

DRAFT - Missoula City Council Administration and Finance Committee Minutes

February 23, 2022

12:50 PM

ZOOM Webinar

Members present: Stacie Anderson, Mirtha Becerra, Daniel Carlino, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka, Heidi West (chair)

Members absent: John P. Contos

1. ADMINISTRATIVE BUSINESS

1.1 Roll Call

1.2 Approval of the Minutes

1.2.1 Minutes from the 2/9/2022 Meeting

The minutes were approved as submitted. No public in attendance.

2. PUBLIC COMMENT

3. COMMITTEE BUSINESS

3.1 Contract for Email Security with Barracuda

Cage Urquhart with IT presented the information regarding this security software and why beneficial for the City and how it will be funded, also replacing 3 current systems.

Sandra Vasecka - Asked about searchable email and discovery.

Cage explained how this product would cover those requirements.

Mike Nugent made the motion.

Amber Sherrill - Asked about the software being replaced.

Cage discussed the specific numbers and the fact ARPA would be funding part of this.

Daniel Carlino - Thank you, Cage, for answering my questions via email. I am concerned about using ARPA funds for this, as people are still struggling from the pandemic and I don't feel IT improvements would be something possibly well received, when we could be providing economic relief for Missoulians.

Leigh Griffing - This IT purchase was considering during the budget cycle. We will be bringing reports regarding ARPA fund distribution.

Amber Sherrill - I know there are different "buckets" for ARPA.

Leigh - We will go into more detail into that, but discussed General Government Services, and that is where it would fall in ARPA.

Gwen Jones - We have put ARPA monies into helping to house people and need to sustain this after ARPA funds are gone. The more we can get "our house" in order, and be more efficient, will be important once we do not have the ARPA funds available.

Jordan Hess - The local government was also very much impacted by the pandemic, providing locally for citizens. There are many pieces coming into play here. I do think it is totally appropriate to use funds in this way. We have seen significant expenses with the pandemic, such as online meetings, etc. I am comfortable with using these funds this way.

Heidi West - This was something already allocated through the budget process. We are potentially entering into a contract with monies already allocated. We don't want to forget how important local government can be to day-to-day activities and we need to operate smoothly to meet Missoulian's needs. Being able to work remotely comes with additional risk and opportunity. I think this is exciting for a variety of reasons. There are still no members of the public in attendance.

Daniel - I am wondering if there is a way for us to tell how many ARPA funds are left and how to keep track of what we have and how much is left?

Leigh - We will bring that information to Council.

Sandra - I do agree with Daniel, that I am uncomfortable with using ARPA funds, but we are allocating monies already budgeted, so I will support. Also support going back to in-person as soon as possible.

Moved by: Mike Nugent

Approve and authorize the Mayor to sign 1) Quote MNTK496 with CDW-G for the provision of a 3 year subscription license for Barracuda Total Email Protection in the total amount of \$182,439 and 2) the financing contract with VAR for the provision of (3) annual payments in the amount of \$60,813.00 per year.

AYES: (10): Mirtha Becerra, Daniel Carlino, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka, and Heidi West

ABSENT: (2): Stacie Anderson, and John Contos

Vote results: Approved (10 to 0)

3.2 Amendments to City Council rules

February 23, 2022 Discussion

Heidi West reviewed where things were at during the last meeting.

Sandra Vasecka discussed what she wanted to amend.

Marty Rehbein - Gave a brief recap of the draft, attached to this meeting. She shared her screen with the information. Please see meeting recording for specific details.

There was discussion regarding specific wording. The distinction was pointed out about impugning the motives of someone, not saying something that is not truthful.

Mirtha Becerra - As Marty brought out, this is about personhood. We want to support inclusivity. I think quorum rules are important that allow for inclusivity that we are working so hard to bring to City Council and to the City and community at large. I would like to call the question.

Take a vote on to end the debate. - 7-yes and 4-no

Voted on Sandra's amendment - 9-No and 2-yes

Currently, the motion on the floor is regarding the language on decorum rules, renaming of the committees, process for appointment board members.

Amber Sherrill - Could there be some amendment to make sure that all sitting council members have interviewed the person for the board?

Marty - I think that is a judgement call, as the chair has the option to show discretion. If you would like to be more clear about when the discretion should be yielded, we could certainly make changes to the wording.

Amber Sherrill - I think I would like to make an amendment, as I think we should write it to be clear, not leaving just to the discretion of the chair.

Heidi West - I get what you are saying, but with the subcommittees, I am wondering if this would be helpful.

