board and commission informational packets (except for confidential information). Examples of other documents provided are budgets, zoning codes, and strategic plans. After the election, Lake Forest staff conduct a one- to two-day orientation tailored to the needs and interests of the individual elected official. Staff describe their approach as "structured, but informal" and emphasize "one-on-one" meetings with the city manager, mayor, and department heads.

Source: City of Lake Forest, Illinois, city manager's office.

Reasons for Conducting an Orientation

As highlighted here, the reasons for taking the time to develop and implement an orientation program for newly elected council members are compelling.

> ***Early in their tenure*** is when new council members are likely to be ***most in need of staff's support.***

- **Becoming an effective council member is hard work.** Many individuals elected to local government office have had little or no direct experience either with the organization they have been elected to lead or with local government in general. Additionally, new council members have little opportunity to grow into the job. Immediately upon taking office, they are required to exercise the full authority of the office—no internship or apprenticeship here!

  In most communities, elected officials have to become acquainted quickly with a wide variety of topics to which they have had little or no exposure. Likewise, citizens almost immediately expect them to be experts on topics ranging from law enforcement to library collection, information technology, and social media policies.

  Although it will be appropriate and relatively easy for council members to refer inquiries on many of these topics to staff, the public that elected them will expect them to know at least some basics about all these topics.

- **Important decisions often will not wait.** It is rare for cities to have the luxury of deferring important decisions until newly elected council members are fully acclimated to their new roles and responsibilities. Issues often have their own critical path and may need to be addressed regardless of the tenure of council members.

  An effective council member orientation program is not a guarantee that new council members will be able to rise to the occasion of tough and important decisions early in their tenure, but it certainly increases their chances.

- **Staff can demonstrate the importance of the transition.** Early in their tenure is when new council members are likely to be most in need of staff's support. An informative orientation program demonstrates that you and your staff appreciate the importance of a council member's transition to a public role and are committed to assisting and supporting council members in their new responsibilities.

- **The manager can learn about new council members.** Too often, orientation may be viewed as a unilateral benefit wherein the new council member is the sole beneficiary, learning about local government issues and operations. Yet an orientation also presents a valuable opportunity for the city or county manager and senior staff to learn about a new member's interests, knowledge of local government and the issues, and his or her experiences.

- **The manager can jump-start relationships with council members.** It has been demonstrated in more than one poll of city managers that the

relationship between the council, the manager, and staff is one of the most important factors in determining the manager's job satisfaction. An effective orientation program can create a good first impression by modeling the type of open and informative communication with council members to which staff are committed.

Orientation is also an excellent time to encourage staff (not only the local government manager and the executive staff) and council members to get to know each other outside the spotlight and formalities of a council meeting.

- **Council members take on new legal responsibilities.** After their election, new council members have legal responsibilities much different from those of private citizens. They have financial disclosure obligations, and they will certainly (and suddenly) discover pitfalls to avoid, including conflicts of interest (see "Ethics and the Elected Official" sidebar). The sooner they are aware of their new obligations and the full implications of their new status, the less likely they are to run into problems.
- Council members may be surprised about the public nature of community input engagement and group decision making. Newly elected council members may have little or no experience in considering public comments and group decision-making dynamics. It is even less likely that they will have had experience doing so in the very public atmosphere of the council meeting. The sooner they gain an understanding of these dynamics and learn how to function best in this environment, the more likely it is that they will be effective in their new role.
- Council member issues and priorities can be identified early. A council election campaign will often provide plenty of clues about the priorities of the newly elected members, but an orientation program offers an opportunity to confirm and clarify those priorities. It can often be interesting to learn what was and was not said (or, possibly, what was and was not meant) during the heat of the campaign. The orientation process can provide helpful information about the priorities of new council members that might not be immediately apparent through formal council meetings.

An Opportunity Missed?

Conducting an orientation for new council members is routine in many jurisdictions, for the many reasons outlined here. However, two mistakes are also common:

- Going through the motions. It is tempting to conduct a rudimentary, quickly thrown-together program in order to minimize time and effort. In addition to missing the opportunity to realize the many benefits of an effective orientation, a poorly prepared orientation can create a negative first impression.

- Delaying the orientation. Getting around to an orientation only when time permits greatly reduces the value of the orientation when it is eventually conducted.
- Much of the value of an orientation can be lost if it is not conducted quickly after an election because
- Early in their terms, new council members are not yet in the midst of council work and deliberations, and they will still have time to take a global view.
- Orientation introduces new council members to resources and vocabulary that they will need early in their tenure.
- New council members can meet department personnel and begin building good working relationships.

SIDEBAR

ETHICS AND THE ELECTED OFFICIAL

One of the most important topics to review with newly elected officials relates to the area of ethics. No area creates more problems for newly elected officials than making errors relating to ethical/legal conduct. Newly elected officials are often surprised by how much expectations regarding their conduct change once they take office.

First, elected officials need to be informed of any legal requirements to which they are now subject. Often the agency's legal counsel takes the lead in this regard. The legal requirements could be state laws/regulations, local charters, municipal codes, and the like. Typical topics include conflict of interest, "sunshine" laws, and election regulations.

Second, newly elected officials should know that they are now subject to expectations beyond legal requirements. Conduct that might be viewed as reasonable for a private citizen or a private business person may no longer be appropriate for a public official. Elected leaders are now subject to the expectations of voters, the press, community groups, business associations, and others. An example of the private-public behavior distinction concerns doing a "favor" for a friend or supporter. In the context of a private business transaction, this may be quite appropriate, but may no longer be in the context of public business. (Also see a discussion of the ICMA Code of Ethics in Chapter 2.)

A good understanding by those new to office of the laws, regulations, and expectations that now apply to them is critical to keeping them and your organization out of the legal/ethical bull's-eye.

Structure of Effective Orientation Programs

Many factors—including the resources and organizational complexity of the individual local government—cause orientation programs to vary. Despite individual variations, consideration of the following questions and alternatives will help you develop a program that best fits the needs of individual council members and the local government organization. The best answer to the questions posed here is often "it all depends," because each local government is different, and the individual circumstances in each community will greatly influence what approach is best.

> To whatever degree organizational resources allow, ***the more comprehensive the orientation, the better.***

Questions About Who, What, *and* When

Among the questions that arise in deciding how to structure an orientation program to the unique situation of each jurisdiction are these:

- **Should the chief elected official and continuing council members be included in the orientation?**

  Some agencies find it of value to include the mayor/chief elected official [hereafter referred to simply as the mayor] or even continuing members of the city council in the orientation (or at least offer them the opportunity to sit in on all or a portion of the orientation). The value and appropriateness of this is very dependent on the local circumstances. Consider, for example, the role of the mayor in the particular organization, the personality/style of the official, the relationship between the newly elected member(s) and the mayor, and the relationship between the manager and the mayor.

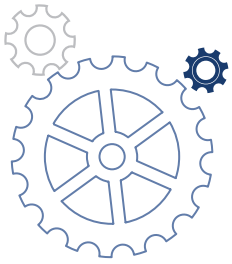
  In some instances, public agencies involve outgoing elected officials in some portion of the orientation to offer the perspective of those who have already served in the role. Again, the appropriateness of such an approach is very dependent on the community and its circumstances.

- **Should the orientation be formal or informal?**

  Orientation programs can be as informal as convening one or more meetings with the local government manager supplemented with written material. More formal orientations can include the addition of presentations and tours of facilities involving various staff members, with materials specifically created for that purpose. (Also see "Common Types of Orientation Programs" later in this chapter.)

  Formal presentations require more staff time than informal orientations because more individuals are involved, but they take up approximately the same amount of time for the manager. The success of an orientation does not necessarily depend on whether it is formal or informal but rather on the quality of the presentations and the time provided for exchange and dialogue.

  To whatever degree organizational resources allow, the more comprehensive the orientation, the better. The more information that can be provided within reason, the better. The more key staff new



council members can meet and get to know, the better. However, formats may vary significantly.

Formal meetings are a well-organized or prepared format during which information is provided and new council members have an opportunity to ask questions and engage in meaningful dialogue with staff.

- **If more than one new council member is coming on board, should there be a joint orientation or separate orientations for each new member?**

  If an informal format is used, it may be best for the local government manager and any other staff involved to meet with no more than two new council members at a time. Small briefings can be less formal and more tailored to each person's needs, and you and your staff can encourage more dialogue between each council member and staff.

  In deciding whether to provide group or individual orientation, it is a good idea to talk with each new council member about personal

SIDEBAR

DESIGNING ORIENTATIONS TO MEET THE NEEDS OF INDIVIDUAL COUNCIL MEMBERS

Peoria, Arizona

Local government managers in Peoria, Arizona, believe it's best to tailor their orientation program to the interests and needs of individual council members. Peoria provides a base level of information to all newly elected council members, then also varies the process (including tours of city facilities) to match the interests of individual council members. Among the baseline topics covered in the *City Council Reference Manual* are

- An overview of the city
- Laws, regulations, and basic parliamentary procedures
- Principles of team work and cooperation
- City council meeting procedures
- Requesting financial and staff resources.

This core information is supplemented by briefings and tours based on the interests and preferences of the individual council member. Council members are also encouraged to attend training offered by the League of Arizona Cities on topics such as working with the city manager and the council member's role in budgeting.

Source: City of Peoria, Arizona, City Council Reference Manual.

preferences for orientation—with the manager and staff alone or with other new council members.

- **Should the orientation be immediate or somewhat later?**

  As manager you must decide whether to conduct the orientations immediately after the election; shortly before the new members take office; or somewhat after they take office and, if this is the choice, how long afterward.

  The best answer, however, is "the sooner, the better"! The choice of time frame will depend on the schedules and availabilities of the newly elected individuals, but the sooner they get the information necessary to do their jobs, the better. Regardless of when their terms actually begin, they will see themselves and their constituents will view them as council members immediately after they are elected.

  The sooner you are aware of new council members' interests, priorities, and possible misunderstandings regarding issues (not an unusual consequence from an election campaign), the better. If possible, try to complete at least one phase of the orientation (e.g., the meeting with the local government manager and department staff) before the new council members assume office. Tours of facilities can be scheduled after their terms begin.

> "... try to complete at least one phase of the orientation ... ***before the new council members assume office.***"

Components of Effective Orientation Programs

While each orientation program should be designed to meet local needs and circumstances within the constraints of local resources, the following components are common to most orientations:

- **Meetings with the local government manager and other council appointees**

  One meeting or a series of meetings with the local government manager is absolutely critical to a positive transition. This relationship needs to start on as positive a note as possible by using clear and timely communication. If your community has other council appointees (e.g., clerk, attorney, and auditor) whom new council members should know, then include early meetings with these individuals in the process.

- **Orientation notebook**

  A notebook (in print or digital form) of important orientation materials is a key component of the orientation program. Because the volume of information presented to a new council member is challenging to absorb, a comprehensive set of core documents is critical as a resource and reference.

  The notebook is an effective way to avoid overwhelming newly elected council members with too much information. Also, it can be expanded as the orientation proceeds and updated after the orientation is completed. An increasing number of jurisdictions are providing agenda materials to board members on mobile devices such as tablets; orientation materials can be provided this way as well. [See "Orientation

Notebook: What to Include" sidebar for examples of what you might include in an orientation handbook for newly elected council members.]

- **Departmental presentations**

  Presentations by individual departments can provide additional insight into the daily operations of your local government. A group of departments can make their presentations during a combined meeting if time and resources demand it, but individual meetings with each department increase the opportunity for in-depth discussion and dialogue.

- **Organizational/departmental videos**

  With the ease of creating and disseminating videos on a variety of platforms, consider to what degree videos can be useful for your orientation program. If your staff have developed a video or digital production about the local government and its services for new employee orientation or other purposes, you may want to show it during the new council member orientation or provide it for future viewing. Additionally, resources are available through ICMA, including its Life, Well Run

SIDEBAR

ORIENTATION NOTEBOOK: WHAT TO INCLUDE

Documents you might find a tad dry will probably actually be enlightening to a new council member not yet familiar with them. Here are a variety of items you could include:

- City charter or similar enabling document
- Budget
- General community plan
- Strategic plan organizational goals
- List of key officials including advisory commissioners
- Financial reports audits
- Staff reports on key issues
- Organizational chart
- Policy procedures manual, including travel and expense policies.

Just remember that Rome wasn't built in a day. That is, too many documents delivered in one sitting can be overwhelming. Orientation notebooks are intended to be a repository of information that you can update or add to at a later time—which also happens to be a good argument for creating digital notebooks.

program, which can be used to help orient newly elected officials to local government and the role of the professional manager.

Videos can be a helpful supplemental tool for such things as demonstrating various activities undertaken by city staff, touring city facilities, and/or summarizing major projects, including capital improvement projects. Videos are not necessarily the best method to communicate other, more sensitive information, such as a description of roles and responsibilities.

- **Facility tours**

  Tours of local government facilities are a very informative and useful alternative or addition to written or formal presentations. Tours give new council members a feel for government services and facilities and show council members how the decisions of the governing body affect the work accomplished.

  Don't rush participants through a tour of everything at once. Instead, choose fewer sites for each tour and allow time for questions and demonstrations that *show* rather than tell the local government story.

- **Future orientation opportunities**

  If your state municipal league conducts an academy for new council members, encourage your new members to attend. Although this program may cover topics that extend beyond the member's role in your community (such as proposed state legislation), it will orient new members to the role that the state plays in municipal affairs, making it an important component of the overall orientation.

  It can also be valuable for newly elected officials to hear the "messages" about effective local government from individuals other than the local staff—including, for instance, elected officials from other jurisdictions. This is another area where information and documents available through ICMA's Knowledge Network can be of value (e.g., check out the "Elected Officials" topic page).

Topics to Cover During Orientation

Whether your orientation program is formal or informal, you will want to cover information that specifically relates to councils as well as several other important topics, including communication, finance, technology, and emergency preparedness.

- **Council-specific information**

  Council-specific information includes all the items that relate to council members themselves in their new role. Some topics are best covered by the government clerk or attorney, so including them in these discussions makes sense. Examples of council-specific information include

  - Council member compensation (how they are paid), benefits received, expenses that are appropriate

- Legal requirements (including financial disclosure and conflicts of interest)
- Expectations regarding ethical conduct
- Provisions regarding sunshine laws or open meetings laws
- Council norms, policies, procedures, and regulations
- Council meeting protocols (seating, use of technology at the dais, meeting etiquette, Robert's Rules of Order)
- Council members' roles regarding council subcommittees and service on regional boards and committees
- Media relations (including social media) and protocol, particularly during a crisis
- Conference and training opportunities
- Contact and communication with staff.

- **Communication**

  One of the most important and sensitive topics to review with newly elected members involves being as clear as possible about existing protocols regarding communication between the council and the manager and staff. It also involves establishing from the outset how

SIDEBAR

VISUALIZED LIFE STORIES ENHANCE ORIENTATION PROGRAM

Falls Church, Virginia

The local government manager of the city of Falls Church, Virginia, uses a multiphase approach to the city's new council member orientation, with the goal of engaging, empowering, and understanding the new council member. A unique aspect of the orientation is what they call public values and life stories. Borrowing a similar approach from Prince William County, Virginia, Falls Church uses a process of involving the new member and the city manager and senior staff in talking about and/or visualizing their life stories that inform their roles as public servants.

Source: City of Falls Church, Virginia, city manager's office.

to appropriately communicate citizen questions and concerns to the organization.

- **Finances and fiduciary responsibility**

  Initial understanding of the financial workings of the local government is critical for new council members. They need to learn about the basics of the community's financial structure and condition and to understand their fiduciary responsibilities. Obviously this orientation will be only the beginning step in the council member's financial education.

  During this introduction to the subject, it is important to present

  - The financial position of the local government
  - An explanation of fund structure
  - An overview of the most recent CAFR (Comprehensive Audit and Financial Report)
  - The operating and capital budget cycle
  - Investment and treasury policies
  - A schedule for financial reporting to the council
  - Unfunded liabilities (e.g., post-employment benefits).

- **Land use, economic development, and planning**

  In many cities, newly elected officials must quickly gain familiarity with land use and related issues. If new officials weren't contacted during the election campaign, they may immediately be contacted by interest groups such as developers and neighborhood groups promoting their views on both general and specific projects. The sooner new members are brought up to speed, the sooner they will be able to respond effectively to these contacts. The materials to be reviewed during the orientation will depend on how active and contentious the land use issues are.

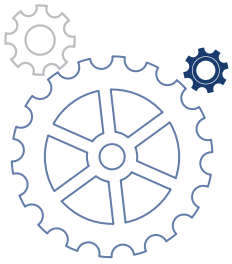
  Present in as much detail as possible in the time allotted the following materials and issues:

  - Review of land use planning terms
  - Role of council in land use matters
  - Role of planning or zoning commissions/boards
  - Schedule of general plan, precise plans, or other policy documents that are coming to the council in the upcoming year
  - Status and trend of new development (infill or raw land) permits and building permits over the past five years
  - Preview of development projects that will appear before the council in the upcoming year.

- **Personnel and labor relations**

  Although council members' responsibility for personnel issues and labor relations will ideally be limited to overall policy direction, personnel issues and labor relations can be among the most difficult

> The sooner new members are ***brought up to speed,*** the sooner they will be able to respond.



and challenging areas. An early and complete briefing on these topics can be critical. As in the case of land use decisions, interest groups (especially unions) will very quickly want to explain issues to new council members from their perspective. Context will be critical for new council members to be able to deal with these overtures.

Include in your orientation an overview of bargaining groups and the number of employees who are represented by each, the status of agreements, and the issues that management is hearing about from the labor groups.

