

**COUNCIL AFFAIRS AND GOVERNANCE COMMITTEE VIRTUAL MEETING
DECEMBER 6, 2021, 8:00 A.M.
MINUTES**

1. Call to Order

A. Meeting was called to order at 8:02 a.m. by Mayor Shari Cantor.

B. Attendees – Mayor Shari Cantor, Councilor Carol Anderson-Blanks, Councilor Mary Fay, Councilor Ben Wenograd, Town Manager Matt Hart, Corporation Counselor Dallas Dodge, Assistant Corporation Counselor Gina Varano, Adrienne Billings-Smith, Alberto Cortes, and Mark Zydanowicz.

2. Executive Session

A. Executive Session Pursuant to Section 1-200 (6) of the General Statutes to Discuss the Appointment of Corporation Counsel – Mayor Cantor made a motion to go into Executive Session, which included all members of the Town Council and Mr. Hart. Councilor Fay seconded the motion. Motion passed unanimously. Executive Session was entered at 9:14 a.m. and left at 10:06 a.m.

3. Business Items

A. Resolution Adopting Standing Rules of the Town Council for the 2021-2023 Term – Mayor Cantor stated this is done every term and there were several suggestions from being virtual for running efficient meetings. Counselor Dodge introduced the Resolution Adopting Standing Rules for the 2021-2023 Term of the West Hartford Town Council document, which had been uploaded to the CivicClerk site. Counselor Dodge stated the rules have varied from term to term but by in large they had stayed relatively stable for many years. This year there are some changes to improve the efficiency of Council operations. Counselor Dodge briefly went over the reason for legislative rules and the purpose they serve and the purpose underlies a lot of the decisions made. Legislative rules are tended to ensure the rights of all members of the body to participate in proceedings and protect the rights of political minorities; ensure everybody has the ability to participate and everyone has equal and fair access to Council proceedings. It is also to ensure transparency to the public, making sure the public is fully aware of what is happening at Council, has adequate notice of the proceedings and the matters the Council intends to take up. Third, there is the efficient and orderly conduct of Council meetings, including ensuring there is adequate decorum and the members are treating each other respectfully but more significantly, is efficiency and making sure Council is not overly bogged down in procedure.

One of the benefits of the pandemic was it allowed the experimentation with some new procedures and ideas in terms of how to move things along a little more efficiently. Counselor Dodge went through the Resolution Adopting Standing Rules for the 2021-2023 Term of the West Hartford Town Council document citing changes from the previous term.

Item 1a(ii) was a conforming change. At the beginning of the pandemic, some of the budget adoption dates had to be changed. The pushed-back dates are no longer necessary, so this will bring us back to normal. Item 1c, a process was created during the pandemic where the Mayor could order the Community Comment, which is different from the Public Forum. Members of the public are invited to comment on any item on the agenda at the Public Forum. The Community Comment meeting is an opportunity for the public to discuss any type they wish with the Council. During the pandemic, it was not possible to hold a Community Comment meeting, so a process was created where the Mayor could order community comments only be received in writing, which could then be received. This is no longer necessary. The Community Comment meeting can now be conducted virtually. Item 5 is the Order of Business for the agenda. A small change was made to permit the Mayor to change the order of business if it makes sense in the interest of efficiency.

Also under the new Order of Business, the consent calendar would be a single item. It would get moved, created and then a motion to adopt it all under the same business item. There would not be a situation where it is created and then later in the agenda it is adopted. In addition, appointments were included on the agenda and the appointments would not be noticed; appointments would appear as an agenda item and then the Mayor and minority leaders verbal motions at the Council meetings would simply appoint people to boards and commissions. For the last two years, the individual appointments have been listed on the agenda so there is no reason to have it as a separate agenda item any longer because they will simply appear as New Business on the agenda. Reports of standing and special committees have been consolidated under Communications. Also, Petitions has been eliminated as a separate agenda item. Should there be a petition, it would appear under New Business.

Item 8, has a simple change. Moving an item to the Consent Calendar requires a second. Counselor Dodge recommended removing seconding a motion altogether as it is an unnecessary and antiquated practice. However, regarding the Consent Calendar, there is no reason to require a 'second' for placing items on the calendar. Rule 12 is creating a standardized process for sponsoring agenda items. Currently, there is no process in the rules for sponsoring an agenda item. They have been ad hoc, which has led to a scramble at times. The standardized process would allow any member of the Council to co-sponsor a resolution by emailing the Town Clerk and could even do it after an ordinance or resolution is adopted if they were to do so by 10 a.m. the next day. Item 17 is getting in the minutia of Robert's Rules; the ability to conduct Council workshops, which, under Robert's Rules, has been done as a committee of the whole but when you create a committee of the whole, it is supposed to be for one expressed purpose and is supposed to report back out with the specific report to the main body. A better practice is to use a quasi-committee of the whole, which is a more informal process and has more flexibility. This would be the process where council workshops and things of that nature could continue to be conducted.

