



JOINT STUDY SESSION CITY COUNCIL AND PARKS & RECREATION COMMISSION

AGENDA

Wednesday, August 14, 2024

Council Chamber – 6:00 PM

1175 E Main Street

I. CALL TO ORDER

II. ADDITIONS OR DELETIONS TO THE AGENDA

III. PUBLIC FORUM

IV. BUSINESS

1. Envision Bear Creek Greenway
2. Ashland City Council and Ashland Parks and Recreation Commission - Operations and Culture: Recommended Framework

V. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at (541) 488-6002 (TTY phone number (800) 735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I). Parks Commission meetings are broadcast live on Channel 9, or on CHARTER CABLE CHANNEL 180. Visit the City of Ashland's website at www.ashlandoregon.gov.

Public Participation Instructions

This meeting will be held in-person in Council Chambers 1175 E. Main St. Those who wish to provide oral testimony must attend the meeting and fill out a speaker request card. The public can view on Channel 9 or Channels 180 and 181 (for Charter Communications customers) or live stream via rvtv.sou.edu - select RVTV Prime.

Written testimony will be accepted via email sent to nancy.mero@ashlandoregon.gov. Please include "**Public Testimony**" in the subject line. Written testimony submitted the Tuesday before the meeting by 11:00 am will be made available to the Parks Commissioners before the meeting. All testimony will be included in the meeting minutes.



Council Business Meeting

August 14, 2024

Agenda Item	Ashland City Council and Ashland Parks and Recreation Commission – Operations and Culture: Recommended Framework	
From	Mayor Tonya Graham APRC Chair Jim Bachman	
Contact	tonya@council.ashland.or.us / commissioner_bachman@external.ashland.or.us	
Item Type	Requested by Council ☐ Update ☐ Request for Direction ☒ Presentation ☐ ☐ Consent ☐ Public Hearing ☐ New Business ☒ Unfinished Business ☐	

SUMMARY

In an effort to clarify and strengthen the relationship between the Ashland City Council and the Ashland Parks and Recreation Commission (APRC), two members from each body (Mayor Graham, APRC Chair Jim Bachman, Council Chair Hyatt, and Commissioner Justin Adams) met informally to discuss improved alignment of processes and procedures related to our shared resources and operational systems. These conversations aimed to identify the intersections of our work and develop the general outline of a proposed framework to the respective bodies regarding how to optimize our interactions for future success in serving the residents of Ashland.

The group focused on opportunities to address procedural challenges while strengthening the relationship between the two elected bodies to more effectively navigate shared responsibilities going forward. We bring the results of these informal conversations to the members of the two elected bodies at this study session to solicit feedback and determine whether there is interest in formalizing the framework presented this evening through an ordinance that creates the Parks & Recreation Department and supporting resolutions to be taken up by both bodies.

POLICIES, PLANS & GOALS SUPPORTED

Community:

- Belonging through mutual respect and openness, inclusion and equity
- Quality of life that underpins the City's economic vibrancy

Organization:

- Respect for the citizens we serve, for each other, and for the work we do
- Excellence in governance and city services
- Sustainability through creativity, affordability and rightsized service delivery
- Quality infrastructure and facilities through timely maintenance and community investment





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BACKGROUND AND ADDITIONAL INFORMATION

The conversations yielded the following recommendations:

Elected Leadership Culture

Foster a collaborative culture across the elected leadership of the City that is based on mutual respect and a shared understanding of this unique governance structure

- Onboarding and training elected officials on the unique City Council/APRC relationship, the framework for how the two bodies work together, why it is structured this way, how it is driven by community values, and the culture of collaboration the two bodies strive to maintain
 - Additional training opportunities for members of both bodies on appropriate subject matter, such as new elected leader training, Diversity/Equity/Inclusion, city policies, etc.
- Host joint APRC/Council Study Sessions three times annually to share key challenges and opportunities and discuss issues of joint interest with the hosting moving between the two bodies and the sessions chaired by the mayor

Create alignment for advisory committee structures and processes by developing a citywide internal policy followed by all advisory committees that includes:

- A consistent meeting agenda format and process to notice the meetings
 - Training of committee members and chairs in the role of the advisory committee, public meetings law, conflict of interest, communicating on behalf of the committee, etc.
 - Standardize terms of service
 - Formalize the charge for each committee from the respective elected body with the expectation that work plans will develop from those descriptions
 - A consistent understanding of the elected official and staff liaison roles to ensure that all committees are supported and structured in the same way
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Human Resource Functions

Hiring of the Parks and Recreation Director is the responsibility of the APRC with the help of an outside hiring firm.