- **Local government organizational structure**

  Knowing which departments are responsible for specific services and who is responsible for what within departments is an important component for newly elected council members. They also need to know each department's critical issues. At the orientation provide a list of department heads and their contact information. How—and in what circumstances—it is appropriate to contact staff is information that can assist a smooth transition.

- **The government's technology strategy**

  Both the public and elected officials expect local governments to effectively use technology. Elected officials, quite understandably, anticipate that technological solutions will be applied to the efficient delivery of services, internal operational efficiencies, communicating with the public, or a variety of other uses.

  As a starting point, newly elected officials need to understand how their local government is currently using technology and how it stays abreast of technological advances. It is also important that elected officials know how to stay informed about local government's use of the specific tools available to them.

  This is increasingly critical to how elected officials communicate and respond to their constituents and the city staff. The widespread use of such tools as digital agenda packets is on the increase. The sooner newly elected officials understand the technology strategies of the organization and the tools and information it makes available to them and their constituents, the smoother their transitions to their new leadership roles.

  Note that while we see that local governments' use of digital communication is quickly evolving, we recognize that many local governments are still very early in their adoption of digital communications. We are cognizant of how many of our members come from smaller communities with more constrained resources. It comes down to needing to address newly elected officials in whatever way works for them. While not ideal, it's better to give them the information in writing rather than that they not read it at all.

> Newly elected officials need to understand ***how their local government is currently using technology. . . .***

SIDEBAR

COMMUNICATION GUIDANCE FOR ELECTED OFFICIALS IN THE AGE OF "GOING VIRAL"

It is safe to assume that most newly elected officials are already using e-mail on a regular basis, and many are also engaged in social media. The difference now is that they will be using these tools not as a private citizen but as an elected official.

The rules of the game change when using e-mail and social media as a public figure. As chief administrator, you can help your newly elected officials navigate this new context by reminding them of the far-reaching impact their electronic communications can have:

- Let your newly elected officials know that they will see a marked increase in the level of interest in their comments and opinions in comparison to when they were private citizens. You can help them understand that it's easy to underestimate the number of individuals who will be interested in their communications, and that in their public capacity little if nothing will go unnoticed. They need to appreciate how their communications can "go viral" with the touch of a button.
- Additionally, their comments, demeanor, and representations will be viewed through a much different lens than when they communicated as private citizens. A "funny photo" or humorous comment on Facebook or Twitter can easily be misconstrued or taken out of context. You can alert newly elected officials that the level of scrutiny they receive and the standard on how they are judged change now that they are in public office.
- Remind newly elected officials that the opinions they express will likely be viewed as not only their opinions, but also potentially those of your public agency. That means that with every e-mail and social media engagement, elected officials need to appreciate the potential impact on the organization and its colleagues.
- Be sure to make your new council members aware that in many states, their electronic communications can now be considered a public record. This can result in a very "rude awakening" for the newly elected official whose previous experience was that such communications could be considered private. Too many have learned of this new reality only when the local reporter asked to examine their e-mails.
- Point out that electronic communication does not allow for the nuances of in-person communication or even of a phone conversation. Elected officials are often engaged in communications regarding sensitive, and for some, even emotional topics—so how they come across in such communications is especially important. You can also warn them that it is dangerously convenient to quickly respond to a provocation in a way they may soon regret. Depending on the circumstances, the best response might be no response, or one that reflects more thoughtfulness than speed.

Helping newly elected officials understand that their world has changed in regard to electronic communication will well serve the elected official, the manager, and the organization.

- **Social media initiatives and protocols**

  To the extent that your organization uses social media to communicate with its constituents, getting prospective and newly elected council members enrolled in your social media efforts is an important tool in communicating information. (See "Communication Guidance for Elected Officials in the Age of 'Going Viral'" sidebar.) This is the time to clearly convey the organization's practices and guidelines when it comes to using social media, particularly as they relate to council members' use of social media and how social media is deployed during community emergencies.

- **Emergency preparedness**

  Due to the unique and critical role local governments play in regard to emergency preparedness, a briefing on this topic needs to be a key part of orientation programs. The police chief and/or fire chief should give a high-level briefing on emergency preparedness during the orientation and invite participants to attend a more in-depth briefing to be given by a public safety employee charged with emergency preparedness. A preliminary briefing should touch on such issues as how communication to the public occurs during an emergency, what resources are available, and how the emergency response organizational structure varies from the normal organizational structure. And since an emergency incident

SIDEBAR

SHARING RESOURCES BETWEEN TWO ORIENTATION PROGRAMS

Glenview, Illinois

The city of Glenview, Illinois, shares resources between its trustee (council member) orientation program and its commissioner orientation program. While the trustees are elected and the commissioners are appointed (by the village president with consent of the board of trustees), a significant amount of information is important for success in both roles. While the differences in role and responsibilities are clearly outlined in an extensive packet of written materials, a great deal of common information is provided as well:

- Community history
- Organizational structure (including the council-manager form of government)
- Community demographics
- Finance and budgeting.

By using many of the materials for both groups, Glenview obtains more benefit from its efforts than if the material developed was only used for newly elected trustees.

Source: City of Glenview, Illinois, city manager's office.

can occur at any time, it is important for newly elected members to be briefed as soon as possible regarding their role in the event of a community emergency. Confusion or misunderstanding regarding this issue can be very challenging in the midst of an emergency event.

- **Biographical information about the executive team**

  Enabling council members to begin to learn about the background of the organization's leaders is important to building strong relationships. Communicating the education, professional training, and career experience of key staff members helps develop elected officials' confidence in the staff.

Common Types of Orientation Programs

Among local governments with orientation programs, you'll find several commonalities as well as elements that are unique to the culture of each community. Commonalities include these aspects of the orientation:

- Briefing materials in digital or print form are given to new members before the orientation.
- The local government manager is personally involved.
- Department functions are discussed at a high level.
- Strategic and critical issues are identified.
- Clear designation is given about the contact person for specific questions and problems and additional information.
- Opportunities are created for newly elected council members to ask questions and express their interests and aspirations.
- Orientation programs in local governments differ according to each unique jurisdiction, but they usually fall into three basic types:

  1. A meeting with only the manager
  2. A formal overview orientation
  3. A formal in-depth departmental orientation.

Meeting with Manager Only

In this instance, the manager schedules a one-on-one meeting with a new council member. As manager you present basic information about the community, such as an overview of the local government organizational structure, council roles and relationships, policies and procedures, legal constraints, methods of communication with you and your staff, and key issues and goals.

This two- to three-hour meeting is supplemented by materials that include council policies and procedures, city code, council goals and work plans, fiscal year budget, most recent CAFR (Comprehensive Annual Financial Report), organizational structure, and biographies of the executive staff. The initial meeting may be followed by additional meetings to discuss specific departments.

Formal Overview Orientation

A more formal and longer orientation can run from a few hours to a full day or multiple days. Formal overview orientations are often found in larger communities, where council appointees (e.g., clerk, attorney, auditor) and/or department heads make presentations, including presentations on all major service areas rather than on specific departments. The presentations are often followed by a tour of facilities and major capital projects in progress.

This orientation includes comprehensive materials that describe each department in greater detail, summarize recent performance and budget information, and present the council's policies and procedures.

In some communities, newly elected council members represent specific districts, and their work with the local government staff will be partially oriented toward the specific issues of those districts.

> In many states, ***the municipal league or county association*** can provide advice on planning your orientation program. . . .

Formal In-Depth Departmental Orientation

An orientation conducted over several days (depending on council member preferences and time considerations) is the third common type of program. Each department (or departments jointly by service area) provides a briefing at its facility and includes the top management of the department. Ideally these briefings are consistent in format across departments and include

- Organizational structure of the department
- Major services provided
- Current issues
- Strategic plans and longer-range issues
- Type of constituent contacts with the department
- Contact information
- Tour of facilities.

Dialogue between the department head, staff, and the newly elected council member is a significant aspect of this type of orientation.

In addition to the department-by-department orientation, the local government manager usually conducts one-on-one meetings with the newly elected members when this format is used.

How to Plan Your Orientation Program

Some of the logistics of putting together an orientation program include consideration of what material other organizations may already have compiled and how the orientation itself will unfold. Some of those considerations follow.

- **Identify resources.** You don't have to rely on local resources alone. You can build on existing programs and materials offered by state associations, other local governments, and national associations.

  In many states, the municipal league or county association can provide

advice on planning your orientation program, and most provide information about relevant state laws. Several of these organizations publish orientation manuals or handbooks for newly elected officials and offer orientation or training programs for newly elected officials throughout the state. A state orientation program provides a valuable opportunity for members of the governing body to discuss with colleagues the challenges and difficulties of elected officials in a variety of communities across the state.

In some areas, the county and jurisdictions within it combine their resources to conduct one program for all newly elected officials. Other communities have looked to a council of governments, a private organization, or a consultant to develop a program for their local officials. Contacting managers in neighboring jurisdictions may be your best strategy for learning about your options.

Also familiarize yourself with the resources available through national organizations. ICMA as well as the National League of Cities (NLC), the United States Conference of Mayors (USCM), and the National Association of Counties (NACo) all provide workshops and written materials.

SIDEBAR

EXTENSIVE COUNCIL MEMBER MANUAL

Extensive Council Member Manual

Local government managers in Denton, Texas, use an extensive *Council Member Manual* as a foundational component of their orientation program. The major sections of the manual cover the following topics:

- Explanation of city government (charter, council-manager form of government, and mission and values statement)
- Responsibilities (legal and policy requirements)
- Meetings (including types of meetings, agendas, rules of order, and participation guidelines)
- Logistics (ranging from supplies and resources to travel policies).

Also appended to the manual as additional resources are a series of documents including the city charter, the city's strategic plan, the ethics policy, the travel policy, and a contacts list. A new council member orientation session is held with an agenda that includes a review of the manual, a review of the organization's structure, and presentations by key staff and other city council appointees. There is also an orientation session regarding city council chamber equipment and a tour of city hall.

Source: City of Denton, Texas, Council Member Manual.

> . . . complete an issues booklet well ***before*** the candidate filing date. . . .

- **Assemble documents and materials.** Documents and materials provided to newly elected officials usually include the charter, an organization chart, a list of advisory boards and commissions, and other documents that explain organizational structure as well as recent agenda packets, the budget document, council-adopted goals, and progress reports. If you plan to provide an orientation notebook, see the "Orientation Notebook: What to Include" sidebar.

  In some communities, an issues booklet acquaints elected officials with basic facts about critical issues and the status of key programs. An issues booklet is particularly useful when there are a number of newly elected council members; when complex and divisive issues dominate the debate; or when controversial issues must be addressed during an elected official's first weeks on the job.
- **Provide council *candidate* orientations**. Council candidate orientations not only provide a head start for those individuals eventually elected, but also help inform all those running for election. To avoid the appearance of favoritism or partisanship in an orientation program for candidates, you should complete an issues booklet well before the candidate filing date that will be made available to all the candidates.

  Additionally, some exposure to the staff will likely decrease the likelihood of staff being made an "easy target" during the election process because some sense of personal relationship will have already been established. While there are no guarantees, many find these types of candidate orientation programs increase the odds of a more fact-based election process and provide the opportunity to build credibility between the staff and candidates, regardless of who is eventually elected.
- **Determine strategies for success.** Decide on the structure and components of your orientation program, taking into consideration the needs of the participants, issues facing the community, style of the manager, and resources. Additionally, they will gain confidence in the capacity of the organization and its staff to perform their roles at a high level. As you plan, remember that newly elected council members will be able to take on new responsibilities more quickly if they have ample opportunities to ask questions, express concerns, listen to experts, and witness government in action.
- **Plan the agenda and logistics.** Participants will learn more if they are actively involved and challenged to apply what they are learning. Encourage discussion, feedback, and questions. Provide checklists, worksheets, and handouts. Avoid the appearance of lecturing.

  Schedule events as far in advance as possible and avoid holidays and crunch times (such as when the budget is due). Check with participants and presenters to identify dates and times.

  Before the orientation program takes place, provide all presenters and participants a detailed agenda for each program/event. Include your

purpose and goals on the written agenda, as well as the times and locations of all activities.

- **Rehearse program activities.** After you have drafted a schedule of activities, review all handouts or digital materials to ensure that they are error free and easy to follow. Review each day's events to make sure that participants will be able to follow the flow of information, that there is variety among the presentation styles, and that all activities reinforce your goals.

  You may want to ask presenters for outlines of their presentations to ensure that their outlines are consistent with your goals and with each other. Well before the orientation program, schedule a meeting for all employees who will be involved. Use the meeting room scheduled for their presentations so that you can familiarize them with the room setup and equipment. Make sure you have arranged for all the equipment the presenters will need.

  If you are conducting a tour, schedule a dry run using the vehicles and equipment that will be used in the actual tour. Note the time for travel and for presentations, and adjust the schedule accordingly.

  Keep in mind that a well-organized, well-planned, and well-implemented program will create a positive impression for your newly elected officials, while a poorly planned and executed effort could have the opposite effect.

- **Evaluate your effectiveness.** Evaluation strategies should attempt to define the strengths and weaknesses of the program for future planning. Ask participants what they found most useful and what changes they would suggest. Include program planners, employees, and presenters in your evaluation process.

> Even if you cannot muster a comprehensive orientation, ***do as much as you can.***

Effective Orientation Practices

The first few weeks and months of a new council member's service are a critical period for the council member and the local government organization. How effective the transition is can have significant short- and long-term implications for the organization and the community. A thoughtful and appropriate orientation program that is consistent with your resources and organizational culture can be an important tool in helping to make this transition successful.

The authors' review of several programs and their own experience suggest that the following practices makes for an effective new council member orientation program:

- **Do something!** Even if you cannot muster a comprehensive orientation, do as much as you can. Doing nothing to prepare new council members should not be an option.
- **Treat all council members alike.** Make the same opportunities available to all new council members with no exceptions. Also be sensitive to the possibility of current council members feeling "left out" and counter that possibility by providing them access to the same information created for all of the new members.

- **Be flexible on timing and format.** Although one council member should not be favored over others, be willing to be flexible in regard to adjusting the format, timing, or style of the orientation to meet the individual needs of the council members.
- **Include the entire executive team.** It is important for council members to get to know the staff they will interact with on a regular basis early in their tenure.
- **Use a consistent format for all departments.** Do not allow one department with more resources to put on a bigger show than those with fewer resources.
- **Keep materials a manageable size.** Providing a comprehensive resource document is helpful, but if it is too voluminous, it may not be read. Try to find a good balance between completeness and too much detail. Try to summarize complex topics and reference where additional information can be found, most likely through your local government's website.
- **Maintain neutrality on the topic of changing government standard operating procedures.** Provide useful information, but do not overly advocate for the status quo. It is not likely to be taken well if the presentation comes across as "this is the way we do it (and we do not plan to change)."

Final Word

The authors surveyed more than 30 cities while preparing this material. When asked about the reaction of newly elected officials to their orientation program at the completion of the orientation, nearly all answered, "Very appreciative and amazed at the depth and breadth of the services provided by the city." Often we are so close to the organization that we assume others know its complexity; the reality is that they do not. A newly elected council member has a steep learning curve, and as the local government manager, your job is to use a strong orientation program to start the learning process and set the tone and quality of these new relationships.

Additional Resources

"10 Habits of Highly Effective Councils," by Carl H. Neu Jr., *PM* (November 1997).

"Answering the Cheshire Cat: The First 45 Days of a New Council,"by S. Bruce Peever, *PM* (August 2005).

"Consensus Building: Keys to Success," *IQ Report*, Volume 36, Number 10 (2004). Discusses various levels of consensus, misunderstandings about what consensus means, and the fact that consensus is based on trust and shared vision. Details general techniques for building consensus and provides specific guidance when issues are professional or become personal. Concludes with a short discussion of consensus building as a necessary

skill for the local government manager of the future. By Herbert A. Marlowe Jr. and Larry Arrington. Item no. E-43219.

"Effective Council Meetings," *IQ Report*, Volume 37, Number 1 (2005). Focuses on preserving (or bringing back) a level of courtesy and decorum in council meetings; addresses the need for rules of procedure that establish clear standards of behavior; offers a simplified version of Robert's Rules of Order; and introduces a values framework to help elected officials identify what lies at the root of public problems and make wise decisions in response. By Robert K. Bush, William L. Steude, Dave Rosenberg, and Phillip Boyle. Item no. E-43334.

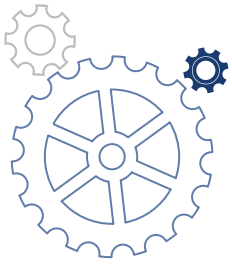
Leading Your Community: A Guide for Local Elected Leaders (2008). Provides a quick and easy-to-understand introduction to the roles, responsibilities, and relationships of local elected officials. This 90-page guide provides a framework to help the newly elected official strengthen his/her effectiveness as an individual leader and as a member of the local leadership team. By Christine Becker. Item no. E-43546.

"Manager as Coach: Increasing the Effectiveness of Elected Officials," *IQ Report*, Volume 35, Number 10 (2003). Highlights development activities and communication strategies for local government managers who want to help elected officials perform effectively, both individually and collectively. Focuses on the values of successful teamwork, representative democracy, professional management, sound political leadership, and collaboration. Includes coaching action plan. By Carl H. Neu Jr. Item no. E-43067.

"The Paperless Council," *IQ Report,* Volume 34, Number 10 (2002). Describes how information technology can be used to prepare material for council meetings and then make it available to council members and the public. Discusses the importance of local government size; the sophistication of the IT infrastructure and staffing; interest expressed by council members, the manager, the staff, and the public; the kinds and amounts of investment needed; ways of promoting the paperless council; evaluation; and issues of security and equity. By Sheldon S. Cohen. Item no. E-43054.