Mr. Hart stated there may be an item of business that may cross various committees (the budget, COVID response, outdoor dining). These items could fit within various standing committees but would include more than one of them. This will allow for members to work in a more informal and productive manner. Counselor Dodge stated it would still be noticed in the same way committee meetings are noticed. This would provide the ability to conduct

workshops in a more flexible manner and would allow for more of a conversation discussion on anything one might want to discuss at one of the workshops. For Item 18, a suggestion was made to consolidate some of the committee structure. The Council Affairs and Governance Committee is intended to serve as a Council Leadership committee and is a combination of the previous Rules Committee and Government Relations Committee, which was responsible for the Council's relations with other governmental bodies. The other change, there was previously an Education Liaison Committee but the Council's purview over the Board of Education is limited to the line item in the budget. The Council is not supposed to have any role in the Board of Education other than making sure the budget is appropriate with the needs of the town. The liaison's function has been consolidated under the Finance and Administration Committee because as far as the Council's jurisdiction, it is a matter of reviewing their budget.

Counselor Dodge discussed the changes to items 28 and 30 together. There is a subtle language difference but the Town Manager under the Charter has the right to full participation in all meetings with the exception of voting. Item 28 specifically sets for the right of Corporation Counsel to have the privilege of the floor because it is not set forth in the rules. In Item 30, no proposed ordinance shall be subject to final action by the Council without the written opinion of Corporation Counsel certifying its legal sufficiency and correctness of form. It is not necessary to separately address this in the Rules because it is in the Town Charter. Item 32 institutionalizes a practice that was introduced during the pandemic, which is that of unanimous consent. It was very difficult at the onset of the pandemic to get a second for a motion. Unanimous consent has been helpful to move business along but it is limited so only the president or vice president can make a motion by unanimous consent. For a procedural motion, the president or vice president would say, 'Without objection, I move we adopt such and such,' and if no councilor objects, then the motion is adopted. It does preserve the right of any councilor if they feel the motion should be defeated or would be voting against the motion they can object and then the motion would be defeated and voted on separately.

Counselor Dodge went on to address Item 34, which under state statute written notice is required for certain items including meeting notices to councilors and in some cases at their place of abode, which means it needs to be delivered to your house; however, a waiver process is permitted for this. Counselor Dodge stated there has been an electronic waiver in place for a while; however, two changes were made. It is not necessary to prescribe the exact form of the waiver. Each councilor has already been furnished with a Town computer but this will require each councilor to be assigned a westhartfordct.gov email address. Remember, just because an email is on your private email, it does not mean that it is not a public record. Whenever someone emails you or texts you in your capacity as a public official about an item of public interest, it becomes a public record. Counselor Dodge strongly urged the council members to use their westhartfordct.gov email address. The last change to the rules is the deletion of Rule 42, which was added during the pandemic and allowed for the conduction of virtual meetings. Since this was instituted, the legislature has adopted legislation allowing for the conduction of virtual meetings, which would supersede Rule 42, so it is no longer necessary. Virtual meeting rules will be in place until April 30, 2022, and hopefully, there will be no need to extend those rules.

Mr. Zydanowicz stated the virtual meetings provided an opportunity for people who did not work at Town Hall or had different schedules where it would not have been possible to attend meetings to be able to attend. The virtual meetings provided more opportunities for the public to attend. For example, parents who were unable to attend at Town Hall could attend via Zoom. They could get dinner ready and not stress to get to a meeting. Mr. Zydanowicz felt the virtual meetings should continue past April 30, so there could be more participation and it is easier for councilors who cannot make it to Town Hall to attend. Counselor Dodge agreed with Mr. Zydanowicz's comment and since the pandemic, there have been more government meetings being broadcasted, which previously would not have been available to the public. There is the concept of a hybrid meeting once things start to open up where a meeting is conducted both in-person and virtually but technology is not there yet. Eventually, that is probably where it is headed in terms of access. It is very easy to conduct either in-person or virtual meetings but when you try to marry the two for a hybrid meeting, it is very difficult.

4. Communications

Nothing was reported.

5. Staff Reports

Nothing was reported.

6. Future Agenda Items

Nothing was reported.

7. Adjournment

Mayor Cantor moved for adjournment without objection. Seeing no objection, the meeting was adjourned at 10:10 a.m.

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