

**RICHLAND COUNTY**  
**RULES & APPOINTMENTS**  
**COMMITTEE AGENDA**



**Tuesday, FEBRUARY 09, 2021**

**4:00:00 PM**

**ZOOM MEETING**

**The Honorable Bill Malinowski, Chair**

**County Council District 1**

**The Honorable Gretchen Barron**

**County Council District 7**

**The Honorable Jesica Mackey**

**County Council District 9**

# RICHLAND COUNTY COUNCIL 2021



Bill Malinowski  
District 1  
2018-2022



Derrek Pugh  
District 2  
2020-2024



Yvonne McBride  
District 3  
2020-2024



Paul Livingston  
District 4  
2018-2022



Allison Terracio  
District 5  
2018-2022



Joe Walker III  
District 6  
2018-2022



Gretchen Barron  
District 7  
2020-2024



Overture Walker  
District 8  
2020-2024



Jessica Mackey  
District 9  
2020-2024



Cheryl English  
District 10  
2020-2024



Chakisse Newton  
District 11  
2018-2022





Richland County Rules & Appointments Committee

February 09, 2021 - 4:00:00 PM  
Zoom Meeting  
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Bill Malinowski
  
2. **APPROVAL OF MINUTES** The Honorable Bill Malinowski
  - a. December 15, 2020 [PAGES 9-13]
  
3. **ADOPTION OF AGENDA** The Honorable Bill Malinowski
  
4. **ELECTION OF CHAIR**
  
5. **NOTIFICATION OF VACANCIES**
  - a. 1. Accommodations Tax – Five (5) Vacancies (ONE applicant must have a background in the lodging industry, THREE applicants must have a background in the hospitality industry, and ONE applicant will fill an At-large seat)
  
  2. Airport Commission (Hamilton-Owens) – Two (2) Vacancies
  
  3. Board of Assessment Appeals – One (1) Vacancy
  
  4. Board of Zoning Appeals – One (1) Vacancy
  
  5. Building Codes Board of Appeals – Six (6) Vacancies (ONE applicant must be from the Architecture Industry, ONE from the GAS Industry, ONE from the Building Industry, ONE from the Contracting Industry & TWO from Fire Industry as alternates)

6. Business Service Center – Four (4) Vacancies (TWO applicants must be from the Business Industry and TWO applicants must be a CPA)
7. Central Midlands Council of Governments – Five (5) Vacancies
8. Community Relations Council – Eight (8) Vacancies
9. East Richland Public Service Commission – Two (2) Vacancies
10. Employee Grievance Committee – Six (6) Vacancies (MUST be a Richland County employee; 2 seats are alternates)
11. Hospitality Tax – Five (5) Vacancies (TWO applicants must be from the Restaurant Industry)
12. Internal Audit Committee – Two (2) Vacancies (applicant with CPA preferred)
13. Lexington Richland Alcohol Drug Abuse Council – One (1) Vacancy
14. Music Festival – Two (2) Vacancies
15. Procurement Review Panel – Two (2) Vacancies – (One applicant must be from the public procurement arena & one applicant must be from the consumer industry)
16. Richland Library Board of Trustees – One (1) Vacancy
17. Richland Memorial Hospital Board of Trustees – Two (2) Vacancies
18. River Alliance – One (1) Vacancy
19. Riverbanks Park Commission – One (1) Vacancy
20. Transportation Penny Advisory Committee (TPAC) – Five (5) Vacancies

## **6. INTERVIEWS**

- a. Lexington Richland Alcohol and Drug Abuse Council (LRADAC) - 2
  1. Harold (Harry) C. Ward [**PAGES 14-15**]

2. Marvin E. Robinson, Jr. [PAGES 16-17]

3. Andrew (Andy) R. Tolleson [PAGES 18-19]

**7. ITEMS FOR ACTION**

- a. Unless there are truly extenuating circumstances agenda items should not be listed as “Title Only”. (Somebody was late getting it to us” is not extenuating.) This only gives the public two opportunities to see an item prior to final approval by Council when in fact there should be three. [MALINOWSKI]
- b. Consider moving the Horizon meeting to Tuesday and have delivery of finished agendas to Council members by Thursday close of business [PAGES 20-23]