"The Value of Going Back to the Basics," by Gus Morrison and Jan Perkins, *Western City* (June 2005).

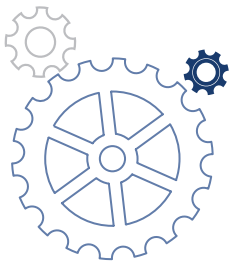
KEY NOTES



- An orientation program lets you help elected officials become acquainted quickly with a wide variety of topics to which they have had little or no exposure and yet about which they may need to make significant decisions.
- The sooner your orientation program is able to give new members an understanding of group decision-making dynamics, the sooner they

learn how to function best in this environment, and the more likely it is that they will be effective in their new role.

- To whatever degree organizational resources allow, the more comprehensive the orientation, the better.
- Do not allow one department with more resources to put on a bigger orientation presentation than those with fewer resources.
- If possible, try to complete at least one phase of the orientation (e.g., the meeting with the local government manager and department staff) before the new council members assume office.
- At the orientation provide a list of department heads and their contact information, and describe how—and in what circumstances—it is appropriate for council members to contact staff.
- The orientation can help newly elected officials understand that in many states, their electronic communications can now be considered a public record, which means that with every e-mail and social media engagement, elected officials need to appreciate the potential impact on the organization and its colleagues.
- It is important to brief newly elected members as soon as possible regarding their role in the event of a community emergency, since an emergency incident generally occurs with little or no warning.
- Remember that you can build on existing orientation programs and materials offered by state associations, other local governments, and national associations.
- In some communities, an issues booklet acquaints elected officials with basic facts about critical issues and the status of key programs.
- Newly elected council members will be able to take on new responsibilities more quickly if they have ample opportunities to ask questions, express concerns, listen to experts, and witness government in action.
- After you conduct an orientation, ask participants what they found most useful and what changes they would suggest.



Chapter 5

COUNCIL AND BOARD MEETINGS

Where local government democracy takes center stage

It's tempting to judge a meeting's success based on the decisions made, but ultimately the manager and staff should judge the success of the meeting based on what role they played in ***placing the council in the best possible position to make an informed choice.***

One of the most visible manifestations of the council-manager relationship is the actual and perceived effectiveness of council meetings (also called governing board or board meetings). These meetings are the key points in the local government process where the community's elected leaders make decisions on the community's behalf. Successful governing board meetings are a top priority for elected officials.

The Right Ingredients

When these meetings are successful, the elected representatives provide clear policy direction for the staff to implement. However, to a large extent, "the [meeting] process is the product." That is, what preparation went into the agenda, how the council reaches its decisions, how council members interact with each other and staff, and how public participation is encouraged and facilitated are critical ingredients to the actual and perceived success of the meeting.

Successful meetings end with the council, staff, and public believing that the decision-making process was thoughtful and deliberative, and with all participants in the process feeling that their role and perspective were considered, respected, and appreciated. While some will judge the meeting simply from the perspective of their agreement with the decisions reached, most will also place high value on how those decisions were reached.

From a council's perspective, a successful meeting requires that council members be fully informed regarding the topics on which they will be making decisions, including complete and unbiased information and alternatives. As manager you need to provide this information on a timely basis and in form(s) reasonable for council members to digest.

It's tempting to judge a meeting's success based on the decisions made, but ultimately the manager and staff should judge the success of the meeting based on what role they played in placing the council in the best possible position to make an informed choice.

Citizens, the press, and other interested parties should take from the meeting a sense that the process was open, that all views were heard and respected, and that the council made a thoughtful decision, carefully considering all appropriate factors. A council meeting is in many ways like a performance. This is not to suggest that the meeting is intended to be entertaining (though meetings can be!) or artificial, but to recognize that the meeting is the council's public demonstration of its community leadership role. It is quite possibly the most prominent venue for judging both individual council member performance and the performance of the council as a whole. How successful that performance is, is critical to the council and therefore also to the relationship between the council and the manager.

To establish and maintain a good working relationship with the council, the manager needs to be perceived as playing his or her part effectively in ensuring successful council meetings.

Meeting Protocols

Clear meeting protocols are a fundamental component for effective council meetings. These protocols cover a wide variety of topics ranging from planning and preparing for council meetings to participants' conduct and operating procedures during meetings, to post-meeting follow-up with the council and staff.

Robert's Rules of Order (or a similar set of protocols) can spell out the process for conducting business and, in essence, serve as procedural guidelines regarding meeting conduct. While meetings can vary in formality from community to community, rules and protocols serve as the foundation for the conduct of meetings. Of critical importance is getting council or board buy-in on the need and value of such rules and making sure that all members are familiar with the protocols.

In addition to general protocols, most cities and counties also have a series of local policies regarding the conduct of meetings. Here are a few examples:

- **Consent calendars.** Consent calendars let you group a number of routine action items in one vote. It is generally assumed that these items do not require a staff presentation and will not require council discussion. Consent calendars can be one of the most efficient techniques in designing an efficient meeting.
- **Waiving the reading of ordinances and resolutions.** There are often opportunities to forgo the formal reading of ordinances and resolutions prior to a vote. A policy allowing such waivers can save considerable time.
- **Speaker time limits.** Few things are more appreciated, while often difficult to attain, than reasonable brevity of remarks at council meetings. While such brevity is appreciated regardless of who is speaking, formal limits are generally only applicable to members of the public. Although such limits (often 3 or 5 minutes) can be controversial, they can be very effective in moving meetings along while allowing the public to provide input. Guidelines are sometimes also developed to encourage reasonable brevity by staff and elected officials.
- **Maximum meeting duration.** Many organizations find it useful to set a time by which meetings must end (particularly for night meetings). The concept is based on the belief that the likelihood for effective decision-making decreases toward the end of a long meeting, particularly if the hour is late. Additionally it is viewed as unreasonable to expect the public to be able to reasonably participate in a meeting that goes long into the night. Often such maximums can be waived by a majority of the board based on specific circumstances.

Longer Term Agenda Planning

An obvious, but sometimes not fully appreciated, component of successful council meetings is carefully planning, sometimes months in advance, the

topics to appear on particular agendas. It is easy to appreciate that the nature and content of agenda items significantly affect how challenging a particular issue may be. Perhaps not fully recognized is the impact of when an item appears on a meeting agenda and what other items are also on the agenda. The number and type of issues scheduled in a particular time frame affect how successfully the staff and governing board deal with those issues.

It follows, then, that planning for meetings, sometimes months in advance, and scheduling agenda items strategically can have a significant impact on the success of your meetings.

The Relationship Between Goals, Work Plans, and Meeting Agendas

Ideally agenda planning and your organization's goals and work plans will be carefully linked, recognizing that neither should completely drive the other. That is, you wouldn't want to schedule items for meeting agendas without making sure the timing is reasonable based on existing goals and work plans, making sure there is sufficient time to properly prepare the item for the governing board's review. Prematurely scheduled items can result in rushed or incomplete staff work.

Still, items should not be scheduled for consideration solely based on the work plan for that particular item. Equally important is consideration of how the confluence of the various individual topics can impact the success of the overall meeting.

Project schedules and agenda planning need to be carefully linked to ensure that before items are scheduled for review, sufficient time has been allocated for their completion and that the impact of agenda items on each other has been carefully considered.

Spacing Complex or Controversial Issues

Many consider an ideal meeting as having a good balance of both routine and significant (more complex and/or controversial) issues. A lot of "every-day" work needs to be done at meetings, and those items need to be as successfully managed as any others. The real challenges, however, come up when one or more difficult/complex/controversial issues need to be addressed in the same agenda. These, by their very nature, require more care and planning. Having too many of these issues either on the same agenda or in close proximity timewise can have a significant impact on their eventual outcome:

- **Gauging stress levels.** Consequences for not properly spacing/scheduling agenda items include the extremes of council members believing that there was not enough substance to the meeting to merit their time, to members being frustrated with the length or amount of controversy related to a particular meeting. While managers often gauge the tolerance of elected officials for meeting length, managers

should also be aware of the council's level of tolerance for the degree of complexity or controversy in a meeting.

It is common, and quite natural, for elected officials to feel stressed and uncomfortable when dealing with difficult, controversial, and/or complex issues. Even though these are normal aspects of elected office, it doesn't mean these circumstances are not difficult. When elected officials are confronted with too much controversy in a particular meeting, it can impact their decision making, or even their willingness to make a decision.

- **Creating issue overload.** When scheduling an issue that is anticipated to be challenging and/or controversial, it's critical to take into consideration the other items on the agenda. You should consider not only the amount of time required by an item but also the amount of controversy associated with it. Often a more positive resolution to an issue can be attained when the council is not already stressed from its deliberations on a previous issue (or by its anticipation of an upcoming issue later on the agenda).

  Issue overload can also negatively impact staff by making the preparation for an upcoming meeting difficult given all the work needed to prepare multiple challenging items for council review.

  Councils and staff aren't the only ones affected by the number and types of issues considered on the same agenda or in close time proximity. This can also impact the public's perception of the organization and its elected officials as well as the public's response to issues. It can result in the public associating what in other circumstances would be unrelated topics.
- **Balancing urgency with timing.** Also critical is the staff's and board's ability to prioritize and be disciplined. Often there's pressure from a variety of sources to get items on the council agenda immediately. This produces a natural tension between a sense of urgency and the need to have adequate time to prepare the item for consideration, as well as avoid overloading a particular agenda or a specific period of time. Too many items considered on the same agenda or in close time proximity can result not only in less than ideal preparation but also longer than ideal meetings and issue overload—particularly if many of the issues are of a complex or controversial nature.

> When elected officials are confronted with too much controversy in a particular meeting, ***it can impact their decision making,*** or even their willingness to make a decision.

Agenda Preparation and Planning

The likelihood of a meeting being successful is often determined more by what preparation goes into planning the meeting than by what the staff does at the meeting itself. Many managers believe that their real work occurs before (and after) the meeting versus at the meeting itself. How the planning is undertaken for the meeting, including who plays what role in the preparation for the meeting, is critical.

Who Sets the Agenda

The first question each organization needs to address is, who sets the agenda—that is, who determines what will appear on the agenda and in what order? The answer to this question varies significantly from one organization to another. Sometimes it is the manager who exclusively sets the agenda, and in other cases, the mayor or chair determines the agenda. Often the two work together to formulate the agenda.

Additionally, agenda content can certainly be influenced by the governing board itself and, at times, subcommittees of the governing board. Various approaches can be valid, but the key is to have clarity about who does what. And certainly from the manager's perspective, it is critical that she or he have the ability to influence the agenda due to the key role the organization's staff plays in preparing for and participating in the meeting.

Often the best approach is the manager and mayor or chair working collaboratively in preparing the agenda. As manager you are able to bring to the process knowledge of the pending issues as well as staff workload and related issues. The mayor or chair is able to bring the perspective of an elected official. And of significance, the mayor or chair will be the individual responsible for actually managing and conducting the meeting.

> From the outset, the ***staff need to thoughtfully consider*** which groups and individuals are (or are likely to view themselves as) affected by a particular topic or decision.

Who Places Items on the Agenda

Regardless of the approach, having clear policy and protocols regarding who plays what role is a must. Without clarity, the agenda preparation process is likely to be a regular source of contention. Everyone needs to understand who has the authority to initiate the placing of a new item or topic on the agenda. Can the manager, the mayor, an individual council member, a certain number of council members, or some combination of the above? Since even the appearance of certain topics on a council agenda can have repercussions, the authority to do so must be clear to everyone and recognized.

Factoring in Agenda Preparation Time

Another important aspect of placing items on council agendas is the allocation of sufficient staff time to prepare the requisite reports, do proper noticing, and the like. So while it is obvious that agendas need to be planned around the available time at the meeting itself, upcoming agendas also need to consider the available staff time to prepare for the item. Without reasonable preparation time, staff reports are likely to be inadequate and public noticing insufficient, and staff will be subject to overload and burnout. All are likely to contribute to unsuccessful meeting deliberations.

Providing Advance Public Notification

Another important component of a successful meeting is making sure that adequate notification to interested parties is carried out in a timely fashion. From the outset, the staff need to thoughtfully consider which groups and individuals are (or are likely to view themselves as) affected by a particular topic or decision. Failing to do so almost certainly ensures a challenging

item, with people showing up at the meeting saying they were not adequately notified of the council discussions. Of course, even worse is this concern being raised after the meeting. In these instances you must deal with not only their perceptions regarding the issue at hand but also their belief that they were not considered important to the deliberation—or even worse, that they were purposefully kept in the dark.

"Clocking" the Agenda

It is also important to anticipate how much time will be required to work through the various issues on the agenda, as well as the complexity and amount of controversy that will be loaded into one agenda. While estimating how much time each item is likely to take is never precise, the attempt at least gives you some sense of what is realistic for any particular meeting. Some organizations place estimated timing on a planning agenda and sometimes even on a final agenda. This serves not only to estimate what is feasible for a particular meeting but also to gauge progress as the meeting unfolds.

> While estimating how much time each item is likely to take is never precise, ***the attempt at least gives you some sense of what is realistic*** for any particular meeting.

Weighing the Items

The nature of the items is equally critical. Are the items complex or straightforward, routine or controversial? Are a significant number of constituents likely to come to address any of the issues? Are any of the agenda items likely to generate strong emotions? Your answers to these questions will significantly inform decisions regarding agenda planning. As an example, an emotionally charged item that draws many citizens can have an unanticipated impact on another agenda item.

Ordering Agenda Items

Lastly, the order of items on an agenda can have a significant impact. More complex and difficult issues are sometimes best considered earlier in the meeting when the council members are "fresh." You may want to get some routine business done first in order to get a challenging meeting off on a positive note. At the same time, it's usually good to avoid making a packed audience interested in an emotionally charged item wait long for their item to come up.

Staff-Prepared Reports

Two of the most important and fundamental ingredients for a successful governing board meeting are the staff research and report preparation that occur in advance. Staff reports are generally the primary basis for the discussion and deliberations at the meeting. The quality of the reports can, to a large extent, determine the ability of the meeting to achieve its goals.

Who Prepares the Reports

The first question once an item is placed on a governing board agenda is, who is going to prepare the report? Will it be someone in the manager's office (possibly the manager herself/himself), a department head, or

another member of a line department? Is report preparation limited to certain levels of staff or those with certain experience? Will it be prepared by one or more staff who have worked closest to the issue, regardless of report preparation experience or level in the organization? In many organizations the answer can often be "all of the above."

The right person or persons to prepare a report depends on many factors including those noted above. Having one or more staff members who have worked closest on a topic prepare the first draft of the report ensures that the technical information creates a good foundation even if the report is subsequently modified by others more experienced with producing material for the governing board. These protocols can and do vary widely from one organization to another. The key is to make sure that the final product is clear and complete and facilitates decision making.

> Organizations should be clear in regard ***to what is considered an adequately prepared staff report.***

Training and Guidelines for Report Preparation

You shouldn't assume that a very capable staff person who does not have experience writing governing board reports will be able to prepare a great report without training and guidance. Preparation of these reports is a sensitive and often demanding exercise. And with so much riding on the outcome of these agenda items, the ability to write effective reports should not be taken for granted.

Many organizations have set up training programs to assist staff in learning how to write quality staff reports. These programs are aimed at staff members who have no experience preparing reports or who do so only occasionally. The programs show staff the fundamentals as well as nuances of report writing. These organizations appreciate that writing consistently well-prepared reports is a learned skill and that offering report preparation training is to everyone's benefit.

Report preparation guidelines often include report length, report components and format, how to present recommendations, and the like. In regard to report length, the item's subject matter—including relative complexity—dictates some variance, but an individual's writing style should not dictate report length.

Whether you offer report-writing training and/or written guidelines, report preparation tools help establish a consistency among reports, which in turn helps governing board members focus on the substance of the reports rather than be derailed by reports that vary widely in format, style, length, and components.

Organizations should be clear in regard to what is considered an adequately prepared staff report. Inconsistency in this regard can often result in delayed decision making or, even worse, a rejected recommendation primarily based on how the recommendation is framed.

Report Sections

Establish a clear understanding of the fundamental, required components of staff reports—that is, the elements that need to be consistently included

and presented in the same order. Among the sections typically in reports are these:

- Recommendation
- Executive Summary
- Background/History
- Staff Review/Analysis
- Financial Impact
- Summary/Conclusion
- Pros/Cons
- Alternatives.

Each organization should define what sections or components are required in each report to ensure consistency with whatever standards are developed.

Final Report Approval

Organizations also need to have clear procedures regarding review and approval of reports. Who has the final say on what the report contains and its recommendation? Do reports require review at multiple levels of the organization? Who figuratively or literally is required to "sign off" on the reports? The manager needs to establish organizational clarity and consistency regarding all of these issues.

Recommendations

Issues that are viewed as "pure policy" often do not carry a recommendation, but the bottom line for most staff reports comes down to the recommendation(s). This is where all the research, analysis, and professional opinion are distilled into action. By making a recommendation, the staff is entrusted with a very significant role in the public decision-making process. As manager, your job is to ensure that this ability to significantly influence the process of government is carefully and thoughtfully exercised.

- **When no recommendation is proffered.** It can be challenging to determine in which cases a recommendation should not be offered. An issue simply being controversial is not a good reason to forego a recommendation. It can be perceived as the staff dodging a difficult issue while not assisting the governing board by providing their best professional judgment (professional judgment for which they are compensated).