Kristin Jordan - I want to insert some new language on the agenda piece of this document. I am not sure if this the right time to bring this up.

Heidi - Let's finish up this item first.

Mike Nugent - I appreciate the concern. My thought would be that if there are enough people on the Council who feel they have not had a chance to interview, they could say no.

Gwen Jones - The chair could advise the newly electeds to look at the minutes or watch the interviews if they wanted to view the candidates. I am comfortable with it.

Amber Sherrill - I think there are enough compelling reasons not to change it. I will not be making that amendment.

Sandra Vasecka - I agree with Amber, but since no longer on the floor...never mind.

Heidi - Let's go back to Kristen's item.

Kristen Jordan - I am not sure if this is right place to put this request, but I would really like to require that we have a land acknowledgement included.

Gwen - This has been in the works. It was determined that maybe a land acknowledgement isn't the best way to go, but rather strengthening relationships would be better. This is still in process with the new members on the committee.

Jennifer Savage - When I was working at the Headwaters Foundation, we had a similar conversation as Gwen. Similar thoughts were put across by the groups meeting with us.

Kristen Jordan - I feel really strongly about this. I feel that since the County is doing this, that the City should follow.

Jordan Hess - I am really excited about going forward and discussing this item. I feel a resolution for this would be the way to go and would go further than just the City Council, but also all throughout the City.

Heidi West - I think it would be important to have collaboration on our part, rather than just adopting what the County has done.

Stacie Anderson - I agree we need to do more, but would not be comfortable with making a decision today. I think we need to take into consideration those people this is trying to honor. Even if the County has already engaged, I don't feel we have done due diligence on our end.

Heidi - This is obviously a conversation currently in the works. I think we should return back to our original items under discussion.

Sandra - If someone wanted to make a referral about this, what committee would it go to?

Heidi - I think Committee of the Whole would be my guess.

Sandra - I do not feel we should change A&F to the new name. I think it will really confuse the public, as they are concerned about our finances and the HRCP doesn't put that name forward.

Jordan Hess - That was a mistake. The Budget and Finance would replace Budget Committee of the Whole. It isn't included on the handout, which I will send out again.

Gwen - This new committee puts all budgeting info into one place.

Kristen - I would like to refer the land acknowledgement item to Committee of the Whole.

Gwen - Since the Mayor and I had discussions about this, I think we should sit down and discuss.

Mirtha - There were several of us working on land acknowledgement. As you work on that referral, please be sure to see what we have included in other policies already in place.

Heidi - I think we are back to the original motion with the changes from Marty and the item regarding the committee names.

Jordan - I have sent out the updated documents. Discussion was had regarding the committee names and who would be running those committees.

Stacie - Thanks for the robust discussion and all the work on all of this. I am happy to have these rules adopted.

Gwen - I know that Daniel had proposed an amendment. I didn't want it to be overlooked if he still wanted it included.

Daniel Carlino - No, I've decided not to go with it.

Sandra Vasecka - Just for the record, I am not happy that my amendment did not go through, but I will be in support of the rules in general.

Public Comment -

Matts Larson - It would be nice to allow the public to see what amendments were being discussed. I think the City Council has flexed these rules, particularly against me.

Daniel Carlino - The amendment is on the public emails, but it was only pertaining to virtual meetings. I think some of us do hear the concerns about censorship, etc.

Sandra Vasecka - I am going to change my vote and I would like this to go onto committee reports, as there will be no public hearing.

Jordan Hess - I agree with this going to committee reports.

Heidi West - I am happy to put this on committee reports for Monday night.

January 26, 2022 Discussion

Marty Rehbein presented the information on the incorporated/suggested changes, see attachment/presentation for specific details.

Jordan Hess provided an update of the realigning/renaming of committees.

Discussion was had on professional tone and conduct, along with public comment and addressing the public during meetings.

Jordan Hess made the motion.

Sandra Vasecka - Would like to amend the statement regarding impugning the motives of others.

This was discussed regarding an amendment or a glossary of terms.

Sandra - Would like to make the amendment.

Amber Sherrill - Before voting, I would like to hear more of the history behind this to understand the item.

Mike Nugent - My concern is that the rules get too protective of issues that need to be addressed.

Kristen Jordan - I think there is a misunderstanding of some key terms and I support this change.

Heidi West - I would support moving forward as the language as it, with the caveat that we update the definition by public hearing. I do not support the amendment, but would like clarification.

Marty Rehbein - When we talked about this, it was in reference to defaming someone's character, ie: parenting skills, weight; something that is not relevant.

Gwen Jones - We will hold this item over until the next meeting, due to time constraints.