**8. ITEMS FOR DISCUSSION**

- a. Once Council approves an action no Council member is to individually go to a staff member in an effort to accomplish/change something that was not in the approved information/action by Council [MALINOWSKI]
- b. I move to amend the Public Nuisance Ordinance to define "Public Places/Establishments" to include restaurants, taverns, lodges, parking lots, and public places where children or students attend and/or normally congregat
- c. I move that all County Employees presenting to County Council during an official Council meeting (Regular, Special Called, Public Zoning Hearing or Standing Committees) held in Zoom have a live camera running during their actual verbal input.
- d. Direct the Rules Committee to determine which Richland County Boards, Committees and Commissions should have as a qualification that the person applying must reside in the unincorporated area of Richland County only. There are some of these positions where other municipalities appoint individuals and if a person applying for one of those positions resides in that municipality then they should make application through them
- e. I move that if matters such as Clerk to Council Search or Compensation for Interim Clerk of Council are to be a part of the Employee Evaluation Oversight Ad Hoc Committee that the name of the Ad Hoc Committee be

changed to better reflect what would fall under the purview of its function, responsibility, and/or purpose

- f. Boards, Committees and Commissions Descriptions and Duties

**9. ADJOURNMENT**

The Honorable Bill Malinowski



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.





Richland County Council  
Rules and Appointments Committee  
December 15, 2020 – 3:30 PM  
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Bill Malinowski, Chair, and Chakisse Newton

OTHERS PRESENT: Paul Livingston, Michelle Onley, Leonardo Brown, Tamar Black, Angela Weathersby, Kyle Holsclaw, Ashiya Myers and Brad Farrar.

1. **CALL TO ORDER** – Mr. Malinowski called the meeting to order at approximately 3:302 PM.

2. **APPROVAL OF MINUTES**

- a. **December 8, 2020** – Ms. Newton moved to approve the minutes as distributed.

The motion died for lack of a second.

Mr. Malinowski requested a hard copy of the minutes be included with his outgoing mail.

3. **ADOPTION OF AGENDA** – Ms. Newton moved, seconded by Mr. Malinowski, to adopt the agenda as published.

Ms. Newton noted she was notified the Richland Library has an additional vacancy, and did not know if it would be appropriate to add it to the agenda.

Mr. Malinowski responded, if we start giving everybody an ad that sends us an email that is all we will be doing. He would prefer keeping them all together like we have done in the past.

In Favor: Malinowski and Newton

Not Present: Kennedy

The vote in favor was unanimous.

**INTERVIEWS**

4.
  - a. **Richland Library Board of Trustees** – 1 – Ms. Melissa Watson Ward was interviewed for the vacancy.
  - b. **Richland Memorial Hospital Board of Trustees** – 2 – Ms. Helen B. Woods was interviewed for the vacancy.

Rules and Appointments Committee  
December 15, 2020

5. **APPOINTMENTS**

- a. Richland Library Board of Trustees—1 – Ms. Newton moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to appoint William P. Stork.

In Favor: Malinowski and Newton

The vote in favor was unanimous.

- b. Richland Memorial Hospital Board of Trustees –2 – Ms. Newton moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to re-appoint Ms. Helen B. Woods and re-advertise for the remaining vacancy.

In Favor: Malinowski and Newton

The vote in favor was unanimous.

5. **ITEMS FOR ACTION**

- a. I move that Council work with staff to conduct a comprehensive review of the Council rules and recommend changes to streamline the rules to improve the functioning of Council business  
[NEWTON]

4.5 Meetings

- Mr. Malinowski stated Mr. Manning suggested the language in 1.7(c)(6) should be consistent. Therefore, the language should read as follows: “...must be provided to the Clerk of Council.”

4.7 Reports

- Mr. Malinowski stated Mr. Manning noted the language in 1.7(b)(2) clarifies written requests and suggested there should be consistency throughout. Therefore, the language should read as follows: “Any item not reported out to the full council by a committee within 90 days of that item having first appeared on the committee’s agenda may be placed on the Council agenda when the Clerk’s Office has received a written request (includes electronic mail or messaging) from three members of Council not less than 24 hours prior to the scheduled meeting.” Ensure the language is consistent in Rule 1.7(b)(2), as well.

4.10 Motions Forwarded to a Committee

- Mr. Malinowski stated Mr. Manning disagreed with the change to the language. Therefore, the language should read as follows: “Items Pending Analysis and the reason the item remains pending.”