- City Manager (CM) provides input to job description and skill set requirements
- CM provides feedback on applications and sits on department head interview panel
 - Goal: Provide APRC operational insight and recommendations for potentially successful candidates with the city executive team



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- CM has contract signing authority for the hire and will assist with contracting documentation. (Note this happens currently.)
- Reciprocity: The APRC Director and/or interested Commissioners (at the discretion of the APRC Chair) will be included in the same manner as other department directors in the hiring process of the City Manager including input into skill sets, inclusion in the department head interview panel, and recommendations for potentially successful candidates from Parks perspective.

Termination of the Parks Director is the responsibility of the Ashland Parks & Recreation Commission with the assistance of City of Ashland Human Resources (HR) and Legal Departments.

- Special Circumstance – Termination for cause or other discipline that represents legal exposure to the City, when the Ashland Parks & Recreation Commission does not agree with the HR and Legal recommendation to terminate:
 - A combined joint Executive Session will be called by the City Manager with knowledge of the APRC Chair.
 - Parks and Recreation Director performance and reasons for termination recommendation are discussed
 - The initial determination of action resides with APRC with input from Council.
 - Council has final veto decision making authority given that fiduciary responsibility lies with the Council to protect the city from liability and associated costs.
 - APRC will then come out of session and have a formal vote in a public meeting if the will of the body is to terminate the Parks Director.
 - Should APRC choose not to terminate, Council will hold an Executive Session to determine whether the Parks Director should be terminated. If the will of the Council is to override APRC's decision, they will do so with a formal vote in public session.

Performance appraisal of the Parks Director is the responsibility of the APRC, with the support of the HR department and in accordance with the City of Ashland Performance Appraisal Process.

- APRC works directly with the CM to ensure direct operational feedback as follows:
 - CM is invited to provide input as a key operational partner.
 - CM shall raise any issues of performance for APRC's consideration.
 - CM may communicate feedback either in a written review or executive session discussion with APRC.
- Employees who have concerns or complaints with the Parks and Recreation Director should report their concern to HR. If HR is not responsive the employee can make a similar report to the Legal Department. And if that reporting does not receive a response, the employee may make the report to the APRC Chair.



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- If the Parks and Recreation Director has an HR complaint against them, then HR/legal will engage APRC to share information about the complaint and the process being undertaken to address it.

The Parks and Recreation Director will supervise Parks and Recreation Department staff in accordance with the City of Ashland HR department policy, protocols, and procedures as outlined in Ordinance 3235.

- CM will work with the Parks and Recreation Director to ensure effective and efficient operations and assist with issues as they arise in the same way the CM works with other department heads with the key exception that this relationship is collaborative, not supervisory.
- There are mutual expectations of collaboration between the CM and the Parks and Recreation Director on critical operational considerations. If the cooperation necessary does not materialize, then a mediation of the challenge with the support of the APRC Chair and Mayor is required.
- Parks and Recreation Department employees are city employees who are assigned to parks and recreation facilities and functions and supervised within the Parks and Recreation Department.

In the event that an interdepartmental conflict involving the Parks and Recreation Department cannot be successfully resolved with the assistance of the CM, the APRC Chair and the Mayor will be called in to assist with resolving the conflict. If that intervention is not successful, a joint meeting of the two elected bodies will be called to resolve the conflict.

In the case of an emergency, the CM directs the use of all parks staff to respond to the emergency.

Policy Alignment

The procedure to address conflicting policy goals between the APRC and the City Council is as follows:

- A combined joint session will be called to facilitate a solution
 - Executive Session vs. Public Meeting to be determined by the characteristics of the item in question
- All relevant staff with subject matter expertise, including the Legal Department, will be present at the joint session.
- The CM and the Parks & Recreation Director will participate in consultation with the leadership of their respective bodies.
- The Mayor will chair the session as the city holds the fiduciary responsibility to mitigate risk and the responsibility for any associated contracting.