Stacie Anderson - Won't support, as I agree with the examples Marty provided. It is an archaic-sounding word, but best covers things.

Sandra Vasecka - The only portion I want to change is the word "Impugn" motives of members part.

Gwen Jones - We will put this amendment off for now and pick back up in February.

January 5, 2022 Discussion

Heidi West - This is for discussion. If there are amendments that are requested, please send those to Gwen, Jordan, Marty and myself.

Jordan Hess - We have rules for the times when things "go off the rails." We wanted to bring the rules to both the old and the new council to get input from both.

Gwen Jones - We had a robust discussion in December. A recap of that and the rules/adjustments was discussed.

Mirtha Becerra and Kristen Jordan arrived at the meeting.

No public attended this meeting.

This will be kept open while in the process of being discussed.

December 15, 2021 Discussion

Marty Rehbein presented this information. City Council rules have not been amended in any substantive way since 2012. We did make a slight amendment during the pandemic to switch meetings from 7:00 to 6:00. This sets the framework for how the Council conducts its business. Marty shared her screen with the information regarding the changes being considered. These are just considerations/discussions at this point, with hope to be finalized when the new Council is in place in January. Please refer to the attachments for further details.

Bryan von Lossberg - Regarding illness. In the past, if you were sick, you had a choice to either be there in person and potentially infect everyone, or you didn't have that opportunity. This is really, I think, an improvement. We have learned from the pandemic that we want to be as thoughtful as possible to think of others. I think this strikes a good balance.

Gwen Jones - I would like to add that this is why it took us so long to get through the rules. I think we did the best with the rules as we can at this time with the information we have at this point.

Marty Rehbein - In regard to what Bryan mentioned, it also applies well to those who are dealing with health issues. We have had Council members dealing with things like cancer and after a chemo treatment, it is much better for them to be able to log in remotely, if dealing with such illness.

Sandra Vasecka - Regarding public comment, I have concerns over how we are doing it. The public gets frustrated that they ask questions and do not get them answered at that time.

Gwen Jones - I understand your concerns.

Julie Merritt - We actually follow that procedure because it follows Montana's rules. When items are not on the agenda, we can't answer those questions, as they have not been publicly noticed. This is in compliance with state law. For items on the agenda, we do ask staff to get the information to address the question.

Jordan Hess - We have rules to set sideboards. I think we have some discretion to handle that.

Sandra Vasecka - This really helps clarify things and I have less concerns now. Thank you.

Marty discussed certain tools Council members can use to help get public questions answered during the process.

Discussion was had regarding Ex Parte Communications (#3) regarding land use decisions. This is not looking for amendments, it is getting the information out there for review and the new council will be voting on specifics.

Discussion was had on Decorum at Meetings (#4).

Discussion was had on the Consent Agenda (#13).

Marty continued discussion on the suggested rules.

Gwen Jones - In January, we will pick up the issue regarding the committee workloads and how those can be rebalanced to more evenly spread the work around.

Bryan von Lossberg - Thanks to Marty for all her work on this. We are blessed with her expertise and history and experience and Jordan and Gwen. Without these key players we wouldn't even be to this point. Relative to decorum, I feel it should be that anyone attending should feel comfortable to get up and give public comment. Thanks!

There is no public comment and this will be brought back up in January.

Moved by: Jordan Hess

Approve the changes to City Council rules with an effective date 30 days after adoption

AYES: (11): Stacie Anderson, Mirtha Becerra, Daniel Carlino, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka, and Heidi West

ABSENT: (1): John Contos

Vote results: Approved (11 to 0)

Amendment:

Moved by: Sandra Vasecka

Amendment Proposed by Sandra Vasecka to Remove/Change the verbiage regarding "impugn the motives of others" in the new City Council rules.

AYES: (2): Daniel Carlino, and Sandra Vasecka

NAYS: (9): Stacie Anderson, Mirtha Becerra, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, and Heidi West

ABSENT: (1): John Contos

Vote results: Failed (2 to 9)

Amendment:

Moved by: Mirtha Becerra

End debate on verbiage change regarding "impugn the motives of others" in the City Council Rules.

AYES: (7): Stacie Anderson, Mirtha Becerra, Jordan Hess, Gwen Jones, Jennifer Savage, Amber Sherrill, and Heidi West

NAYS: (4): Daniel Carlino, Kristen Jordan, Mike Nugent, and Sandra Vasecka

ABSENT: (1): John Contos

Vote results: Approved (7 to 4)

4. ADJOURNMENT

Meeting adjourned at 2:05 pm.