  On the other hand, a decision revolving around a community value judgment (e.g., whether to establish a local minimum wage or determining an overall land use philosophy [residential only, heavily commercial, etc.]) is usually not one for which the staff is best positioned to offer a recommendation. These can be cases where the staff would only be offering its personal opinion regarding a community value—a role that is best served by the community's elected representatives.

> By making a recommendation, the staff is entrusted with a very significant role in the public decision-making process. As manager, ***your job is to ensure that this ability to significantly influence the process*** of government is carefully and thoughtfully exercised.

- **Alternatives and pros and cons.** Even when staff make a recommendation, legitimate alternatives to the recommended action may exist. You and your staff need to exercise caution in giving the impression that there is only "one right way" when in fact there are often alternatives that could be reasonable. The credibility of your recommendations can be enhanced by including a review of legitimate and carefully thought-out alternatives in the staff report.

  The review of the alternatives, as well as the recommendation itself, should include a review of the various pros and cons associated with each potential course of action. This can be a challenging exercise since it is natural to not fully see the advantages of courses of action that are not being recommended. Additionally, it is challenging to avoid biasing a report if there is a strong sense of one course of action being the correct way to proceed. However, if this very important prerogative is going to be exercised appropriately, care and thought must be brought to bear in regard to an open and honest appraisal of the pros and cons of both the recommended action as well as its legitimate alternatives.

> There is ***no better recipe for failure*** than rushing a complex or controversial issue.

Working Through Controversial and Complex Issues in Advance

Many difficult, challenging, and/or complex issues have little chance of resulting in a successful review and decision-making process if they are rushed. Many issues can be successfully resolved if policy makers are given time to become comfortable with the scope and complexity of the topic. The difference between success and failure can simply be how much of an opportunity the elected board has to become familiar with the issue and gain confidence with the recommendations being offered. There is no better recipe for failure than rushing a complex or controversial issue.

The "Multiple Touch" Rule

Consider this concept the "multiple touch" or "multiple exposure" rule. That is, an elected board can become comfortable with what initially appears to be a very challenging issue by having more than one opportunity to discuss and provide input. Simply having more time to consider the issue and recommendation can increase the odds of the policy makers becoming confident enough in the recommended course of action to proceed.

There are many ways to provide "multiple touches" for a council, including these:

- **Board subcommittees.** A subset of the council can delve into a challenging topic in advance of full council consideration. This can help identify and answer questions in advance, provide the staff with additional information regarding how to present the issue to the full group, and create positive momentum if the subcommittee is able to support the proposal.
- **Study/work sessions.** It can be helpful to allow the council to review and discuss significant topics in advance of when they will actually

need to make a decision regarding the issue. The use of study or work sessions accomplishes similar goals as the use of a council subcommittee, but engages the full council in the conversation. Although more time-consuming, getting feedback from the entire board in advance has two advantages: It helps policy makers become more comfortable with the issue, and it provides valuable information for the staff to prepare its final recommendation or proposal.

- **Individual member briefings.** While being mindful of any relevant statutes regarding discussion of issues with elected officials outside formal meetings, providing individual or small-group briefings of policy makers prior to formal consideration can help increase comfort levels with the issue(s) while alerting the manager to questions and issues in advance.

These and other techniques can significantly increase the odds that at the end of the process the elected board will make a decision on the merits of the issue, not because they are feeling rushed or not fully prepared.

Receiving Council/Board Questions in Advance

One very valuable factor for improving the odds for a successful board meeting is when the manager is aware of or able to respond to council member questions in advance of the actual meeting.

Being aware of such questions alerts staff to the issues on the minds of the policy makers and, with sufficient advance notice, allows staff to be prepared to respond to those questions either in advance of the meeting or at the meeting. Since the goal for each meeting is to arrive at well-informed decisions, and with the likelihood of that outcome decreasing with unanswered questions, the effort of the elected officials to identify and communicate their questions in advance and the effort of staff to respond (or be prepared to respond) are well worth it.

Establishing Working Norms

Receiving questions before the meeting works best when the manager and the council create a working norm that establishes that council members will forward their questions prior to the meeting as often as is possible. While this takes both time and effort on the elected officials' part, the manager can communicate to them how significant this factor is to the success of the meeting and to their ability to make good decisions. The odds of council members being willing to provide questions in advance increases significantly when they understand why.

Council members can appreciate that it's in no one's best interest when staff are unable to answer questions at the meeting. Additionally, a good deal of meeting time can be saved by answering questions prior to the meeting that are not necessary to ask at the meeting itself. Even if a board member believes it is important to publicly ask a question (and get a response) at the meeting, alerting staff to the question in advance (and

possibly even getting an answer in advance) greatly increases the odds of getting an answer to the question.

Nonetheless, even with agreement about this good practice, it is not always easy to implement. Well-intended elected officials may not get around to submitting questions in advance due to a lack of time or as a result of procrastination. Anything staff can do to make the task for the council members easier—for instance, sending a reminder or direct outreach to elected officials in advance of the meeting—increases the likelihood of getting the questions in advance.

Another challenge is getting the questions far enough in advance to actually undertake the research (if necessary) to respond to the question. It helps to have agreed-upon protocols regarding how far in advance of the meeting the questions should be provided. Such understandings need to be in the context of when the elected officials get their agenda materials and how far in advance of the meeting is considered appropriate for the staff to respond.

> “...staff need to do all they can ***to anticipate potential questions*** and be adequately prepared to respond.”

Handling the Surprises

Sometimes managers encounter an elected official who may believe it is to his or her political advantage to “stump the staff” and surprise them with questions at the meeting. The elected official may want to either derail an item or, for whatever reason, place the staff in an awkward position. (Also see “When Things Go Wrong” chapter.) While working with elected council members who purposely engage in such behavior is challenging, it is often the reality of our work. That’s why creating the cultural norm (and value) of not surprising staff at meetings is so important. With the norm in place, peer pressure may prevail and put a halt to the kind of behavior described here. Regardless of getting questions in advance of the meeting, staff need to do all they can to anticipate potential questions and be adequately prepared to respond.

Staff Presentations at the Meeting

As important as a quality staff-written report distributed prior to the meeting is, equally critical is the actual presentation of the material at the meeting. How the information is presented and how questions are responded to can often make all the difference in regard to the successful conclusion of an agenda item.

Who Presents

One of the first questions that needs to be answered is, who presents the report? A good practice is to have a general understanding regarding this issue within the organization in order to have a reasonable level of consistency among the various departments. Who presents can vary significantly depending on the nature of the item and the experience and capabilities of staff in particular departments, which makes having an overall organizational philosophy helpful.

In some organizations, and more commonly in the past, the manager is the primary presenter of staff reports to the elected body. It is now not unusual for department heads and other staff to present reports at the meeting. Experience in presenting such reports can often be a criterion for making this determination, as can familiarity with the topic and authorship of the report. It can make sense to have the person who prepared the report give the presentation since she or he is most familiar with the report and related background. However, that person may or may not have much experience in formally presenting reports in public. Many organizations view allowing relatively inexperienced staff to make such presentations as part of the organization's responsibility to help staff members grow and develop in their careers. Of course, the significance of the issue and the relative controversy surrounding the issue are important factors as well.

> Working with other staff members ***to brainstorm potential questions*** can be very helpful.

What Is Presented

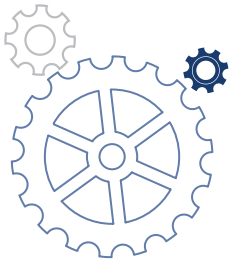
It is important to have an understanding between the council and the manager and staff regarding the length, format, and content of staff presentations of agenda items. Should the presentation simply be a brief summary of the written report? Should it be simply being available to respond to questions? Should it be a complete recap of the contents of the report? While the answers can vary depending on the nature of the topic, expectations of staff and the council need to be in sync to the greatest extent possible. Making a presentation that the council views as either inadequately brief or overly long can hinder a successful outcome.

Presentation Training

Making an effective staff presentation at a public meeting does not come naturally to most. It usually takes training and practice. (Also see "Training and Guidelines for Report Preparation" earlier in this chapter.) The ability to learn from other staff members who are viewed as experienced and successful in making presentations is important. Having agreed-upon formats can be helpful. Some organizations have training programs specifically designed to assist staff members in becoming proficient presenters. And of course, the opportunity to practice presenting, whether in simulations or at actual meetings, is extremely valuable. Sometimes staff members are provided the opportunity to deliver reports on more routine items to get their initial experience. Additionally, making a presentation to advisory commissions and committees can be a good way to get initial experience prior to presenting to the governing board.

Style of Presentations

Reasonable consistency among presenters and departments regarding the format and style of presentations is a must. The nature of the presentations should not vary dramatically simply because the staff or department has more or less experience in making such presentations or resources to bring to the effort. As manager, you should set and communicate guidelines regarding presentation length, visual aids, how to respond to questions, and so on.



Visual aids can be a very valuable component of staff presentations. More complex or detailed ideas can benefit from visual aids such as PowerPoint talking points. Reports with important numbers or statistics can benefit from graphs and charts. Sometimes photographs, computer simulations, maps, and the like can make a significant difference in communicating a message.

Staff Preparedness

Responding to questions can be the most challenging aspect of a staff presentation. Even if everyone does their best to provide questions in advance, unanticipated questions are asked at meetings. The ability of staff to adequately prepare for those questions is critical. Fair or not, the ability of a staff member to respond to questions "on the fly" can determine the policy board's ultimate confidence in the staff's proposal or recommendation.

Working with other staff members to brainstorm potential questions can be very helpful. Likewise, carefully listening to the entire question before responding is critical. A frequent misstep is to start thinking about how to respond to a question prior to having carefully listened to the entire question. How to respond to questions is often the area where the most training and assistance for relatively inexperienced staff members is needed.

It is also important to have agreement among staff regarding who will answer certain questions. Who should respond can often vary depending on the technical nature of the question as well as the level of sensitivity. A manager or department head may feel it is appropriate for one of their staff members to make the presentation, but may reserve the prerogative to respond to certain types of questions if they arise. It is critical for staff members not to come across as defensive or frustrated when responding to questions—even when a question is unfair or asked in a confrontational manner.

When a staff presentation does not go well, it is critical to learn from that experience. What were the factors that contributed to the less-than-successful outcome? What lessons can be learned, where can presentations be improved? Making good staff presentations is not easy and cannot be taken for granted. By making this an area of continuous improvement, you greatly enhance the odds of having a successful meeting.

"Included in the mayor's responsibilities is ***welcoming and managing public input*** and council discussion."

Role of the Mayor or Chair at the Meeting

Another area requiring a clear understanding among the participants is the role of the mayor or chair at meetings. In successful meetings, the manager and the mayor have distinct and complimentary roles.

In most local government organizations, the chair is in charge of running the meeting. In chairing the meeting, the chair leads the governing board through the agenda and manages most aspects of the meeting. The chair maintains decorum and assures that the meeting operates consistent with established policies and protocols. Included in the mayor's responsibilities is welcoming and managing public input and council discussion.

The effectiveness of the chair in running the meeting is another factor that significantly impacts the success of the meeting. His or her demeanor, preparedness, and professionalism can significantly influence the conduct of the other meeting participants. How the chair runs the meetings also often determines how others view the effectiveness of the meeting.

As manager you play an important role in helping the chair succeed. It's up to you to make sure that the chair has all the information needed to successfully undertake the role of managing the meeting. This includes providing the chair all relevant background information on each agenda topic in a timely fashion. You can also provide meeting management training and offer suggestions on how to handle challenging topics.

Role of the Manager at the Meeting

While the role of managers at governing board meetings varies widely for many reasons, the key common thread is the need for the manager to do whatever he or she can to contribute to a successful meeting.

The combination of the manager's style and the culture/history of the organization shapes quite different roles for the manager from one community to another. For some managers and in some settings, the manager may play a very visible and active role in the meeting. For other managers in other settings, the manager may appear almost like an interested spectator.

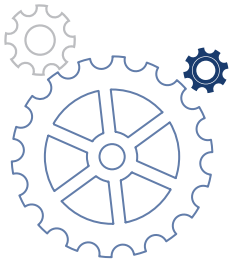
> The combination of the manager's style and the culture/history of the organization ***shapes quite different roles for the manager*** from one community to another.

Some managers believe that they should be actively engaged in the meeting with presentations and in discussion with the governing board. Others view their role as being available to either staff or the board as may be necessary to help resolve an issue. In some instances, once the manager has been with an organization long enough to establish confidence in the work of staff, the manager can rely more on those staff members taking on the principle roles in meetings. However, even when the manager prefers staff members to take the lead, the manager may choose to be the lead on particularly critical or sensitive topics.

Some managers believe that their primary contribution to the success of governing board meetings is the work they do in advance of the meeting—including helping prepare the chair, council, and staff. The manager plays a critical role in regard to scheduling agenda items, assuring quality written and verbal staff reports, and crafting well-justified recommendations.

The manager also needs to be available to assist at the meeting—including supporting the mayor, other council members, and the staff. Making suggestions on how to proceed if the council becomes bogged down on an issue can be a particularly valuable contribution to meeting success. Before jumping in,

- Carefully consider if your "intervention" into the discussion among the elected officials would be welcome and how likely it is to be helpful.
- If concerning a controversial issue, carefully consider if your "suggestions or comments" would be viewed as taking sides in support or opposition to one or more of your elected officials.



- At times it may be sufficient to simply summarize or rephrase what appears to be an evolving consensus.
- There may be times when offering an alternative approach can be welcome.

Managers often view the most successful meetings as those in which they don't need to say anything at all.

> Managers often view the most successful meetings ***as those in which they don't need to say anything at all.***

Letting the Council Decide

One of the biggest decisions for managers is determining that, having done all they reasonably can to assist the governing board on a challenging issue, it is time to disengage. Once the manager and staff have done the research, prepared and presented their recommendation, and responded to questions, it's time to allow the governing board to make its decision—even if its decision seems less than optimal.

It can be a serious mistake for the manager, or an individual staff member, to appear to be unable to "accept no for an answer." Managers need to understand the difference between recommending and advocating versus appearing to be unwilling to accept any conclusion other than the staff recommendation.

Also, continuing to engage once the council is in full debate mode can appear to be actively taking sides, which can be damaging to the council-manager relationship. Managers and staff need to appreciate that it is ultimately the governing board's meeting and the governing board's role to make the final decision.

One of the toughest challenges for professional staff is to be fully accepting of the right in a democratic system for the governing board to make the final decision when staff think, from their professional perspectives, it is the "wrong" decision. Governing boards have the right to make decisions within their authority, even if managers and staff don't agree with them.

After the Meeting

Often what the staff does after the meeting is as important, or even more important, than what it does before the meeting. A meeting debrief provides the opportunity to learn from both the good and the bad experiences. Examining what went well at a successful meeting can build the foundation for future successful meetings. Possibly even more important, examining what did not go well provides the basis for positive change and future meeting success.

Sometimes councils judge staff more by what happens after the meeting than by what happens at the meeting. Does the staff implement decisions not consistent with the staff's recommendations as faithfully and judiciously as it implements those decisions consistent with the staff's recommendations? It can be very damaging to the governing board–staff

relationship if the staff appears to drag its feet in implementing council decisions or does so in what appears to be a half-hearted manner.

A true test of staff's professionalism is the ability to effectively implement decisions it did not recommend and does not agree with.

When Things Do Not Go Well

All managers will experience meetings that do not go well. This may take the form of staff recommendations not being accepted, staff mistakes, fair or unfair criticism, or hostile conduct by the council or the public. In such cases it is the manager's responsibility not only to see what lessons can potentially be learned but also to set an example for staff on how to respond to a difficult meeting. Whether or not the manager can retain a positive attitude often determines how staff will respond—and how long it may take the staff to "recover."

While as manager you need not serve as an apologist for poor behavior on the part of the governing board or public, you should avoid furthering the negative gloom by appearing negative or overly critical.

Additionally, if the performance of one or more staff members was the cause for a poor outcome, how you deal with the resulting frustration will speak volumes to the staff. While such circumstances require staff learning, accountability, and improvement, how you communicate the lessons will be carefully viewed and probably long remembered by staff. Focusing on improvement likely has a much better long-term payoff than focusing on the frustrating aspects of what has already occurred.

At the end of the day your priority should be on keeping staff focused on a more successful future, not on dwelling on a negative meeting experience.

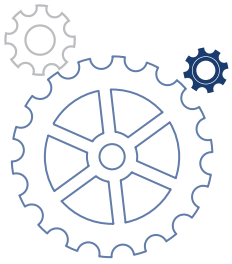
> "A true test of staff's professionalism is ***the ability to effectively implement decisions it did not recommend*** and does not agree with."

The Right Ingredients for Successful Meetings

Many ingredients result in a successful council–manager relationship. One key criterion for judging that relationship is the real and/or perceived success of the governing board's formal meetings. While the manager does not have complete control over the success of these meetings, with careful planning and skilled execution, the odds of success increase significantly, as do the odds for a positive staff–governing board relationship. Never allow disagreements to become personal.

Although no single meeting component is likely to make or break a well-planned meeting, it helps to keep in mind what the invested parties need from each other to come away feeling that the meeting was a valuable use of their time.

- What the staff (and public) need from the governing board:
- An effective and engaged chair
- A commitment to "do the homework"
- Asking questions in advance
- Professional conduct/demeanor



- Attentive listening
- Respectful/thoughtful deliberation
- Clear direction.
- What the governing board needs from the staff:
- A well-planned agenda
- Complete and professional staff reports
- Anticipation of issues and questions
- Clear and complete staff presentations
- Useful responses to questions
- Well-thought-out recommendations
- Timely follow-through on the meeting's decisions.