5.16 Delays

Proposed language: “*The Chair shall entertain no motion that would have the effect of unnecessarily delaying the business of Council.*”

- Mr. Malinowski noted Mr. Manning indicated “This seems WAY too broad of a power. The Chair could use this not to accept most of the motions listed in Rule 5.13.”
- Mr. Malinowski stated the “Nondebatable Motions” would not delay Council. It seems those haste the business because we are stopping debate.
- Ms. Newton stated she believes the intent of this rule is to prevent someone from introducing frivolous motions, or things intended not to move Council business forward.
- Mr. Farrar stated this rule as always been in Council Rules, but he has never seen it invoked. He noted this rule does not appear in the SCAC Rules, and he does not believe any other County has this rule.
- Ms. Newton suggested deleting this rule.

### 5.18 Voting

- Amend the language to read: “In such a case, voting by a show of hands or roll call shall be in order.”
- “No member shall, under any circumstances be permitted to vote after a decision has been announced by the Chair.” Mr. Manning noted this happens all the time.
- “After the decision of the question, an absent member may be permitted to declare the vote she/he would have given if present, but such vote shall not affect the previous question.” Mr. Manning inquired as to when and how the member makes this declaration, and will it be recorded anywhere. Mr. Farrar suggested the following language: “*Following the vote, Council member XX declared his/her vote as follows*”.
- Mr. Malinowski inquired if the reason for the abstention has to be stated at the time of the abstention. Mr. Farrar responded the Council member is supposed to state a reason, but if they do not there is not a lot that can be done about it.
- Amend language as follows: “...must be stated at the time of the abstention, or delivered to the Clerk following the meeting.”

### 5.19 Voting for Board and Committee Appointments

- Ms. Newton stated we requested this rule when there was disagreement and/or when Council did not want to go with the recommendation of the Rules and Appointments Committee. She inquired if we want to indicate this is an option, as opposed to mandatory.
- Add the following language after the first paragraph: “Any Council member may make a motion to request a candidate be voted on individually.”

### 6.1 Suspension/Amendments

- Add the word “and” prior to the #2.

## RULE VII: OFFICIALS TO SERVE THE COUNCIL

- Mr. Malinowski noted this whole section was struck. Mr. Farrar stated the language seemed out of place and antiquated. This is provided for by State Law. It does not hurt to have it in the rules, but it adds very little value.

### 1.7 Agenda

- Mr. Malinowski stated Ms. Terracio requested the reason for Executive Session be published on the agenda for the public to review in advance of the meeting.
- Ms. Newton inquired if the language in 1.7(c)(5) and 1.7(c)(16) should be consistent.
- Add language “Agenda shall state the reason for Executive Session” in Rule 1.7(c)(5) and 1.7(c)(16).

Mr. Malinowski stated Ms. Terracio also requested “All agendas and information packets for Regular Session, Special Called and Council Retreat meetings shall be posted online within the appropriate timeframe required for public notice” He inquired if this is already a State law.

Mr. Farrar responded the State FOIA law sets the baseline, but if you want to aspire to something beyond that it is fine. He has seen many cases where we have had great intentions, but they end up hamstringing us because we set more stringent guidelines than the law requires.

Ms. Newton inquired if violation of Council Rules would prevent us from having a meeting. For example, if we emailed the public, but did not post it on the website.

Mr. Farrar responded if you comply with the State law you could have the meeting. If you have a rule that puts in additional safeguards, and you want to proceed with the meeting, in light of that rule you would need to get unanimous consent to waive the rule.

Mr. Malinowski stated, additionally, Ms. Terracio requested, “more opportunities for constituents to speak on an issue, especially if the item has been before Council for an extended period of time.” He believes that constituents are given ample opportunities to speak on a particular item.

Ms. Newton stated, hypothetically, there could be an effort that is taking a long time to evaluate. Per our current rules, if somebody spoke on that when it first appeared on our agenda, they would not be able to speak on it again.

Mr. Farrar suggested handling this on a case by case basis.

Mr. Livingston stated if a matter has not been addressed within 6 – 9 months, then we could allow an additional public hearing.

- Unless there are truly extenuating circumstances agenda items should not be listed as “Title Only”. (Somebody was late getting it to use” is not extenuating.) This only gives the public two opportunities to see an item prior to final approval by Council when in fact there should be three. [MALINOWSKI] – No action taken.
- Consider moving the Horizon meeting to Tuesday and have delivery of finished agendas to Council

**Rules and Appointments Committee  
December 15, 2020**

members by Thursday close of business – No action taken.

d. Boards, Committees and Commission Description and Duties – No action taken.

