



MEDINA CITY COUNCIL

Monday, January 24, 2022

4:00 PM – REGULAR MEETING

AGENDA

VISION STATEMENT

Medina is a family-friendly, diverse and inclusive community on the shores of Lake Washington. With parks and open spaces, Medina is a quiet and safe small city, with active and highly-engaged residents. Medina honors its heritage while preserving its natural environment and resources for current and future generations.

MISSION STATEMENT

Ensure efficient delivery of quality public services, act as responsible stewards of Medina's financial and natural resources, celebrate diversity, leverage local talent, and promote the safety, health, and quality of life of those who live, work, and play in Medina.



MEDINA, WASHINGTON

MEDINA CITY COUNCIL CITY COUNCIL MEETING

Virtual/Online

Monday, January 24, 2022 – 4:00 PM

AGENDA

MAYOR | Jessica Rossman

DEPUTY MAYOR | Randy Reeves

COUNCIL MEMBERS | Cynthia Adkins, Jennifer Garone, Harini Gokul, Mac Johnston, Bob Zook

INTERIM CITY MANAGER | Stephen R. Burns

CITY ATTORNEY | Scott Missall

CITY CLERK | Aimee Kellerman

Virtual Meeting Participation

With the passage of the City's Proclamation of Local Emergency, City Hall is closed to the public. Council participation in this meeting will be by teleconference/online only. Members of the public may also participate by phone/online. Individuals wishing to speak live during the Virtual City Council meeting will need to register their request with the City Clerk at 425.233.6411 or email akellerman@medina-wa.gov and leave a message before 2PM on the day of the January 24 Council meeting. Please reference Public Comments for January 24 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit.

[Join Microsoft Teams Meeting](#)

[+1 360-302-2562](#) United States, Seattle (Toll)

Conference ID: 647 612 757#

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Council Members Adkins, Garone, Gokul, Johnston, Reeves, Rossman and Zook

2. APPROVAL OF MEETING AGENDA

3. PUBLIC COMMENT PERIOD

Individuals wishing to speak live during the Virtual City Council meeting will need to register their request with the City Clerk at 425.233.6411 or email akellerman@medina-wa.gov and leave a message **before 2PM** on the day of the January 24 Council meeting. Please reference Public Comments for January 24 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit.

4. **PRESENTATIONS**

None.

5. **CONSENT AGENDA**

None.

6. **LEGISLATIVE HEARING**

None.

7. **PUBLIC HEARING**

None.

8. **CITY BUSINESS**

- [8.1](#) Management Transition Plan (City Manager)
Recommendation: Continue evaluation and decision process.
Staff Contact: Scott Missall, City Attorney

Time Estimate: 20 Minutes

- [8.2](#) Development Services Committee
Recommendation: Approve.
Staff Contact: Steve Wilcox, Director of Development Services

Time Estimate: 40 minutes

9. **CITY MANAGER'S REPORT**

None.

10. **REQUESTS FOR FUTURE AGENDA ITEMS AND COUNCIL ROUND TABLE**

11. **PUBLIC COMMENT**

Comment period is limited to 10 minutes. Speaker comments limited to one minute per person.

12. **EXECUTIVE SESSION - 5:00 PM - 7:00 PM**

RCW 42.30.140(4)(a)

Collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or (b) that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the

negotiations or proceedings while in progress.

RCW 42.30.11.(1)(i)

To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

[Council may take action following Executive Session.](#)

13. ADJOURNMENT

Next regular City Council Meeting: February 14, 2022 at 4 PM.

ADDITIONAL INFORMATION

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Medina City Hall.

The agenda items are accessible on the City's website at www.medina-wa.gov on Thursdays or Fridays prior to the Regular City Council Meeting.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (425) 233-6410 at least 48 hours prior to the meeting.

UPCOMING MEETINGS

Monday, February 21, 2022 - President's Day - City Hall Closed

Monday, February 28, 2022 - City Council Meeting (4:00 PM)

Monday, March 14, 2022 - City Council Meeting (4:00 PM)

Monday, March 28, 2022 - City Council Meeting (4:00 PM)

Monday, April 11, 2022 - City Council Meeting (4:00 PM)

Monday, April 25, 2022 - City Council Meeting (4:00 PM)

Monday, May 9, 2022 - City Council Meeting (4:00 PM)

Monday, May 23, 2022 - City Council Meeting (4:00 PM)