Final Word

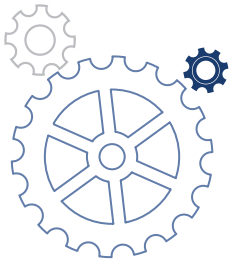
Perhaps more than anything, understanding your role and your professional and personal investment in conducting a successful meeting can help you appreciate your influence and the affect you will have on others at the meeting. Consider these experience lessons:

- Be realistic regarding expectations.
- Understand that you do not control the entire process or the outcome.
- Realize that democracy in action is often messy.
- Always keep your cool/manage your frustrations.
- Keep issues and feelings in perspective.
- Don't compromise the success of future meetings by your reaction to a difficult meeting.
- After your last meeting, whether it went poorly or great, start focusing on having the best possible NEXT meeting.

KEY NOTES

- While some will judge a meeting simply from the perspective of their agreement with the decisions reached, most will also place high value on how those decisions were reached.
- A board meeting is quite possibly the most prominent venue for judging both individual council member performance and the performance of the council as a whole.
- Rules and protocols are the foundation for the conduct of meetings. Consequently, councils must have buy-in on the need and value of such rules and must be sure that all members are familiar with the protocols.

- The number, order, and type of issues scheduled in a particular time frame affect how successfully the staff and governing board deal with those issues.
- Many consider an ideal meeting as having a good balance of both routine and significant (more complex and/or controversial) issues.
- Everyone needs to understand who has the authority to initiate the placing of a new item or topic on the meeting agenda.
- With so much riding on the outcome of agenda items, many organizations have set up training programs to assist staff in learning how to write quality staff reports.
- Staff needs to do all it can to anticipate potential questions and be adequately prepared to respond.
- Many organizations view allowing relatively inexperienced staff to make board presentations as part of the organization's responsibility to help staff members grow and develop in their careers.
- Some organizations have training programs specifically designed to assist staff members in becoming proficient presenters.
- Fair or not, the ability of a staff member to respond to questions "on the fly" can determine the board's ultimate confidence in the staff's proposal or recommendation.
- It's up to the manager to make sure that the mayor or chair has all the information needed to successfully undertake the role of managing the meeting.
- A staff meeting debrief provides the opportunity to learn from both the good and the bad experiences.
- A true test of staff's professionalism is the ability to effectively implement decisions it did not recommend and does not agree with.
- Even after a meeting that did not go well, the manager's priority should be on keeping staff focused on a more successful future, not on dwelling on a negative meeting experience.



Chapter 6

BEST PRACTICE COUNCIL RETREATS

An essential tool for helping councils achieve their goals

> By ***understanding your own preferences*** and those of your colleagues, . . . you can become more comfortable with the group process. . .

High performance starts with good council direction and the council's articulation of desired outcomes. "If you don't know where you are going, you might not end up there" (the late Yogi Berra's often-quoted observation) is especially true in local government. As discussed in other chapters, the key responsibility and added value of the governing body is to describe the community's future desired state so that the chief administrator can implement the processes and procedures necessary to bring that future state to reality.

One of the best tools for exploring, discussing, and agreeing on these outcomes is a successful council retreat, also sometimes called leadership summit or annual planning session. The nomenclature is not nearly as important as the components associated with them. Together these actions comprise the makings of retreats that serve the governing body, the local government, and the public effectively.

1. **Select a Facilitator**

   In general, using an external facilitator (or at the very least someone other than the chief administrator) to guide the retreat discussion is important. This allows the administrator to fully engage as a participant in the retreat and allows her or him to represent the administrative side of the organization in the discussions. Although almost all chief administrators have the skills necessary to facilitate (and many do it exceptionally well), doing so in this situation can lead to role confusion and put a limit on representation of the "implementing" components.

   If there is neither budget nor appetite for an external facilitator and the manager does need to fill the role of facilitator, it is often helpful at the outset to provide a mechanism (like a hat or placard or a button) to allow the manager to shift roles. Sometimes the manager may need to say, "Speaking now as the county manager, not as the facilitator" in order to be clear about his or her comments.

2. **Develop a Purpose**

   The first step in designing the retreat is simply to articulate what it is you hope to accomplish.

   With newly elected members or with groups that do not function well, it may be that team building and governance process are the key values of the retreat. With tenured or cohesive groups, it may be that long-range visioning, community strategic planning, or thorny issue discussion is most critical. Likewise, in every event it is important to set expectations appropriately. Expecting long-term dysfunction to turn into a love fest in a day and a half is not realistic, although agreeing on and practicing good group dynamics certainly is, and remarkable progress can definitely be made.

   A pre-retreat conversation to establish the desired outcomes needs to include at a minimum both the chief elected and chief appointed official (CAO). Many times the CAO can do this in his or her individual meetings

with the elected officials, and sometimes it can be done in a work session environment.

Having everyone together for a one-, two-, or three-day event is such an important investment that you want to know going into it everyone's expectations, so that the event can be designed to meet them.

3. Conduct Pre-Meetings

Council members come in all personality types, and not all of them are willing to put difficult issues on the table in front of their peers, especially if there is any fear of reprisals or attacks by colleagues, the media, or the public. Consequently, when it can be afforded and the group is willing, it is always wise to ask the facilitator to meet individually with the participants ahead of time. The facilitator can use the pre-meeting to get to know the individuals, develop some rapport prior to the event, and get a sense of what they hope to accomplish. Often it is possible to structure the agenda such that individuals' key issues are tackled as a matter of course and not as a result of their pushing for it, thus lowering the perceived threat of participation.

This is also the time to uncover any "bombshells" that might be in the works or unspoken dissatisfactions that might exist. Again, it is much better for the facilitator to know about these issues going into the event so that they can be planned for and defused if possible.

4. Use a Personality Profiling Instrument

Many personality profiling instruments are available: Insights®, DiSC, and MBTI are all popular, and of course folks have their favorites. The key is to recognize that everyone receives, processes, and communicates information differently and most certainly arrives at a decision point differently. By understanding your own preferences and those of your colleagues on the council and staff, you can become more comfortable with the group process and provide a framework and context for appropriate communication.

It is not unusual for a council to have a member who prefers verbal exchange, one who prefers abbreviated written reports, and still another who wants lengthy chapter and verse (with a Q&A opportunity) on every issue. When the pressure cooker of important decisions on live TV comes into play, it is critical that the team already have a framework for dealing with the resulting discord. While not a panacea, personality profiling provides a common language to use to highlight these differences in a positive fashion.

Use of a personality profiling instrument has the added advantage of being fun, so it makes a great icebreaker and kickoff to the retreat. And, since groups have "personalities" just as individuals do, it can be very helpful to profile the separate teams involved—elected officials, appointed professional, and staff—to build respect for each and the way each processes information and communicates, as well as for what each values in the communications process.

5. **Set the Agenda**

   With proper pre-meetings, personality profiles in hand, and, where appropriate, input of the mayor and city or county manager, the facilitator can craft a realistic agenda for the manager's consideration. Because in most environments retreats are open meetings and must be publicly posted as such, it is important that the agenda comply with local standards and yet also reflect where the key energies of the event are intended to be invested. The emphasis here is on realistic. If this is the first retreat for a council and group dynamics are the focus, don't put the community's BHAG (big hairy audacious goals) on the agenda as well. Conversely, with a tenured group with successful dynamics, don't waste this precious offsite time by playing "soft toss"—that is, by building an agenda of items that really don't need much discussion!

6. **Choose the Venue**

   Sometimes elected bodies are able to journey nearby to a dedicated event facility to hold their retreat. These facilities are designed, maintained, and staffed to provide all the amenities needed for everything to run smoothly. However, in-town venues such as hotel meeting spaces, civic centers, and even borrowed corporate or chamber facilities will work just as well. These do often require more effort on the part of staff to arrange and set up.

   Since community values vary significantly, it may be acceptable in some cases to travel to a resort-style environment, while for others, being Spartan is the order of the day. Whatever the decision, make sure the group supports it. Having an elected official choose not to attend because of the venue (especially if that official makes a big deal of it in the press!) generally sabotages the whole affair. Similarly, having elected officials popping in and out so they can take care of their day jobs because it is "just down the street" can be disjoining as well.

7. **Design the Room Setup**

   Group dynamics are strongly influenced by room setup. Think about it this way: If you were going to have an important conversation with your family about a topic that everyone has a stake in, such as where to go on summer vacation, or whether to invest in a pool or a basketball court in the backyard, where would you have that conversation? For some it would be the kitchen or dining room table, or perhaps around the couch, love seat, and recliner in the family room. Almost no one would say, "Well, we would get up on a dais facing an audience so we couldn't see each other's eyes or read their body language." Nor would they say, "Well, we would set up a U-shaped set of tables with uncomfortable wooden chairs with no padding where we sit shoulder to shoulder with no chance of eye contact."

   The point is that almost always making provision for round tables with comfortable seating with room to spread out and observe each other is simply a basic step for good conversation. If, as is often the case,

presentations need to be made that involve screens and speakers, the round tables can be oriented facing the screen with seating only on three-fourths or even just half of the table.

Comfort is key to keeping folks engaged and committed to a several-hour or multi-day event.

8. Be Thoughtful About Timing

Some councils like their retreats to coincide with elections in order to coalesce the team quickly. Others use retreats to set budget priorities, and therefore like to hold a retreat when the annual revenue picture is clearly seen. Still others use retreats to set manager goals and prefer scheduling the retreat at the end of or first of the calendar year. Of course, a well-designed retreat with a cohesive group will provide some components of all of these purposes, so just about any time is a good time!

Time of day is also a concern for some councils. Many elected officials have other employment, sometimes with limited flexibility, so evenings and weekends are best. Others can make arrangements for vacation or time off, so weekdays are preferable.

Because group dynamics can be interrupted with significant time lapses, holding a retreat across two or three evenings can be more problematic processwise than one continuous event, but again, with the proper commitment, can certainly be made to work.

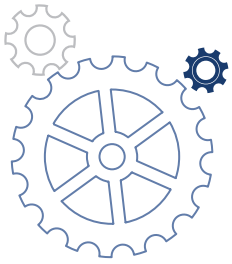
9. Designate the Attendees

The goal of course is 100% council member participation as well as full participation of the chief administrator. Beyond that, the retreat's objective to some degree determines who else needs to participate. If council team building in the face of ongoing unhealthy behavior is the key desired outcome, then having fewer additional participants is better. None of us like having difficult conversations with observers present. If significant conversation about thorny community issues is on the agenda, then the presence of subject matter experts is certainly helpful. Be careful not to shortchange your consideration of who needs to be in the meeting, given the consequences of inadvertently forgetting to include a necessary participant.

Because in most jurisdictions members of the CAO team—think deputies, assistants, and department heads—are so critical to goal accomplishment, it is often very helpful to have them participate. Their presence has the added advantage of demonstrating the competence and commitment of the organization's leaders.

As long as there is agreement in advance, not all of the staff team necessarily needs to stay all of the time. Perhaps the team building and some issue conversations are improved with staff's presence, but the council would feel more comfortable discussing council-staff relations without staff present. This does need to be known ahead of time so that no one feels excluded or gets their feelings hurt by being asked to leave.

> Be careful not to shortchange your consideration of ***who needs to be in the meeting . . .***



Again, in almost all instances retreats are indeed open meetings, so in many jurisdictions, media or citizen observers may be present. It is also important to decide and direct their involvement in advance. Some communities invite stakeholders to participate on specific issues that will be discussed in the retreat. Others take the position that anyone is allowed to observe, but only the council and staff can participate. Local tradition and the agenda can inform this discussion, but it needs to be announced (usually by the facilitator or chief elected official) at the beginning of the retreat, and then adhered to. If exceptions are made, undoubtedly the folks to whom the privilege is not granted will feel disregarded or even insulted, so being consistent is paramount.

> Be sure to ***convey the success*** [of the retreat] to your team.

10. Carefully Design the Follow-up

Congratulations! All the planning, advance work, and attention to logistics paid off, and your retreat was a resounding success. The personality profiles were a big hit, and in fact the council asked that council members' descriptors be located at their workshop venues as reminders of their importance in communication. Thanks to your excellent facilitator, the elected members came home with a more complete understanding of their role in the governance process; an added bonus was that a handful of challenging community and organizational issues were successfully addressed.

You and your staff were fully prepared and garnered significant accolades for your performance. Now, with the event behind you, you take a deep breath and get ready to finally get back to some of those vital things you have been putting off while making sure the retreat came off without a hitch.

But before you do, be sure to convey the success to your team. (Also see "When Things Go Wrong" elsewhere in this book.) Several of your key staff were present at the retreat and saw your achievements and the council's hard work firsthand, but most members of your organization were not there. Because the retreat outcomes also have an impact on the professional futures of all staff, it makes sense to quickly convey to the broader team the sense of success, energy, and cohesiveness that was achieved. A timely organizational communication of some sort is absolutely in order, whether it is in person, by podcast, blog, e-mail, or good old memo.

Remember, if staff members don't know what really happened, they will make it up (and generally not in the most positive light), so this additional immediate investment pays big dividends in terms of the organization capturing the positive momentum created by its leaders.

11. Conduct a Debrief

While you are at it, borrow a valuable process from our military commanders and convene an AAR (after action review) session with your core team within the first week you are back, before the pressures of the daily grind cause the glow to fade. What went well,

what especially resonated with the council, what needs to be tweaked for next year? What new insights about individuals, the team, and each other did you gain?

Be sure to capture the AAR logistical learnings in writing and keep them handy for next year. It will be here in the blink of an eye, and being able to quickly review what worked and what needs to be modified will get you ahead of the curve next time around. In fact, if your future retreat schedule is sufficiently set—even within a few-week range—go ahead and get on your facilitator's and venue's tentative calendars right now. Presuming that either or both will be available on short notice can be problematic.

Ask your facilitator to weigh in on the AAR issues as well. He or she will come in contact with dozens or hundreds of elected officials from multiple jurisdictions in many different venues throughout the year, and while observing client confidentiality, the facilitator can use that experience to help you decipher behaviors and comments. If you are comfortable doing so, this is also an opportune time to ask the facilitator for personal feedback. "What advice do you have for me?" is a great question.

> "In extreme cases of bad behavior [at a retreat], ***immediate intervention . . .*** may be needed."

12. Do Damage Control If Necessary

Occasionally, hopefully very occasionally, feelings can be hurt or relationships damaged during a council retreat. For members of council, allowing oneself to be vulnerable during personality profiling or visioning provides another member the opportunity to take advantage or seek leverage. In these cases, it is critical to act quickly to keep the transgression from poisoning the exercise, or even the entire relationship. In extreme cases of bad behavior, immediate intervention or perhaps follow-up mediation or team building may be needed. Certainly, the facilitator should help navigate these minefields and provide good counsel on how to repair fractures.

If members of staff feel attacked, undervalued, diminished, or undermined as a result of the retreat, it may be necessary for the manager to interpret these emotions and help process them. Emotional states are hugely significant in your work life, and the savvy manager keeps his or her finger on this pulse.

Maintaining composure and dignity at all times is certainly a hallmark of the professional, and if in a truly worst case scenario the manager finds that he or she is on the receiving end of attacks or vitriol, responding calmly and appropriately helps maintain the proper environment for the retreat.

Like an infection or nagging injury, ignoring any of these problems does not help it go away. In fact, addressing any of them in the moment, or as soon as possible, is typically the best course of action. While perhaps unpleasant and even perilous, being willing to take this risk demonstrates the poise and professionalism of the manager.

13. Delegate the Follow-up

Convene another session right after the retreat to effectively delegate quick follow-up actions to the appropriate departments and individuals. Council members will remember their key issues and any broad direction given, so be sure to have a process to provide feedback to council members on what you are doing. This sends the correct message that you highly value their participation and involvement. Any low-hanging fruit should be quickly harvested and the harder stuff put in process.

Now is also the time to do any appropriate resource reprioritization. Especially in these challenging times, there is little to no organizational "slack," so if the retreat resulted in additional outcomes (as they almost always do!), be sure to let your staff know what priorities can be shifted. It is far better to do the critical things well and some things not at all, than to do everything poorly.

SIDEBAR

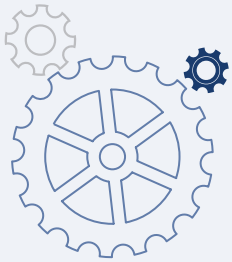
RETREAT CHECKLISTS

Pre-Retreat Checklist

- Select a facilitator
- Develop key purpose
- Conduct pre-meetings
- Select personality profile instrument (facilitator to administer)
- Develop agenda and meeting day(s) schedule
- Select venue and designate room set-up
- Designate attendees

Post-Retreat Checklist

- Organizational communication
- Event AAR (After Action Review) and logistics capture
- Tentative schedule for next year
- Facilitator debrief
- Low-hanging fruit harvest
- Outcome delegation
- Reprioritization
- Council feedback
- Use of what you learned



14. Convey the Delegation

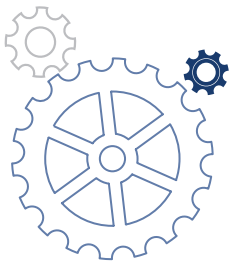
Be sure to provide the council with synopses of these actions. They will appreciate knowing that their time was well spent and valued appropriately and will be much more likely to be willing to invest in additional sessions in the future.

Finally, leverage your success with appropriately frequent reminders of the retreat with the council as well as staff. "Remember at the retreat when we agreed . . ." or, "Recall that my personality profile says I love analysis, so bear with me while I . . ." gives everyone a sense of connectedness back to the event and process and helps keep the jackpot flowing.