6. **ITEMS FOR DISCUSSION**

- a. Once Council approves and action no Council member is to individually go to a staff member in an effort to accomplish/change something that as not in the approved information/action by Council [MALINOWSKI] - No action was taken
- b. I move to amend the Public Nuisance to define “Public Places/Establishments” to include restaurants, taverns, lodges, parking lots, and public places where children and students attend and/or normally congregate [DICKERSON] – No action taken
- c. I move that all County Employees presenting to County Council during an official Council meeting (Regular, Special Called, Public Zoning Hearing or Standing Committees) held in Zoom have a live camera running during their actual verbal input [Manning] – No action taken
- d. Direct the Rules Committee to determine which Richland County Boards, Committees and Commissions should have as a qualification that the person applying must reside in the unincorporated area of Richland County only. There are some of these positions where other municipalities appoint individuals and if a person applying for one of those positions resides in that municipality then they should make application through them [MALINOWSKI] – No action taken
- e. I move that if matters such as Clerk to Council Search or Compensation for Interim Clerk of Council are to be a part of the Employee Evaluation Oversight Ad Hoc Committee that the name of the Ad Hoc Committee be changed to better reflect what would fall under the purview of its function, responsibility, and/or purpose [MANNING] - No action taken

6. **ADJOURNMENT** – The meeting adjourned at approximately 5:00 PM.



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: Harold (Harry) C. Ward
Home Address: 720 Kilbourne Rd., Columbia, SC 29205
Telephone: (home) 803-256-1241 (work) 803-240-5019
Office Address: 720 Kilbourne Rd., Columbia, SC 29205
Email Address: haroldcward@gmail.com
Educational Background: B.S. Business Administration
Professional Background: Business Management and Financial Services
Male [ ] Female [ ] Age: 18-25 [ ] 26-50 [ ] Over 50 [ ]

Name of Committee in which interested: LRADAC
Reason for interest: Prior Board Member of LRADAC, 1996-2004. Proud to see wonderful program growth for those in recovery.
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

Blessed with 34 years Alcohol Sobriety which afforded me an active and productive life. Active in other recovery and drug programs in effort to give back.

Presently serve on any County Committee, Board or Commission? Township Board.
Any other information you wish to give? Former Palmetto Bay Board, 2005-12
Recommended by Council Member(s):
Hours willing to commit each month: As needed by Board and Agency.

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes  (Pardon 8-2-17) No

**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes  No

If so, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

David Conrad  
Applicant's Signature

March 18, 2020  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>	
Date Received: <u>3-20-2020</u>	Received by: <u>[Signature]</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

2



APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: ~~Marvin~~ MARVIN E. ROBINSON JR.  
Home Address: 4103 Parkman Drive Columbia SC 29206  
Telephone: (home) 864/230-3819 (work) same  
Office Address: 1333 Main St Suite 200, Columbia SC 29201  
Email Address: MARVIN.ROBINSON@AMERISHANK.COM  
Educational Background: BS in Business Admin, The Citadel, 1998  
Professional Background: 20+ years in commercial banking  
Male  Female  Age: 18-25  26-50  Over 50   
Name of Committee in which interested: JRADAC  
Reason for interest: 6 years serving their foundation and short term on their commission for Lexington County  
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:  
Same as above. Previously served for Lexington County and recently moved to Columbia  
Presently serve on any County Committee, Board or Commission? No  
Any other information you wish to give? No  
Recommended by Council Member(s):  
Hours willing to commit each month: as much as necessary

CONFLICT OF INTEREST POLICY

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No X


**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No X

If so, describe: \_\_\_\_\_

\_\_\_\_\_

  
Applicant's Signature

8/5/20  
Date

**Return to:**  
**Clerk of Council, Post Office Box 192, Columbia, SC 29202.**  
**For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

<b>Staff Use Only</b>	
Date Received: <u>8/10/2020</u>	Received by: <u>T. Black</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

2



**APPLICATION FOR SERVICE ON RICHLAND COUNTY  
COMMITTEE, BOARD OR COMMISSION**

**Applicant MUST reside in Richland County.**

Name: Andrew R. (Andy) Tolleson, PE, DGE

Home Address: 2309 Rembert Street Columbia SC 29201

Telephone: (home) 803-269-2651 (work) 803-783-9001

Office Address: 305A Stoneridge Drive Columbia SC 20210

Email Address: atolleson@tollesonltd.com

Educational Background: BS and MS in Civil Engineering Design

Professional Background: Program Manager. Zero Claims Record. Strategic Planner. Designer

**Male** Female

Age: 18-25 26-50

**Over 50**

Name of Committee in which interested: Hospital Trustee, LRADAC, Airport or Zoning, CMCOG

Reason for interest: Lifetime Richland County and Columbia resident. Business owner and citizen interested in offering my leadership experiences.