Monday, May 30, 2022 - Memorial Day - CITY HALL CLOSED

Monday, June 13, 2022 - City Council Meeting (4:00 PM)

Monday, June 27, 2022 - City Council Meeting (4:00 PM)

Monday, July 4, 2022 - Independence Day - City Hall Closed

Monday, July 11, 2022 - City Council Meeting (4:00 PM)

Monday, July 25, 2022 - City Council Meeting (4:00 PM)

Monday, August 8, 2022 - City Council Meeting - ***Dark No Meeting***

Monday, August 22, 2022 - City Council Meeting - ***Dark No Meeting***

Monday, September 5, 2022 - Labor Day - City Hall Closed

Monday, September 12, 2022 - City Council Meeting (4:00 PM)

Monday, September 26, 2022 - City Council Meeting (4:00 PM)
Monday, October 10, 2022 - City Council Meeting (4:00 PM)
Monday, October 24, 2022 - City Council Meeting (4:00 PM)
Monday, November 14, 2022 - City Council Meeting (4:00 PM)
Monday, November 28, 2022 - City Council Meeting (4:00 PM)
Thursday, November 24, 2022 - Thanksgiving Holiday - City Hall Closed
Friday, November 25, 2022 - Day After Thanksgiving Holiday - City Hall Closed
Monday, December 12, 2022 - City Council Meeting (4:00 PM)
Monday, December 26, 2022 - City Council Meeting (4:00 PM)

CERTIFICATION OF POSTING AGENDA

The agenda for Monday, January 24, 2022 Regular Meeting of the Medina City Council was posted and available for review on Friday, January 21, 2022 at City Hall of the City of Medina, 501 Evergreen Point Road, Medina, WA 98039. The agenda is also available on the city website at www.medina-wa.gov.



MEDINA, WASHINGTON

AGENDA BILL

Monday, January 24, 2022

Subject: Management Transition Plan (City Manager)

Category: City Business

Staff Contact: Scott Missall, City Attorney

Background

Phase 1 of the Management Transition Plan (MTP) was completed with appointment of Police Chief Steve Burns as Interim City Manager. Phase 2 will comprise the Council's identification and selection of a regular city manager.

First Presentation

The first presentation and discussion will focus on statutory requirements, options and timing for the Council's process and decision. After brief introductory comments, the Council should engage in discussion, comments, thoughts, ideas and proposals for continuing its determination of the appropriate selection process.

Attachment(s) January 21, 2022 Memorandum re Statutory Requirements, Options and Timing

Budget/Fiscal Impact: TBD

Recommendation: Continue evaluation and decision process.

City Manager Approval:

Proposed Council Motion: None proposed.

Time Estimate: 20 Minutes

ATTACHMENT

**Medina City Council
Management Transition Plan
Phase 2
Engagement of Regular City Manager**

Presentation and Discussion

January 21, 2022

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Statutory Requirements; Options; Timing

Council Appointment. The Council – Manager form of government used by Medina is authorized by RCW Chapter 35A.13. The City Council is required to select and appoint the City Manager by RCW 35A.13.010:

RCW 35A.13.010 City Officers—Size of Council

The council shall appoint an officer whose title shall be "city manager" who shall be the chief executive officer and head of the administrative branch of the city government. The city manager shall be responsible to the council for the proper administration of all affairs of the code city.

Selection Criteria. State law prescribes several ability and qualification criteria applicable to the Council's selection of a city manager. The following statutes are the most comprehensive statements:

RCW 35A.13.050 City manager—Qualifications

The city manager need not be a resident at the time of his or her appointment, but shall reside in the code city after his or her appointment unless such residence is waived by the council. He or she shall be chosen by the council solely on the basis of his or her executive and administrative qualifications with special reference to his or her actual experience in, or his or her knowledge of, accepted practice in respect to the duties of his or her office. No person elected to membership on the council shall be eligible for appointment as city manager until one year has elapsed following the expiration of the term for which he or she was elected.

RCW 35A.13.060 City manager may serve two or more cities

Whether the city manager shall devote his or her full time to the affairs of one code city shall be determined by the council. A city manager may serve two or more cities in that capacity at the same time.

RCW 35A.13.070 City manager—Bond and oath

Before entering upon the duties of his or her office the city manager shall take an oath or affirmation for the faithful performance of his or her duties and shall execute and file with the clerk of the council a bond in favor of the code city in such sum as may be fixed by the council. The premium on such bond shall be paid by the city.