KEY NOTES

- You want to know going into a retreat everyone's expectations, so that the event can be designed to meet them.
- This is also the time to uncover any "bombshells" that might be in the works or unspoken dissatisfactions that might exist so that they can be planned for and defused if possible.
- While not a panacea, personality profiling provides a common language to use to highlight differences among retreat participants in a positive fashion.
- Group dynamics are strongly influenced by room setup. Making provision for round tables with comfortable seating, with room to spread out and observe each other, is simply a basic step for enabling good conversation.
- Comfort is key to keeping folks engaged and committed to a several-hour or multi-day event.
- The goal of course is to have 100% council member participation as well as full participation of the chief administrator. Beyond that, the retreat's objective to some degree determines who else needs to participate.
- Be careful not to short change your consideration of who needs to be in the meeting, given the consequences of inadvertently forgetting to include a necessary participant.
- Retreats are typically open meetings, so media or citizen observers may be present. It is important to decide and direct their involvement in advance.

- Because the retreat outcomes have an impact on the professional futures of all staff, it's important to quickly convey to the broader team the sense of success, energy, and cohesiveness that was achieved.
- As part of your meeting debrief, ask the facilitator for personal feedback. "What advice do you have for me?" is a great question.
- Any low-hanging fruit from the retreat outcomes should be quickly harvested and the harder stuff put in process.
- If the retreat resulted in additional, new outcomes (as they almost always do!), be sure to let your staff know what priorities can be shifted to address these.



Chapter 7

WHEN THINGS GO WRONG

Learning how to manage the bumps in the road

. . . when you live your life in ***the fishbowl of public administration,*** sometimes things just don't work out the way you want them to.

I first heard the maxim "One minute you are on top of the world, and the next minute the world is on top of you" from Buford Watson, ICMA's president in 1986. His point of course was that in the local government world you can be doing everything right—living the code of ethics, communicating relentlessly, implementing good governance, even managing inspirationally—and things can still go wrong.

Think of great managers—the mentors, teachers, and pundits in our world—who have wound up "in transition" after a council election. Think of sincere, hard-working professionals whom you know who are embroiled in a controversy not of their own making. Think of that colleague who poured his or her heart and soul into a community only to be shown the door based on groundless accusations.

Whether it is a dissident elected official, that rogue department head, the unscrupulous community activist, the reputation-seeking journalist, or even just being in the wrong place at the wrong time, the simple fact is that when you live your life in the fishbowl of public administration, sometimes things just don't work out the way you want them to.

With that said, there are things you can do to try to prevent these occurrences and some steps you can take to deal with them forthrightly when they do occur. While this chapter can't address every possible challenge, here are some of the more common ones.

The "Bad Apple" Governing Body Member

While ICMA surveys show that in general most local government managers feel that they have "good or excellent" relationships with their governing bodies, that rating is not uniform for all members of a council or governing body. In fact, the anecdotes and stories associated with the difficult council member are pervasive.

- These "bad apple" elected officials
- Treat every staff presentation as an inquisition
- Routinely disclose confidential information to the media
- Spend all their time on minutia and miss the big picture completely
- Are never prepared for the meeting and regularly ask questions that were answered in the council or board packet
- Are never willing to bring closure and always want more information before they vote
- Refuse to abide by the meeting rules of order
- Circumvent the administrator, going instead to internal staff, including even the assistant or assistant to
- Are always trying to make staff (and the chief administrator) look bad.

In addition, the bad behavior of these members also has a tendency to negatively impact the other members of the governing body.

Since these behaviors largely fall in the governance arena, the best case scenario is that the manager doesn't have to be involved in disciplining governing body behavior at all. The mayor or the most senior or most influential member can take the repeat offender aside and help that person see "the good governance light."

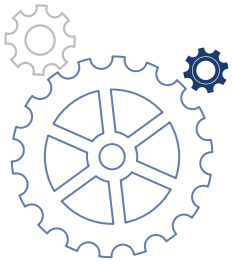
Ideally you have with your board or council some agreement on good governance behaviors as discussed in the governance chapter in this publication. Also ideally, these behaviors have been codified to some extent and were put in place before the disruptive member came on board. Putting good governance procedures in place when councils are supportive may sound unnecessary. "They already govern well, why push process on them?" is a common refrain. But just as negotiating your employment agreement when everyone is on good terms makes sense, so does developing the council process manual when the group is cohesive and cordial.

In reality, though, the brunt of the challenging behavior is directed at the administrator and/or staff, and so logically some of the intervention does involve the chief administrator as well. Here are some strategies that often work.

- **Meet with the member individually.** This one-on-one meeting—preferably in a location where the elected member feels comfortable—is designed to accomplish several things. It demonstrates the administrator's approachability and professionalism. It helps build, or starts to build, a relationship. It starts to educate the elected official on the roles and responsibilities of his or her office. (Remember, most elected officials have no formal training in governance and may have picked up bad habits or bad information traveling their board journey.) And, it informs the administrator as to motives, concerns, and objectives.

  Often just the engaging bears good fruit as the elected official determines that the administrator is as fully invested in the success of the organization and the community as the official is. With this common ground of common interest, rhetoric can be toned down and progress reinstated.
- **Use personality profiling tools.** In addition to experiencing the value of using personality profiling tools with individuals and with groups (as described in "Best Practice Council Retreats" elsewhere in this book), learning about profiling tools can inform both the elected official and the administrator about techniques to communicate well with each other. Since different skills and talents are often rewarded or applied differently in the unique spheres of elected and appointed office, it sometimes take conscious, determined effort and solid techniques to bridge between those spheres, particularly when friction already exists. Using personality profiling tools is not a panacea, but certainly provides additional mechanisms to forge communication links and build trust.

> Remember, most elected officials have ***no formal training*** in governance..



Think of it as a mutual language that can be used without emotion or bias to describe personal behaviors in a nonthreatening way. "I bet that's your 'D' coming out" is much less threatening to hear than, "You act like you have to control every situation."

- **Accommodate the member when possible and when it is not unethical or unduly burdensome to do so.** Interest-based negotiating teaches you that it is always valuable to look beyond the words used by the difficult council member to try to understand what that person truly hopes to gain or accomplish. Getting past the bombastic rhetoric to desired outcomes is often a path to accommodation. Fulfilling campaign promises or being responsive to constituent requests is political currency for the elected official, and sometimes these are easy win-

SIDEBAR

EXPERIENCE IS A GOOD TEACHER

A highly regarded and well-tenured manager recently shared her story with us. "After a nice run of supportive councils, we had several new members as a result of term limits. Most of these were willing to learn and acknowledged the work that their predecessors had done. One, however, began almost immediately to complain about the police department—especially his perception that there was a lack of trust and engagement with the minority community, and that minorities were disproportionately stopped and searched. In his opinion we were 'profiling.'

"We compiled and shared reams of statistics, charts, graphs, and reports to prove that this was not the case, but the member just kept getting louder and more strident in tone.

"Finally, after several meetings with me and with the police chief, I invited the member to accompany me on a ride-along with our midnight shift commander to observe firsthand what the officers were experiencing. As luck would have it, we were dispatched to a loud-music call in the council member's district, and he was able to experience up close the challenges associated with policing a large group of people, several of whom appeared to be under the influence of something.

"Fortunately our officers handled the encounter professionally and cordially and were able to convince the host to lower the volume and keep the party under control.

"This was a real eye-opener for the member, and as a result he signed up for and attended our Citizen's Police Academy, and over the next year or two became one of the police department's biggest supporters.

"I am convinced that the personal touch of meeting with him, supplying him with data, and most importantly, sharing the ride-along with him gave me personally, as well as the city, the credibility we needed to have in order to educate this member."

wins for the administrator and the elected official. Within the latitude of organizational resources, it is amazing how much rapport you can build by accommodating the elected official (while not compromising ethical or mission-critical components).

However, it is not unusual for elected officials to make promises or state positions that they find later they cannot fulfill or sustain. Either out of honest intent or campaign expediency, some candidates for office make commitments and promises that are virtually impossible to fulfill within legal or budgetary constraints. Add in even just a little reluctance from the incumbent tenured members and you have a recipe for confrontation when the election is over and the new member wants to advance his or her commitment. Unfortunately, delivering the bad news about the law or the money often falls to the administrator, and we all know what happens to the messenger.

As you meet with the member, let the member know that your goal is to help her or him be successful within the confines of the rules and resources available. Ask questions. Come prepared with alternatives or compromises. If this process works, and it often does, you can help create a valuable governing body member.

- **Enlist an ally or two.** When you've met with a difficult member to no avail, then the next step is to try the "two-on-one" approach. Is there a mutually trusted individual within the community whom you can recruit to help in the conversation? Perhaps the mayor can fill this role if perceived as fair by the new member. Again, this is a time to listen and let your partner probe. It is a time to educate and inform, not to threaten or issue ultimatums.

  If this approach does not work, then the "more" component may be needed. More is simply more. Typically the new member is influenced by two or three or four individuals. Often in the face of wise counsel from others besides the administrator, the new member will put forth or accept a compromise without tagging the administrator as an obstructionist.

  For this approach to be successful, you need to

  - **Assure the member** that you work for the council as a whole and intend to follow its majority direction expeditiously.
  - **Be as responsive and transparent as possible.**
  - **Stay calm and recognize it isn't personal.** The member would be acting this way irrespective of who sits in the manager's seat.
  - **Make sure your staff is truly prepared.** If this means practice sessions, extra packet review, or utilizing more senior members for council appearances, be willing to invest resources in flawless presentations.
  - **Reach out even more.** If this means a special one-on-one review of the agenda, it would be worth it to protect staff.

- **Determine if there are individuals** or institutions in the broader community **who might be influential** with the inquisitor and approach them for assistance.
- **Remain professional at all times.** While it is tempting to use the inquisitor's tactics against him, that simply reflects badly on the manager, the staff, and the community and emboldens the questioner.
- **Be patient.** The emotional energy required to behave as an inquisitor and the lack of substantive response often result in short tenures for disruptive members.
- **Respect democracy.** Like it or not (especially not!), the inquisitor is elected and must be accorded the respect of the office.

Extreme cases of council members who cross a code-of-conduct—and even legal—line do, unfortunately, exist. One such instance is presented in detail in the case study ("[Year 2002] Councilmanic Interference: When a Council Member Crosses the Line") at the end of this chapter.

SIDEBAR

THE ONE, TWO, MORE COMMUNICATION APPROACH

Not long ago, a city manager friend told a story about the candidate who used an employee union-sponsored forum in a neighborhood community center to announce his pledge to double the number of youth sports fields in the adjacent park within the first year of his term. Unbeknownst to the candidate, of course, additional fields were an impossibility in that location due to local and federal floodway regulations.

The staff members' hope that this pledge would be quietly forgotten was dashed when at the swearing-in ceremony, the now newly elected official reiterated it on live TV and gave a "first 100 days" list to the city manager.

In trying to educate the new member about the regulations, my friend was told, "I gave my word on this one. You are either with me or against me. It's a litmus test. What's it going to be?"

Fortunately my friend used the just-described "one, two, more" approach for this difficult conversation, starting with a one-on-one meeting to communicate that his goal is to help the council member be successful within the confines of the rules and resources available.

Ultimately the manager invoked the "more" component. To repeat: More is simply more. Ideally, there are two or three or four individuals who can exert influence on the new member.

It was at this stage that my friend's new official finally accepted the fact that the fields couldn't happen where he had envisioned, and he opened up to the possibility of a bond issue for parks, which ultimately passed!

Undermining by Staff

As a new manager one of your first challenges is to gain the support of your own staff. While the vast majority of the senior team members you might encounter are professionals in their own right, and recognize the legitimacy of the selection of the administrator by the governing body, occasionally a member of your own team will be the source of pushback or even outright insubordination. This can take the form of subtle behaviors or, if the staff member feels emboldened, out-and-out overt disobedience. These individuals may approach one or more council members directly, leading to the manager being taken by surprise by those members. These back channels can be ripe for incorrect or incomplete information, again leading to discomfort for the manager.

Here are some steps you can take to create an environment supportive of open communication and trust at the same time that it does not accept destructive or irresponsible behaviors.

- **Build rapport.** Beginning immediately after taking the reins, reach out to each staff person, connecting with them personally and helping them understand how the administrator operates is always one of the first orders of business when newly appointed. Continuing to communicate values, levels of performance expected, and support provided is also critical—especially since initially the new administrator is likely "drinking from the fire hose" trying to get to know the community and the governing body as well as the staff.
- **Respect legitimate professional disagreement.** Since professional staff members are often highly trained and highly skilled in their fields of expertise, it is critical that their recommendations and positions be fully appreciated. Even if the administrator has a background as an engineer, planner, or public safety professional, disagreements about a recommendation or direction need to be addressed early on and fully discussed. Helping staff appreciate that it is okay to disagree internally up until the manager conveys a final direction helps keep everyone in the conversation and legitimizes their contributions.
- **Convey expectations.** Staff members need to know that the team moves forward together and that the administrator will support them in difficult times. They also need to know that after all the conversations, debates, and disagreements, once a decision is made on how to proceed, they are expected to be fully on board. This is very similar to the administrator's commitment to the governing body that once a vote is taken, the administrator fully supports the majority position. The administrator needs to be clear that no exceptions to this behavior will be tolerated.
- **Hold staff accountable.** The old adage that the behavior you tolerate from your weakest member becomes the standard for all members continues to be true. If the administrator allows any member of the team to act in a manner contrary to the team, then all other members of the

> [Staff] also need to know that . . . ***once a decision is made*** on how to proceed, they are expected to be fully on board.

team wonder if the administrator really means what he or she says. This may require being willing to confront a bully or a passive-aggressive individual, and when such confrontation is necessary, it is better to do it sooner rather than later.

- **Sever dysfunctional relations and bad matches.** Sometimes, after all the conversations, team building, and accommodations, it becomes clear that the "fit" with a staff member simply isn't there. To protect the integrity and unity of the team, it is simply necessary to acknowledge this and move on professionally. While each community is different, this may simply mean giving the staff member the opportunity to find another position, negotiating a severance, or at the end of the day terminating her or his employment.

None of these options is fun, and can be hugely stressful for all involved. Nonetheless, when a bad situation is allowed to linger, the cancer can spread to other parts of the organization. People start taking sides, and

SIDEBAR

ADDRESSING PROBLEMATIC SITUATIONS OR INDIVIDUALS

Change is hard, and most managers have experienced the worry on the part of their new staff team when moving to a new community. "Is my job on the line?" "Will there be a reorganization?" "Will I lose stature?" are all common concerns. "Will you finally address the misbehavior of one of the team members?" is less common, certainly less verbalized, but perhaps even more closely watched.

One manager put it this way: "While doing my first-month workplace visits and conducting my first series of staff meetings, I was struck by the aggressive behavior of one of the senior members of the team. The fact that this individual was in charge of our large utility operation had given him great influence, and while he was technically competent, I was extremely put off by his personal behavior.

"After several meetings trying to ameliorate his abrasiveness (and in my view, his bullying), I finally gave him an ultimatum, 'my way or the highway.'

"The individual chose to leave, and we did it professionally and even cordially. You could almost feel the collective sigh of relief from the department, and even from the other departments.

"One of the key staff members stopped by my office to share that he was enjoying his job more than he had in years and remarked, 'We had been treated that way for so long, we had forgotten what it was to be respected.'"

if no action is taken, the team can actually cease to be one, with people retreating into silos or building their own safety zones.

While a generalization, and so subject to the errors of generalizing, most people in the organization will prefer clearly communicated decisive action, even if they disagree with it, over the confusion and misunderstandings associated with tolerating insubordination.

The Organizational Misstep

Despite all best efforts, mistakes are sometimes made. In fact, with the rate of innovation necessary to be successful in local government today, mistakes are inevitable. They need to be mistakes of good intention, not ineptitude, reflective of a desire to serve and certainly not malfeasance. The key to surviving and even getting stronger through mistakes is to acknowledge them quickly, determine what went wrong, adjust the behavior or the system, and rectify them if possible.

Hiding, obfuscating, or denying mistakes is a recipe for disaster. Presume that all will be known eventually, likely on the front page, as it were. Your best bet is to get out ahead of the ugliness and deliver the bad news yourself. The governing body and the community may still be angry, but they at least will not feel betrayed. As contrary as it sounds, the administrator often gains, rather than loses, respect by being willing to acknowledge mistakes.

> As contrary as it sounds, the administrator ***often gains, rather than loses,*** respect by being willing to acknowledge mistakes.

The message becomes that innovation requires risk taking. Not wild gambles but calculated risks. For innovation to occur, staff must risk money, other resources such as time, and their reputations. Most importantly, they must risk mistakes and likely criticism. Staff will not innovate when any misstep or mistake is criticized by top management or elected officials. Instead, they will try to make any recommendation or proposal perfect with no chance of failure before trying it out. Unless the administrator can create an environment that encourages "smart risks," there will be little if any innovation regardless of how much innovation is desired by the council. (See "Strategies to Help Board Members Support Smart Risks" sidebar in the chapter on governance.)

The CEO Risk

Trust is a foundational component of leadership. Author Stephen Covey's concept of an "emotional bank account" remains valid. His concept is about cultivating the habit of always doing the right thing no matter the circumstances in order to make deposits into a "trust account." That way, when something challenging happens, you have earned the right to the benefit of the doubt.

In local government so many things can go wrong: a bad law enforcement encounter, a missed test for environmental compliance, a critical audit, an internal theft, an organizational misbehavior. It is always painful to admit that results were less than hoped for or that a member of the team

transgressed a boundary, but doing so quickly and voluntarily keeps the rumor mill more quiet than it would otherwise be, and it sets the foundation that the administrator has nothing to hide.