Your characteristics/qualifications, which would be an asset to Committee, Board or

Commission: Successful business owner and Engineer of record on major projects. Planner and expert witness.

Professional: Local Business owner with extensive experiences in USA and International.

Presently serve on any County Committee, Board or Commission? **None.**

Any other information you wish to give? Established relationships with Council & County staff.

Recommended by Council Member(s): Hon Paul Livingston

Hours willing to commit each month: Flexible schedule will serve as needed.

**CONFLICT OF INTEREST POLICY**

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All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

*Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.*

Yes \_\_\_\_\_ No X

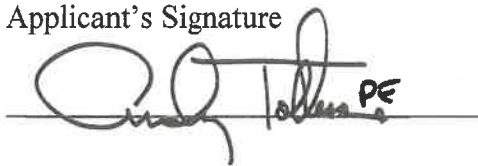
**STATEMENT OF FINANCIAL OR PERSONAL INTERESTS**

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes \_\_\_\_\_ No X

If so, describe : I am owner of Richland County SLBE Certified Consulting Engineering and Construction firm and provide services on County related projects.

Applicant's Signature



Date

Oct 01, 2020

**Return to:**

**Clerk of Council, Post Office Box 192, Columbia, SC 29202.  
For information, call 576-2060.**

**One form must be submitted for each Committee, Board or Commission on which you wish to serve.**

**Applications are current for one year.**

**Staff Use Only**

Date Received:	<u>10/1/20</u>	Received by:	<u>CHHO</u>
Date Sent to Council:	_____		
Status of Application:	Approved	Denied	On file

2

**RICHLAND COUNTY  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050



Agenda Briefing

**Prepared by:** Clerk to Council's Office and County Administrator's Office

**Department:** Clerk to Council; County Administrator's Office

**Date Prepared:** May 21, 2020

**Meeting Date:** June 02, 2020

<b>Approved for consideration:</b>	County Administrator	Leonardo Brown, MBA, CPM
<b>Committee</b>	Rules & Appointments	
<b>Subject:</b>	Thursday Delivery of Finished Agendas	

**Recommended Action:**

Staff takes a neutral position as to the date of the Hoizon meeting and the delivery of finished agendas to County Council members by the close of business on the Thursday immediately preceeding the meeting at which the item is to be considered.

**Motion Requested:**

n/a

Request for Council Reconsideration: Yes

**Fiscal Impact:**

There is no fiscal impact.

**Motion of Origin:**

Consider moving the Horizon meeting to Tuesday and have delivery of finished agendas to Council members by Thursday close of business

<b>Council Member</b>	Bill Malinowski, District 1; Yvonne McBride, District 3; Allison Terracio, District 5; Dalhi Myers, District 10; Chakisse Newton; District 11
<b>Meeting</b>	Special Called
<b>Date</b>	December 17, 2019

## Discussion:

While there is not a Council rule which speaks to the designated weekday of Horizon meetings; presently, County Council Rule 1.7 states,

*Back-up documents for the agenda for all items must be received by the Clerk of Council by the close of business on the Thursday preceding the meeting at which the item is to be considered.*

Agenda item titles are due to the Clerk of Council's office by the close of business on the Wednesday preceding the meeting at which the item is to be considered. Council member motions must be received by the Clerk of Council by the close of business on the Thursday preceding the meeting at which the item is to be assigned to a standing committee. Assuming items are properly placed the agenda via the those methods outlined in Rule 1.7b, for delivery of agendas to occur on Thursday as proposed, Rule 1.7 should be amended to require that back-up documents be received by the Clerk of Council by the close of business **on the Wednesday** preceding the meeting at which the item is to be considered.

Additionally, item titles would be due to the Clerk of Council's office by the close of business on the Monday preceding the meeting at which the item is to be considered, and Council member motions must be received by the close of business on the Wednesday preceding the meeting at which the item is to be assigned to a standing committee.