Because the selection criteria are limited, it is useful to understand the statutory function and authority of city managers. There are numerous statutes describing that (and describing the interaction of and relative authority between city managers and city councils); the following is one fairly comprehensive example of the former:

ATTACHMENT**RCW 35A.13.080 City manager—Powers and duties**

The powers and duties of the city manager shall be:

- (1) To have general supervision over the administrative affairs of the code city;
- (2) To appoint and remove at any time all department heads, officers, and employees of the code city, except members of the council, and subject to the provisions of any applicable law, rule, or regulation relating to civil service: PROVIDED, That the council may provide for the appointment by the mayor, subject to confirmation by the council, of a city planning commission, and other advisory citizens' committees, commissions, and boards advisory to the city council: PROVIDED FURTHER, That if the municipal judge of the code city is appointed, such appointment shall be made by the city manager subject to confirmation by the council, for a four year term. The council may cause an audit to be made of any department or office of the code city government and may select the persons to make it, without the advice or consent of the city manager;
- (3) To attend all meetings of the council at which his or her attendance may be required by that body;
- (4) To see that all laws and ordinances are faithfully executed, subject to the authority which the council may grant the mayor to maintain law and order in times of emergency;
- (5) To recommend for adoption by the council such measures as he or she may deem necessary or expedient;
- (6) To prepare and submit to the council such reports as may be required by that body or as he or she may deem it advisable to submit;
- (7) To keep the council fully advised of the financial condition of the code city and its future needs;
- (8) To prepare and submit to the council a proposed budget for the fiscal year, as required by chapter 35A.33 RCW, and to be responsible for its administration upon adoption;
- (9) To perform such other duties as the council may determine by ordinance or resolution.

The Council Rules and Guidelines (Chapter 8) provide some basic guidelines concerning city manager functions and council-manager interactions, giving insight to criteria that could be used in selecting a city manager. We will look specifically at Council – Manager interactions in a later presentation.

Council Process. The selection process is not prescribed by state law, leaving it to Council discretion and adopted procedures. Meeting procedures that apply to the decision are located at MMC Chapter 2.04, and in the Council Rules and Guidelines Chapter 5 (Meeting Procedures).

There are many options for a selection process, ranging from a wholly in-house do-it-yourself approach to a full-meal-deal professional search firm. The choice rests with the Council, and may take into consideration the makeup of the Council and its internal capabilities, size and needs of the City, available staff capabilities, complexity of City functions, budget allowances, etc. Here are two common approaches:

Professional Search Company. Engage a professional search company to handle some of, the majority of, or all of the work needed to determine a city manager profile (often including initial presentations to and interviews with Councilmembers to identify goals, needs, functions, desires, etc.), prepare materials and advertise for the position, identify candidates through previous work and advertisement responses, verify and evaluate credentials, interview and winnow candidates, assist Council in final selection, and negotiate or assist

ATTACHMENT

with contract terms. Depending on the scope of the services, costs easily range to several tens of thousands of dollars.

Facilitator. Identify a professional or semi-professional person knowledgeable in regional public affairs and officials who can advise the Council on the various functions described above (and who may have immediate suggestions) and/or is willing to work with Council and City Staff to identify candidates and assist with the recruiting, evaluation and selection process.

Timing. There is no deadline in state law for making a city manager appointment. In Medina's current situation, Council appointed Police Chief Steve Burns to serve as Interim City Manager when Michael Sauerwein left, per RCW 35A.13.150 ("The council may designate a qualified administrative officer of the city or town to perform the duties of manager ... [d]uring the absence ... of the manager."). The appointment provides that Steve's "appointment as Interim City Manager will remain in effect until the City Council selects and appoints a regular city manager, and is subject to the terms and requirements of RCW Chapter 35A.13", and further provides that Steve's salary "may be increased while serving as the Interim City Manager in an amount to be set by the City Council in the first quarter of 2022"

Given these facts, the Council should not feel pressured to immediately commence a formal city manager search (though the Council could certainly choose to do so). Rather, because Steve has stated his desire to be appointed as the regular city manager for Medina, the Council could choose to work with Steve for a period of time and use that opportunity to evaluate his suitability for the regular position in light of the criteria discussed above.

Next Steps. This topic will be carried forward on future Council agendas in order to facilitate Council's ongoing discussions, review of the situation, evaluation of the City's needs, and Council actions.

I look forward to discussing the foregoing information with the Council at its January 24th meeting, and will be happy to address questions, concerns, ideas, comments, and alternatives.

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No attachments for Agenda Item 8.2