In fact, in local government administrators can become embroiled in controversies absolutely not of their own or the organization's making. Weather disasters, mass casualty events, diversity issues, economic issues, indiscretions by governing body members, and other types of calamities somehow seem to find their way to the administrator's doorstep.

> Almost always, openness is ***the best course of action.***

Almost always, openness is the best course of action. If indeed the local government mis-stepped in its behaviors or in its response to another's behavior, being fully forthcoming often calms the storm. The governing body, the media, the stakeholders, and affected parties can see the transparency for themselves.

Admittedly being open is not always the first choice of your advisors. Sometimes the legal team or law enforcement team will advocate to maintain confidentiality, and this must be judiciously evaluated and respected. However, when facts are not shared, fabrications are often made, and rarely to the benefit of the administrator or organization. Unless it is absolutely illegal or imprudent to do so, being transparent often short-circuits the rumor mill or media frenzy.

Additionally, communicating relentlessly is even more important in the face of crisis or disaster. Governing body members have an inherent aversion to being surprised with information from other sources, so you must keep them fully in the loop. Remember that anything written can be (and likely will be) shared, so if it is indeed confidential, verbal communication is best. Don't sugarcoat or make excuses. Provide facts, timelines, and courses of action and address questions. There will be time later to assign blame; the key at this juncture is to address what can be addressed, deal with the immediate, and mitigate damage.

Being Placed in Transition

Being in transition is one of the unpleasant components of our profession. Whether it is a governing body change, a difference in styles, or being made a scapegoat, sometimes an administrator is forced to move on. Ideally a previously negotiated employment agreement is in place that sets forth the parameters of such a transition and, also ideally, the governing body is willing to honor the agreement. ICMA is a prodigious resource for these agreements (see ICMA's Model Employment Agreement). Colleagues in your state or region are also great resources for what is common or acceptable in agreements in your distinctive geographic (and political) environment. Most are very willing to share their agreements (likely they are public information anyway) and, more importantly, to tell the stories associated with negotiating key provisions.

Additionally, several states associations (e.g., the Texas City Management Association) maintain relationships with legal counsel who are well versed in public agreements and can be counted on to advise their members.

When faced with transition,

- **Always take the high road.** Anything said in anger or in hurt will likely be regretted later, so stay generous in your comments and your behaviors.
- **Take care of your family.** Spouses and children, parents and friends often become collateral damage in transitions. They have little to no control and feel the same anger and fear that the administrator does, without the ability to impact the circumstances. Make sure you are communicating as much with them as you ever did with your governing body. Demonstrating your confidence (even if you don't feel it yourself) while acknowledging honestly the challenges helps alleviate their anxiety.
- **Reach out to colleagues.** No one can appreciate your circumstances as much as someone who has traveled your path. While it may seem that "everyone knows," the fact is that everyone is as busy with their own lives and communities as you have been, so they may in fact be surprised—and chagrined—that they did not know and had not reached out to you.
- **Utilize the services of ICMA.** This is the time to be more open to assistance, not less. Attending a regional summit or ICMA's annual conference is a way to recharge batteries, reconnect with the underlying mission of local government, and expand your network. You can also expand your network by actively engaging in the Knowledge Network.
- **Accept the phone calls of folks you don't know.** Again, the natural tendency after an upset of this nature is to withdraw or become reclusive. The profession has formal resources (senior advisors, managers-in-transition programs, etc.) and also informal ones. Many members provide short-term opportunities, paid and even unpaid, that keep you in the loop, fill voids in resumes, and help you feel productive. These may in fact come from folks you do not know but who are in your circle of influence.
- **Stay focused on your job—which is getting another job.** Again, ICMA has multiple career resources to assist you in this arena.

Local government administration is a noble calling, even when things seem to be going wrong. It is in the face of truly difficult challenges that you can best model the behaviors that set professional managers and administrators apart. In order to fulfill your calling, build trust and be trustworthy. Never compromise your ethics for expediency. Communicate relentlessly. Be transparent. Practice patience. Be persistent and predictable in your pursuit of excellence. Recognize that as painful as it is, you do serve at the

> No one can appreciate your circumstances as much as someone who has ***traveled your path.***

pleasure of the governing body and that upsets do occur. Reach out to your colleagues. Make the most of the services of ICMA. Stay positive.

In many cases things will work out. Even if they don't, observers will look at your behavior and recognize the professionalism!

CASE STUDY

[Year 2002] Councilmanic Interference: When a Council Member Crosses the Line

By Kevin C. Duggan

Adapted from the July 2006 issue (volume 88, number 6) of Public Management *magazine, a special issue edited by John Nalbandian and Shannon Portillo. Copyright © 2006 by ICMA. Duggan was the city manager of Mountain View, California, when he wrote this case study.*

2006 Nalbandian/Portillo comment: *This article reflects the core strength of council·manager government and the ethical commitments of professional local government managers. . . . We highlight two points in this article. First is the enduring obligation of a professional city manager to promote good government. Second, we see in Duggan's strategy the way the relationship between the manager and the council has evolved into a partnership. Although Duggan took the lead, the council's support—even if silent—cannot be discounted.*

Of all the things I thought I would encounter in my career, testifying in front of a grand jury and then a superior court jury on the history and purpose of the council-manager form of government and on how a council member had violated it, was not one of them. This is the story of a city manager dealing with one of the most challenging professional experiences imaginable—reporting a council member for misconduct.

Those of us who have chosen the profession of local government management recognize that establishing and maintaining effective working relationships with council members can be among our most important and challenging responsibilities. I never anticipated, however, that the issue of a council member's attempts to thwart the principles of the council-manager form would become one of the toughest episodes in my own professional life.

Any of us who have been in this business for any length of time have encountered a few council members who choose to "push the envelope" in influencing the administrative/management side of local government. Always, I have tried to avoid the politicalization of basic local government services while understanding that council members must be informed about and relate to some of the nonpolicy aspects of governing.

In most cases, we can find a reasonable balance. Even when a council member clearly crosses over into the area of a n inappropriate attempt to influence staff's administrative responsibilities, the issue can generally be resolved through the manager's diplomatic yet clear explanation of the problems being caused. Often, council members do not fully understand the impact that they are having on staff and will commit themselves to taking a different approach once they do. I also believe that most of us in our profession pride ourselves on helping council members succeed in their roles and "keeping them out of trouble" when necessary.

This story is about what happened when the above-noted techniques did not work and a manager was faced with a tough choice between undesirable options. In this particular case, the impasse resulted in a decision by the city attorney and myself to report a council member's (the then-mayor's) misconduct to the district attorney. And this move eventually resulted in the council member's removal from office.

A byproduct of the decision was an attempt by this council member and his attorney to put the management of the organization on trial, together with, effectively, the council-manager form of government.

The Problem

While issues concerning the council member's conduct came to a head early in his second four-year term, problems with his conduct manifested themselves earlier in his tenure.

Understanding that Mountain View is in the middle of Silicon Valley but that the community's heritage is farming, it's helpful to know that the difficult council member came from a longtime local farming family, had longstanding ties to the community, and ran on the platform that he would be a "neighborhood cou ncil member."

Though he had a rather direct interpersonal style, the first year or two of his first term were without major stumbling blocks. Then, a series of increasingly problematic behaviors brought the "councilmanic interference" issue to a peak during the latter part of his first term and the early part of his second term.

Among the behavior patterns and actions that were problematic were:

- Directly contacting staff at various levels of the organization suggesting, and sometimes demanding, certain things be done or not done.
- Displays of anger and temper directed at staff members at various levels of the organization.
- Attempting to influence code enforcement activities on properties near his home, including some properties he wanted to buy for personal or family financial gain.
- Communicating the clear expectation that he was entitled to rights and privileges above and apart from other residents because he was "a member of the city family."

Among the incidents that got the most exposure in the press, once the grand jury had issued "accusations" in this case, were these:

- A demand that the police chief be fired for not giving him advance warning of a search warrant to be served on his home as part of a criminal investigation of a family member.
- An order to code enforcement staff to pursue action against a neighboring property owner whose property he wished to acquire.
- Refusal to pay for the replacement of a fire hydrant destroyed by a family member, and outrage displayed when he was billed for the damage.
- Numerous questionable city-charged expenses, including the purchase of a $700 tuxedo.
- A confrontation with the building official, in which the council member demanded that a multimillion dollar, private construction project be shut down immediately because he thought the construction crane being used was unsafe and that the developer was too influential in the community.

As if the actions described above were not enough, the incidents that brought the interference issue to a crisis were his demands that staff block the development of a property he wished to acquire, immediately adjacent to property already owned by his family. He made it clear that he would see to it that both the planning director and I would be fired if the project were not blocked.

The conclusion that the situation was hopeless came when he asked me into his office one afternoon (while serving his one-year term as mayor) and told me that conditions needed to be placed on the development of the property in question. His aims were to discourage the current owner from proceeding, to lower the value of the property, and to increase the likelihood that the property owner would be willing to sell to him! Interestingly enough, this meeting took place just four hours before my annual council performance evaluation. The implication was clear: how I responded to his demands would influence his approach to my performance evaluation.

Investigation and Trial

Throughout the period of this conduct, both the city attorney and I met individually with this council member many times in attempts to correct and modify his behavior. At first, we hoped that our efforts to inform him of the problems and likely consequences of his conduct were succeeding. In one case, when his belligerence had been directed at another council employee—the city clerk—the council was informed of his conduct and intervened to prevent a recurrence.

I even used my closed-session performance evaluation meetings as opportunities to express to the council the increasing need I felt to take action over the improper conduct of a council member because of the impact his behavior was having on my ability to carry out my responsibilities.

My goals were to modify the behavior and specifically to protect staff from his attempts to influence their work through confidential, one-on-one meetings. (He recognized the damage that would accrue to the city, the council, and the staff if the matters discussed in the private meetings had to be dealt with publicly.)

Reporting the Conduct

When it became apparent that his inappropriate behavior was escalating, that it had crossed legal lines, and that staff could not be shielded from his conduct, the city attorney and I concurred in a decision to report the conduct to an appropriate authority, regardless of the consequences. While we understood that it was not our role to determine what should be the outcome of any investigation, we felt we were obligated to disclose that the conduct was occurring.

The city attorney and I expected that the day would come when we could not adequately mitigate this conduct. We believed our recourse would likely be to report the conduct to the rest of the council. Because the conduct had become so severe and the legal implications so serious, however, we decided that referring the matter to the district attorney was an option that needed to be considered.

One of the drawbacks of referring the matter to the council was that this move would require that accusations be made public prior to an independent investigation. Because of the "sunshine" laws in California, the council would have to consider the allegations in open session.

Additionally, any such investigation begun by the council would likely have been seen as politically motivated by this council member and his supporters. After consulting with two other council members and the vice mayor (because the council member in question was mayor), we decided that the city attorney would consult with the district attorney of Santa Clara County. Each council member, including the mayor, was notified of this referral.

District Attorney Investigation

Based on his independent review of the facts, the district attorney chose to investigate the matter. Surprisingly, during the five-month investigation, this activity did not leak to the press. Needless to say, we found it extremely awkward working with the mayor during this period; also, many city employees had to be interviewed by a district-attorney investigator as part of the probe.

While the district attorney considered filing criminal charges on a number of counts, he finally determined to charge the mayor under a little-known and rarely used provision of California state law that provides for the removal from office of an elected official for misconduct. This procedure requires that a grand jury find sufficient basis for "accusations" to be filed against the elected official, then for a superior court jury to find the elected official guilty on the same standard of proof as required for a criminal conviction (unanimous agreement "beyond a reasonable doubt").

Grand Jury Proceedings

What followed were the closed grand jury proceedings, which involved the testimony of several city employees. In my case, testimony included an extensive explanation of the council-manager form of government and its adoption in the city charter.

One month later, the grand jury issued its "accusations" against the mayor for corruption and willful misconduct. The grand jury transcript also was released, detailing all the instances of misconduct. Next came a media frenzy that covered the entire San Francisco Bay area. Living through this media blitz and being personally featured in the coverage were unpleasant experiences for me and for other staff members.

Council Member's Accusatory Defense

Anticipating the action of the grand jury, the mayor already had hired one of the most high-powered defense attorneys in Santa Clara County, who immediately began his media campaign to question the motivation of the mayor's chief accusers, namely, the city attorney and myself. The mayor also had used the period of the investigation to prepare his key supporters to take the offensive. The "spin" was that the city manager and city attorney were out to "get" the mayor for a variety of reasons, ranging from our desire to control city government to our fear for our jobs, as he claimed that he had been critical of our performance. However, no such criticism was ever evident to us, either within or outside the context of our annual performance evaluations.

Of particular note was the premise of the defense attorney that, since council-manager government did not allow this council member to directly intervene in the organization on behalf of his constituents, he could simply ignore the city charter and its council -manager provisions in order to address citizen concerns.

This attorney also suggested that, since some communication and contact with city staff are permitted, primarily to respond to routine inquiries, there had been no clear demarcation line to determine "councilmanic interference."

Meanwhile, the mayor was able to pack one council meeting with supporters who made it clear that they felt he was being unjustly prosecuted. For the first time in my career, I had members of the public saying the city attorney and I should resign for overreacting to the mayor's behavior. Not only was it evident that the mayor was not going to resign, but also that he was going to fight the charges vigorously and accuse his accusers in the process.

Media Blitz

For a manager who prefers a low-profile approach to city management, this was quite a turn of events. What ensued was four months of media coverage leading up to the public trial. Having my own integrity and job security challenged in the media by the mayor's attorney and supporters was to me particularly frustrating. The councilor's (through the normal rotation pro-

cess, he was again a council member at the time of the trial) legal defense strategy was to put his accusers on trial.

During the lead-up to the trial, it was important to me that the matter not become too great a distraction from the organization, or a significant impediment to the work of the city. I needed to avoid appearing distracted and preoccupied if city staff were to continue to function effectively. Also, the ci ty attorney and I had to deal with the anxiety of staff members who were subpoenaed to testify at the trial.

The trial started off on a less-than-positive note, with the district attorney needing to drop three of the four accusations (counts) brought against the council member relating to the property conflict of interest. Bizarrely, it was determined that the defendant did not "technically" have a conflict of interest relating to his family's property (even though he and his family lived there) because it was held in trust by his father.

Form of Government on Trial

The lone remaining count was violating the city charter by interfering with the responsibilities of the city manager. Therefore, in actuality, the council-manager form of government, and how it functioned in Mountain View, were put on trial. Testimony stretched out for more than two weeks and was covered daily in the media. To say that this was a stressful period is an understatement.

Testifying on the history and purpose of council-manager government was certainly one of my most interesting professional experiences. The case clearly became a testing ground for the principles and values inherent in the form. Specifically, it was a testing ground for our professional obligation to shield city staff from political interference and demands for special treatment by an elected official.

The defense attorney attempted to make the case that any council member contact with city staff that was condoned by the city manager "opened the gates" for his client's conduct.

More personally, I had the unique experience of being cross-examined about confidential memos I had submitted to the council during my own annual performance evaluation. Also, to counter misinformation from the defense, I took the unusual step of giving the district attorney my most recent performance evaluation to present to the jury!

The Verdict

At the conclusion of the testimony, the wait for the verdict began. After almost four days of deliberations, the jury returned a verdict of "guilty of misconduct in office."

Newspaper editorials called the verdict a "victory for honest government" and suggested that this council member was lucky not to have been criminally prosecuted. Ironically, the main reason he was not being prosecuted in this way was his lack of success in getting city staff to do what he

wanted. So, in effect, we had saved him from being more legally liable than he would otherwise have been.

Some of his political supporters continued to defend the council member, claiming he had been convicted only on a "technicality." In a further attempt to make public relations points, the council member resigned one day before the superior court judge was scheduled to sign the removal-from-office order. The judge, however, refused to acknowledge the resignation as sufficient and issued the removal order anyway.

Lessons Learned

For both the city attorney and myself, opting to publicly accuse a mayor/council member of misconduct was one of the hardest decisions of our professional lives. In advance, we knew that this course of action would be difficult and professionally risky. On the one hand, we felt we had no other choice consistent with our professional ethics, but, on the other hand, we realized that the consequences of our action were likely to be significant for the community and for ourselves. While this move was difficult to make, we concluded that we had to act.

Al though we as individuals were willing to put up with this council member's threats and attempts at intimidation as long as we could block his efforts, when it ultimately became evident that we could no longer fulfill our obligations to the council, staff, city charter, and community without disclosing his behavior, the appropriate course of action became inescapable (regardless of any personal consequences). We saw clearly that the staff could no longer be shielded from his conduct and that we must inform the council that one of its members was acting in a manner not consistent with their stated values, with the city charter, and, most likely, with state law.

The most difficult aspect of these types of situations is determining when the problematic conduct has gotten to the point where there is no alternative besides public disclosure.

Looking back on this experience, we would offer the following observations:

- Recognize that it can be extremely difficult to determine when your personal intervention with a council member has not been sufficient to fulfill your professional and ethical obligations to your organization and community.
- Don't underestimate the ability of a core group of supporters to rationalize the behavior of "their guy" and to take the offensive on his behalf.
- Clearly understand at what point you must disclose illegal/unethical conduct, even though you may not play a role in determining the appropriate remedy for the conduct.
- Appreciate that our ultimate responsibility as managers is not to individual council members, but to the council as a whole and to the employees of the organization, the community, the ethics of our

profession, and the laws governing the form of government in which we serve.