For those items deferred from one Council meeting to the following Council meeting, staff has seven weekdays to research, prepare, review, and vet additional requested information and/or modify written materials submitted to the Council for consideration. If the rule is modified, staff will have six weekdays to prepare, review, and vet additional requested information and/or modify written materials. At a minimum, written materials are reviewed by the Finance Department, Office of Budget and Grants Managements, and the County Attorney's Office for any fiscal and/or legal implications relative to the recommendations outlined therein. These timelines do not account for any County recognized holidays which may fall within the six or seven weekdays.

Additionally, if it is the intent of the motion to have all Council agendas, to include those agendas for standing committees as outlined in the Council Rules, further rule modifications are required.

Presently, Council Rule 4.4 states,

*Appropriate written backup material for all items of business that are to be included in the Administration and Finance or Development and Services Committee agendas must be delivered electronically to the County Administrator's Office no later than 5:00 p.m. on the date two weeks prior to the committee's scheduled meeting date.*

*In exceptional circumstances, time-sensitive items received after the deadline may be added to a committee's agenda at the discretion of the committee's Chairperson, provided the addition is made before agendas are printed and distributed. In the event that the Chair of the committee cannot be reached before agendas are printed, then such items may be added with the consent of a majority of the committee's members. If a majority of the committee's members cannot be reached, the Chair of County Council shall have the discretion to add such items. Once the committee agendas have been printed and distributed publicly, changes to the agenda may only be made by the unanimous consent of the committee during the committee meeting.*

*Agendas with backup information shall be provided to all members of Council on or before the Friday prior to the committee meeting.*

The two weeks mentioned within the rule typically allows staff seven weekdays for review, revision, and vetting of completed briefing documents and associated backup materials. At a minimum, briefing documents are reviewed by the Finance Department, Office of Budget and Grants Management, and the County Attorney's Office for any fiscal and/or legal implications relative to the recommendations outlined therein prior to approval for committee consideration by the appropriate Assistant County Administrator or by the County Administrator. On the seventh weekday, the item is due by 5pm to the Clerk of Council for inclusion on the appropriate committee agenda.

Based upon the present rule and its prescribed timeline, motions typically made during the first Regular Session and/or Special Called meeting of the month are routed to a standing committee and included on its agenda. There are several months during which the deadline precedes the first meeting of the month (February, July, September, November). During those months, applicable motions are forwarded to the following month's assigned standing committee.

To accomplish Thursday delivery of committee agendas, the seven workday timeline for staff research, review, and vetting of all materials is reduced to six workdays as documents must be received by the Clerk of Council by the close of business on the Wednesday preceding the meeting at which the item is to be considered. This only applies to those months during which the committee meeting falls on a Tuesday. To accomplish Thursday delivery of committee agendas for those months during which the committee meeting falls on a Thursday (May, November, December), the timeline for staff review and vetting of all written materials is further reduced to five working days. Reduction of time for staff review and vetting may delay an item for committee's consideration to allow staff time to adequately review and vet written materials.

To maintain the seven workday timeline for staff review and vetting of all written materials, Rule 4.4 should also be modified to state appropriate written backup materials "must be delivered electronically to the County Administrator's Office no later than 5:00 p.m. **seven working days** prior to the committee's scheduled meeting date."

The Clerk of Council's Office staff requires, on average, six hours of transcription per one hour of meeting. Minutes are required for each full Council meeting and the meetings of its various committees. There are typically seven week days between the first and second full Council meetings of the month for which the Deputy Clerk has to prepare the minutes for consideration. Thursday delivery of the agenda reduces the amount of time for the Deputy Clerk to prepare minutes for the Council agenda to six week days. Often, there are multiple committee meetings for which minutes are required in addition to those minutes required for the full Council meeting.

The compilation of documents and supporting documentation into the agenda packet requires a total of 10 hours of staff time to include printing and other document preparation. For those Council members who require delivery of hard-copy agendas, printed materials are due by 2pm on the Friday preceding the meeting to Central Services for delivery by 5pm.

Without consideration of staff efforts, the impact of the rule change to members of Council is the delayed consideration of motions forwarded to standing committees by an additional month for the

months of February, May, July, September, November, and December. This does not take into consideration those months during which standing committees do not meet (January and August). Additionally, Council members would have to provide motions to the Clerk of Council by no later than the close of business on the Wednesday preceeding the meeting during which the item is to be assigned to a committee.

**Attachments:**