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Legal Department

APRC will be represented in the process of hiring the City Attorney and City Manager as follows:

- All APRC Commissioners who wish to be involved in the hiring process are welcome to participate.
- APRC members will sit alongside the Council in the Council Panel Interview.
- APRC Commissioners will provide their input to the Council before exiting the session prior to the Council's deliberations.
- Council will take up the hiring decision with the benefit of the APRC Commissioner feedback and other appropriate panels (ex. Department Heads).
- This process is important as it will help the candidate understand that the APRC and the City Council are both independently elected bodies, and have a unique relationship.

The APRC Chair will be provided an opportunity to offer feedback in performance review processes for the City Attorney and the City Manager in a manner that is consistent with how department heads engage in performance review processes per HR policies.

Conflicts between APRC, the Parks and Recreation Director, the City Manager, and/or the City Council in regard to the interpretation of code, charter, and other governing documents will be resolved through the following process:

- A combined joint session will be called to facilitate a solution
 - Executive Session vs. Public Meeting to be determined by the characteristics of the item in question
- All relevant staff with subject matter expertise, including the Legal Department, will be present at the joint session.
- The CM and the Parks & Recreation Director will participate in consultation with the leadership of their respective bodies.
- The Mayor will chair the session as the city holds the fiduciary responsibility to mitigate risk and the responsibility for any associated contracting.
- In the event that the elected bodies cannot agree on the interpretation, items can be referred to the voters.

The City Attorney will brief both the City Council and APRC in executive session in the event of pending or realized litigation impacting items that pertain to their area of oversight.

The Legal Department provides a parliamentarian at public meetings of both the APRC and City Council.

Consider a formal HR policy or Council and APRC resolutions, to utilize a recruitment firm for the hiring of the City Manager, City Attorney, and Parks Director positions given that these are the only



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roles hired directly by governing bodies within the municipal operation structure.

Ongoing Maintenance Relationship Between Parks and Recreation Department and Other City Departments

Challenge:

- Parks **staff** is supervised by the Parks Director.
- However, the maintenance **effort** that the Parks & Recreation Department is involved with is the responsibility of the CM.
- CM cannot direct the Parks and Recreation Department **staff**, but what happens when the work **effort** needs to shift?
- Is there a way to leverage the upcoming budget process to solve for the above challenge?

Consider providing direction to staff to revisit this interdepartmental working relationship and report back to both elected bodies regarding the structure that will be used going forward in these situations.

FINANCIAL CONSIDERATIONS

Financial requirements are limited to staff time and effort in support of the above body of work.

Specific work packages “contracted” by the City of Ashland, with its Parks and Recreation Department, that have funding streams outlined in the budget, will be reviewed and addressed as appropriate in the coming budget cycle, if needed.

SUGGESTED DIRECTION TO STAFF

- The two bodies direct their respective staff to work together with the Legal Department to draft an ordinance and supporting resolution that will codify this framework (and replace all existing MOUs between the City Council and the APRC). Elements of this framework will be placed as appropriate in each of the documents, which will be brought forward to the respective bodies for consideration.
- Develop an HR policy that directs hiring processes for the City Manager, Parks and Recreation Director, and the City Attorney be supported by external recruiting firms.
- Review interdepartmental agreements and recommend a balanced process where the City Manager can direct the work product for integrated maintenance responsibilities while the Parks Director remains responsible for directing their employees.

REFERENCES & ATTACHMENTS

MOU 2009 – 2010: <http://records.ashland.or.us/WebLink/DocView.aspx?id=91964&dbid=0&repo=CITY-RECORDS&searchid=2404e10a-7ddb-4080-a4df-0a381ccdedcc>





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MOU 2010 – 2011: <http://records.ashland.or.us/WebLink/DocView.aspx?id=91965&dbid=0&repo=CITY-RECORDS&searchid=2404e10a-7ddb-4080-a4df-0a381ccdedcc>

MOU 2012–2013: <http://records.ashland.or.us/WebLink/DocView.aspx?id=100381&dbid=0&repo=CITY-RECORDS&searchid=2404e10a-7ddb-4080-a4df-0a381ccdedcc>

MOU 2014: <http://records.ashland.or.us/WebLink/DocView.aspx?id=110783&dbid=0&repo=CITY-RECORDS&searchid=2404e10a-7ddb-4080-a4df-0a381ccdedcc>