- Understand that attempts to establish reasonable flexibility in setting administrative/policy boundaries can later be attacked as removing all such distinctions.
- Appreciate that the value of having a strong working relationship with your city attorney cannot be minimized.
- Develop a mature understanding that doing what is right will often not be easy, may subject you to personal attack, and may have negative personal and/or professional consequences.
- Recognize that, although they probably won't be as vocal as your critics, many members of your community will have increased confidence in you and in the organization for your willingness to confront unethical behavior.
- Realize that acting ethically will result in local government employees' acknowledgement of your willingness to "walk the talk" in regard to principled conduct.

Conclusion

Fundamental to our service to our communities and our professional values is the need to consider thoughtfully when we as managers are morally, ethically, and/or legally required to confront misconduct. While our primary goal should be to educate those we work with to prevent misconduct, this priority does not absolve us of an obligation to take more drastic action if we are unsuccessful in preventing it.

Our greatest risk is the potential to rationalize that we don't really need to take action when confronted with the negative consequences of doing so. We need to reflect seriously and carefully on this point if we are to be prepared to act.

As we have heard over and over recently in relation to corporate and organizational scandals, the leaders of organizations should be held accountable to answering three questions when illegality or corruption is exposed:

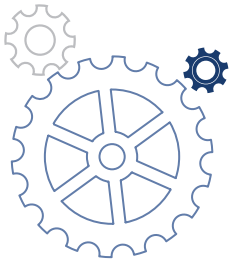
- What did you know?
- When did you know it?
- What did you do about it?

If we are to strive to be leaders of ethical organizations, we must be prepared to respond to these questions. As difficult as my experience was, it meant a chance for our organization to prove its commitment to the values we espouse. And, to say the least, it furnished some unusual and unexpected forums in which to explain the structure and value of the council-manager form of government.

KEY NOTES

- The simple fact is that when you live your life in the fishbowl of public administration, sometimes things just don't work out the way you want them to.
- The "bad behavior" (i.e., behavior counter to the goals and culture of the board or council) of even just one council member has a tendency to negatively impact the other members of the governing body.
- Ideally, the mayor or the most senior or most influential member of the council can take the offending council member aside and help that person see "the good governance light."
- In reality, though, often the brunt of the challenging behavior is directed at the administrator and/or staff, and so logically some of the intervention does involve the chief administrator as well.
- Interest-based negotiating teaches you that it is always valuable to look beyond the words used by a difficult council member to try to understand what that person truly hopes to gain or accomplish. Getting past the bombastic rhetoric to desired outcomes is often a path to accommodation.
- If the administrator allows any member of the staff team to act in a manner contrary to the team, then all other members of the team wonder if the administrator really means what he or she says.
- When a bad situation is allowed to linger, staff members start taking sides, and if no action is taken, the team can actually cease to be one, with people retreating into silos or building their own safety zones.
- Innovation is necessary to be successful in local government today, so of course mistakes are inevitable. The key to surviving and even getting stronger through mistakes is to acknowledge them quickly, determine what went wrong, adjust the behavior or the system, and rectify the mistakes if possible.
- As contrary as it sounds, the administrator often gains, rather than loses, respect by being willing to acknowledge mistakes.
- Unless the administrator can create an environment that encourages "smart risks," there will be little if any innovation regardless of how much innovation is desired by the council.

- In local government, administrators can become embroiled in controversies absolutely not of their own or the organization's making. Almost always, openness is the best course of action.
- Having an employment agreement in place prior to any kind of transition is a level of protection that all managers need.
- In keeping the governing body members well-informed about emerging problems, if the information you need to share is confidential, remember that anything written can be (and likely will be) shared, so verbal communication is best.
- Communicating relentlessly is paramount in the face of crisis or disaster.



Chapter 8

"MAY THE FORCE BE WITH YOU": A SET OF 12 BEST PRACTICES IN COUNCIL-MANAGER RELATIONS

Mastering the essentials

If you find yourself at this chapter, you have either been a faithful reader or, like an impatient reader of mystery novels, you've skipped ahead to the end. In either case, we want to send you off with some final thoughts on how to maximize the potential of a great working relationship with your elected officials. Enjoy the list!

> . . . help your newly elected officials learn what policy making is all about . . . ***help them do meaningful work.***

1. **Always Have Time for Your Elected Officials:** ***It will be a big problem if elected officials don't feel important or valued by the manager.***

   Elected officials don't run for office to feel ignored. It is easy to underestimate how much elected officials look to the manager for cues in regard to how they are valued. With all the demands on the manager's time, it is easy to find it difficult to be available as often as some elected officials would like. Make it a priority to be available and responsive to your elected officials—it is much more important than you might think. Always ask each of them individually how much and how they want and like to be communicated with. Listen to both their verbal and nonverbal (i.e., body language) response.

2. **Help Your Elected Officials Become Better Policy Makers:** ***Make it easier for elected officials to stay focused on what they are supposed to do.***

   "Making policy" is not easy. Few elected officials come to their roles with the knowledge and skill to do so effectively. It is frankly easier for them to help you do your job than to do their own. And since they all were elected to "do something" if not busy working on policy issues, they will gravitate to more administrative areas. So help your newly elected officials learn what policy making is all about and how to go about doing it. Create structures (strategic plans, general plans, policy development, legislative goals, etc.) that help them do meaningful work in their area of responsibility—decreasing the odds that they will gravitate to help you do your work since they are not finding meaning in their roles. Help them find "early wins" in their arena and they are more likely to stay in it.

3. **Have Clear Communication and Understanding Regarding Your Council's Expectations:** ***You can't meet their expectations if you don't know what they are.***

   While sometimes time-consuming and challenging, it is critical for the manager to have a clear dialogue with elected officials about their expectations concerning the manager's performance. A meaningful conversation on this topic can occur during performance evaluations or in some other setting. Having an understanding with your elected officials that they will "let you know if there is a problem" is not sufficient. You need to proactively seek input and feedback so that you can better understand their expectations of you before you run into issues with your performance not matching their expectations.

4. **Never Compete with Elected Officials for Public Recognition or Attention: *You get paid—let the elected officials have the limelight.***

   By and large elected officials work very hard for relatively little, if any, compensation. One of the major "rewards" for their service is public recognition for organizational success. It is often too easy for the public and/or press to focus on the manager as the reason for organizational/community success. While it is quite natural to be tempted to accept such praise (particularly if it is well deserved), the contribution of the council (and often staff) should be emphasized. Councils are fully cognizant of what their professional managers are paid for their work. It follows, then, that council members expect the manager to make sure they get the "compensation" of public recognition.

5. **Implement City Council Decisions Faithfully: *It doesn't matter whether you like the decision; it's yours to implement.***

   We should all know that the nature of our local government democracies dictates that the will of the people is discerned by the elected body. Whether right or wrong (at least from your point of view), councils have the right to make those decisions. While you can appreciate your obligation to carry out the will of the elected officials, you can sometimes do so halfheartedly or with little enthusiasm. If you do so, it will be noticed and will not be appreciated. Your professionalism requires you to implement decisions you disagree with as effectively as decisions you recommended (and this also helps avoid you and the staff being blamed for any lack of success resulting from the board's decision).

6. **Do the "Small Stuff" Well So That Your Elected Officials Can Trust You on the "Big Stuff": *Pay attention and remember what is important to your elected officials.***

   It can be tempting, quite understandably, to put a low priority on what we perceive to be low-priority issues raised by council members (often on behalf of constituents). Whether it's a pothole to be filled or a street tree to be trimmed, it can be frustrating to feel pulled away from "higher priority" responsibilities. However, the more effectively you and your team respond to these "small things" (particularly since these will never seem to be minor concerns to elected officials or one of their constituents), the more credibility you and the organization will establish with your elected officials. It increases the odds that when a significant or complex issue is before them, the elected officials will have confidence in your recommendation. However, if you have not demonstrated the ability to get the "small stuff" accomplished, elected leaders may not trust you and the staff when the "big stuff" rolls around.

> "Your professionalism requires you ***to implement decisions you disagree with*** as effectively as decisions you recommended. . . ."

> Never forfeit your credibility by appearing to ***overly influence a decision. . .***

7. **Always Maintain Your Professionalism:** ***If you ever make it personal, watch out!***

   It is inevitable that you and your elected officials will at times not agree on a course of action. As long as such disagreements remain at a professional level, little damage is usually incurred. However, if such disagreements ever degenerate into what appears to be personal animosity, the ability to maintain an effective relationship is greatly compromised. Even when provoked, do your best to never appear to personally have a problem with your elected official (versus viewing a policy question from a different perspective). Once your elected official believes it has become personal, that perception is very hard to overcome. Treat your least supportive member just as you would your most supportive one, and he or she might just become it!

8. **Be Realistic About "Management vs. Policy":** ***Avoid "I want to play in your yard, but you better not play in mine."***

   The need for managers to withstand the efforts of elected officials to become directly involved in the management of the day-to-day operations of the city is clearly understood. However, the line of separation can be blurry. It is also clear that leaving the council completely in the dark regarding what is occurring within the organization can lead to serious issues for the manager. Additionally, it is certain that the manager (via recommendations and the like) will influence policy positions. If the manager is going to influence policy, she/he must be willing to find balance in terms of allowing elected officials some reasonable understanding of what is happening administratively in the organization.

9. **Present Facts and Information Accurately and Completely:** ***Avoid spinning at all costs.***

   It is completely understandable to become "invested" in your recommendations to your elected bodies. While, fortunately, few in our profession would intentionally mislead the elected bodies to achieve a desired outcome, it is possible to do so inadvertently. Not presenting all legitimate options or not completely and fairly identifying the pros and cons of options can be tempting when you are convinced regarding what direction the council should take. Never forfeit your credibility by appearing to overly influence a decision by not presenting all the relevant facts in a clear and unbiased fashion.

10. **Be Realistic About the Number and Types of Issues You Ask Your Council to Tackle at One Time:** ***Don't try to take on everything at once.***

    When we know that there is much work to be done, it can be tempting to bring many issues forward in close time proximity. Whether it

is at one meeting, or a series of meetings in close proximity, it is easy to overload councils with either too much workload or too much controversy. This can lead to poor decision making, and even resentment. Sometimes bad decisions result when a different sequencing of issues or more time to consider the topics could have resulted in a more positive outcome. Don't overload your councils with work or controversy—timing can be everything!

> "Mistakes can usually be forgiven, ***violation of trust*** usually cannot."

11. If Elected Officials Don't Trust Your Honesty and Integrity, Nothing Else Matters: *Establishing and maintaining trust must be your highest priority.*

Many factors can impact the success you have in establishing and maintaining a successful working relationship with your elected officials. None is more important than trust. If your elected officials don't trust you to be honest and straightforward with them, nothing else matters. You can be the smartest or most skilled manager around, but without trust, little else matters. Never squander that trust by what you do or say. Mistakes can usually be forgiven, violation of trust usually cannot.

12. Every Time Your Council Changes, Your Job Becomes New Again: *Never take the relationship for granted.*

Most managers taking on a new job, especially first-time managers, take nothing for granted. They actively seek input and feedback. They work hard to develop a strong relationship with the council as a whole and with individual council members. The longer you serve in these roles, the more casual you can become in regard to establishing and retaining a positive working relationship. Assume, because it is usually true, every time your council changes it becomes a "new job" for you. Don't forget how you acted (and took nothing for granted) as a new and/or first-time manager. Never take the relationship for granted, even if your council doesn't change.

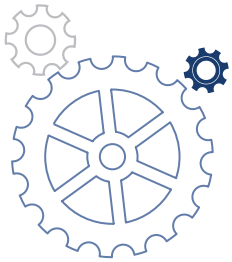
Final *Final Word*

It no doubt came as no surprise that a good deal of this book deals with the unique challenges of being a CAO in local government, and in particular, the challenges that can arise in working with and for elected officials. However, we are hopeful that you come away with a sense of how meaningful and important this work is as well.

Between the two of us, we have served as CAOs of local governments for several decades. Both of us feel incredibly fortunate to have been able to play the roles we played in our respective communities, and neither of us would trade the experience for anything. While we both have faced our share of challenging times, they were far outweighed by our positive experiences.

It's useful to keep in mind that there are challenging times in all professions and jobs. That is not unique to local government management. However, with the challenges of our profession come a singular variety of experiences, an unusually high degree of meaningfulness in our work, and an important sense of satisfaction when we do our work well.

Congratulations on your decision to choose local government professional management as a career. While you work to overcome its inherent challenges, never forget the value and purposefulness of the work you do.



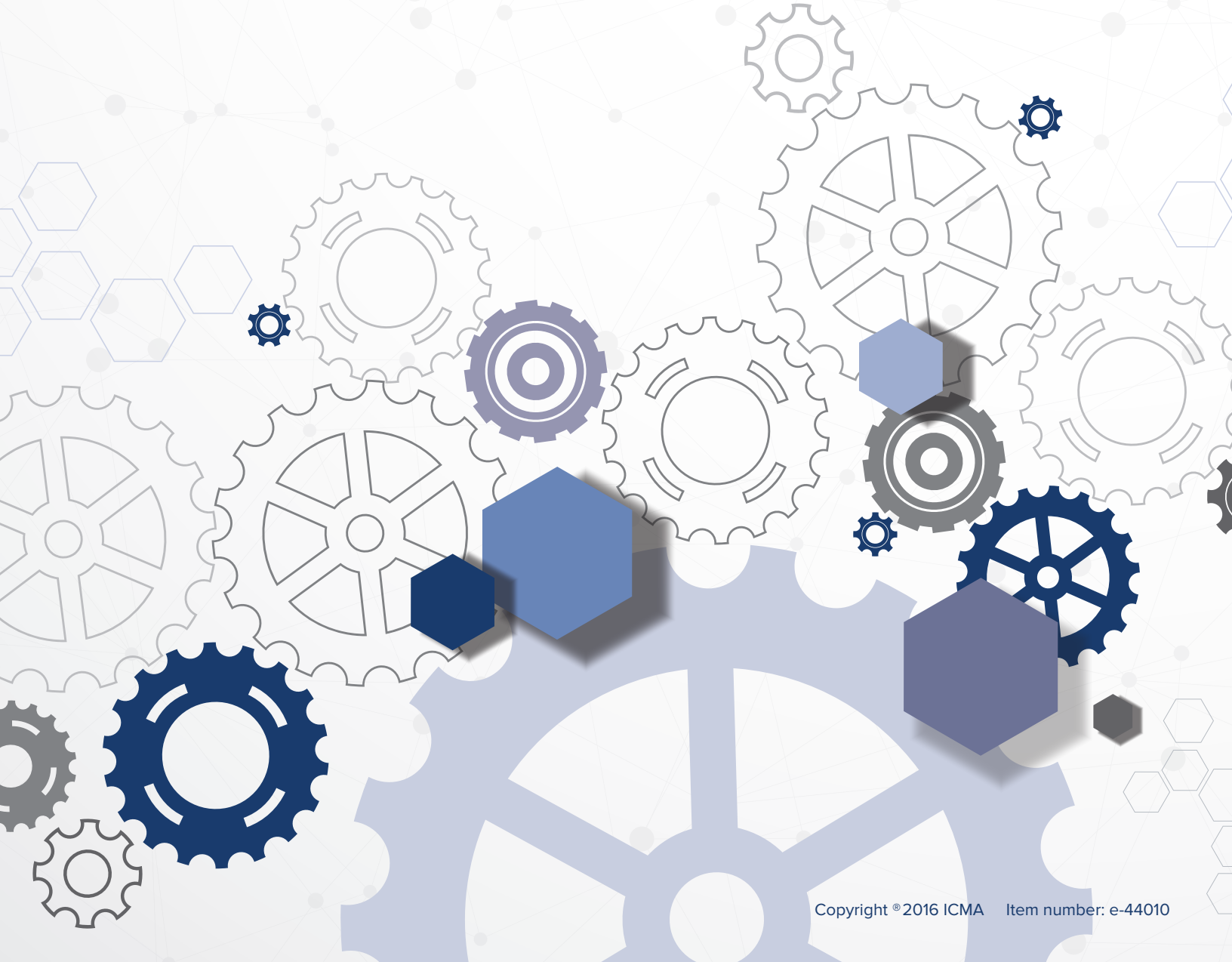
RELATED RESOURCES

These links take you to online ICMA resources mentioned throughout this publication. In addition, ICMA's Knowledge Network is an online focal point of thought, resources, expertise, and interaction related to all local government topics. Here you will find a learning community for local government leaders to exchange ideas and a place to disseminate best, leading, and emerging practices. You can explore the realm of council-manager relations through the "topics" pages featured in the Knowledge Network.

- ICMA's "Practices for Effective Local Government Leadership"
- ICMA's Life, Well Run program
- Steve Bryant's article, "Council/Manager Relationships Revisited," November 2015 Public Management
- 2015 survey of 250 California city and county managers
- ICMA Manager Evaluations Handbook
- Ken Hampian's May 2004 *Public Management* article entitled "Six Reasons Why It's Best to Work Through the Manager"
- ICMA Code of Ethics
- ICMA Voluntary Credentialing Program
- Senior Advisor Program
- Frank Benest's online "City Managers Need Coaches Too" column (Career Compass No. 45)
- "Elected Officials" topic in the Knowledge Network
- Robert's Rules of Order
- Resources available through national organizations: ICMA as well as the National League of Cities (NLC), the United States Conference of Mayors (USCM), and the National Association of Counties (NACo)
- Model employment agreement
- Regional summits or ICMA's annual conference
- ICMA Career Network has multiple career resources
- A collection of select articles from Mike Conduff's Council Relations column in *Public Management* magazine. (*Note:* This is premium content available only to ICMA members.)

ICMA

INTERNATIONAL CITY/COUNTY
MANAGEMENT ASSOCIATION



 Item number: e-44010