

Listen & Learn Session – City of Duluth

Tuesday, October 19, 2021; 9:30 a.m.

Charter Amendment Workgroup

Guests: Noah Schuchman, City Administrator, and Chelsea Helmer, Director of Administrative Services (City Clerk)

1. At a high level, tell us about your city’s government structure. How does that compare to the details we’ve offered about the structure in Minneapolis? What do you see as the significant points of difference?

City of Duluth has an executive (strong) mayor model, which resembles state government in that the Mayor (Governor) drives policy while the Council (Legislature) has final authority to determine City policy, rules, and regulations. The Council holds final policy and budget authority of the City; however, the Mayor is responsible for initiating, shaping, and driving most policy proposals and for developing and recommending the budget. System was described as a “partnership” between Mayor and Council, with both depending on Administration (City departments) for professional support, guidance, input, etc., to support the work of the elected officials.

The success of daily operations in Duluth reflect both the formal roles and responsibilities divided between the Mayor, the Council, and the Administration as well as the relationships built and sustained between the key players. Extensive efforts to build and nurture effective relationships were described; the focus on building those effective relationships was a primary focus of the City Administrator: with the Mayor, with the individual Council Members, with department leaders, and amongst all of them.

In Duluth, the Mayor is the only full-time elected position and is classified as the City’s “chief executive officer” pursuant to the city charter. The Council consists of nine Members: five elected by district and four elected at-large. The Council Members serve in a part-time capacity. Elections for Mayor and Council Members are staggered, with half of the Council standing for election every other year. All serve four-year elected terms. The Council elects its own president from among its members, and this individual is expected to provide leadership of the legislative body (“the president sets the tone for Council”).

The Mayor appoints the City’s department heads, subject to confirmation by the City Council. The following positions have a direct reporting relationship to the Mayor—

- 1) City Administrator – the chief administrative officer of the City;
- 2) City Attorney – the chief legal officer of the City, having a dual reporting relationship with Council;
- 3) Communications Director;
- 4) Human Rights Director;
- 5) Community Relations Director; and
- 6) Mayor’s Assistant (not a department head)

City Administrator supervises the other department heads [total of 8 department heads], including the Administrative Services Director (Ms. Helmer), who also serves as City Clerk. The City Administrator, under the direction of the Mayor, is responsible for planning, directing, coordinating, and supervising the day-to-day operations of the City enterprise.

It was estimated that the Mayor is focused primarily on external demands, serving as the primary link to the community; approximately 80% of the Mayor’s time is consumed with external, public-facing responsibilities. [This helps explain the direct reporting relationship of appointed directors that also share a public-facing function, e.g., communications, community relations, etc.]. Conversely, the City Administrator is focused primarily on the internal functions of the City enterprise; approximately 80% of the City Administrator’s time is consumed by these internal management and operational responsibilities. The result was described as a solid partnership between the Mayor and Administrator.

2. We are curious about understanding the nature of an “executive mayor” or a “strong mayor” system. Can you explain the roles and responsibilities of the Mayor in your city? How does the Mayor relate to and interact with departments?

The Mayor is the City’s chief executive and, technically, has control over the Administration, which includes all operating departments. When referring to the “Administration,” this includes the Mayor, as chief executive,

down to the front-line employees; essentially all officers, department leaders, and staff that are not the City Council. In Duluth, all department heads are in a bargaining unit (that doesn't preclude appointed leaders), so there are nuances to how appointments to key leadership positions are made. Generally, the Mayor appoints all department heads subject to confirmation by the Council. Those appointments, however, are not tied directly to the Mayor; that is, department head terms are not tied to the elective term of the Mayor, and department heads continue in their positions until a successor is appointed. The City Administrator plays a key role in the selection and appointment of department heads and, after appointment, directly supervises most of them (see above). Department heads can be removed by the Mayor, subject to terms of the collective bargaining agreements.

Notwithstanding the city charter provides that the Mayor leads the Administration, it is the City Administrator who has the primary responsibility for internal management functions, serving as the City's chief administrative officer. The Administrator directly supervises most of the operating departments. The Mayor is primarily focused on community-based functions, including activities as the City's chief spokesperson and representative. Significant mayoral time and attention (80%) are committed to these externally-focused responsibilities, and the Mayor has several direct reports, many of which are specifically focused on supporting these externally focused duties, for example Communications Director and Community Relations Director.

The structure provides very clear lines of accountability, from the community, to the Mayor, and from the Mayor to the department heads. For the Administration, there is a unity in the chain of command that is not in place in Minneapolis. Authority is much more streamlined and there is clarity in direction and the chain of command.

3. What are the roles and responsibilities of the City Council in your city? How do departments relate to the City Council? How do departments relate to individual Council Members? How does the City Council give direction to departments? Are there restrictions on the interactions between the City Council and departments; what are those and how do they impact operations?

Council is the legislative body. That Council Members serve in a part-time capacity is significant because it limits their daily exposure to the Administration; the focus of Council Members is the regular meetings of the body, which are generally held on Mondays and Thursdays each week. The regular legislative (voting) session is held on Mondays where business matters are conducted. The weekly sessions on Thursdays serve a preparatory function, essentially a "committee of the whole" where agenda items are reviewed and discussed prior to final action the following Monday.

Council has committees, though these are not the same as the standing committees in Minneapolis. Council committees in Duluth don't have regular meetings; rather, they meet *ad hoc* to discuss major issues but are more a matter of agenda organization. That is, the Council's agenda is organized by "committees," such that agenda items are grouped according to the defined functions of the committees. Any "committee work," similar to how that concept is used in Minneapolis, is usually done at the regular Thursday study sessions which constitute a kind of "committee of the whole." Each Council Member is assigned to be the chair of a committee, which essentially means that they present and make motions on the agenda items under the respective agenda header (grouped by "committees"). It was stated that there are no standing committee meetings outside of the regular meetings of the Council (Mondays and Thursdays); it's more a matter of how the Council and Administration agree to organize items submitted to the Council.

Council Members in Duluth can bring forward policy proposals; however, that is unusual and not the norm. In most situations, the Council reacts to proposals submitted by the Administration. Because Council Members are part-time, they rely upon the Administration to conduct the bulk of legwork needed to identify, articulate, develop, and present policy proposals and other matters. The Council, therefore, is more like a "board of review" in considering proposals developed from outside its membership. Council rarely initiates proposals, though that is not prohibited. To the extent that Council Members choose to initiate policy proposals, they would engage the City Attorney for that support.

Another key factor is that Council Members are actually prohibited under the city charter from engaging staff directly. That type of administrative interference is classified as a misdemeanor offense and can lead to the

removal of a Council Member (though there is no recollection of that provision being invoked). That charter prohibition provides significant deterrence to micromanagement and interference by Council Members in the work of the Administration. The City Administrator fields general questions, requests, and other matters from individual Council Members and coordinates a response from the Administration. The Administrator shared that this level of engagement with Council Members consumed a significant part of the workday, with contacts by phone, email, text, and in-person meetings or conferences. This was in addition to questions and requests made more formally through official Council meetings or requests relayed through the Mayor.

Also, what separate resources—if any—are provided for the Council: staff, budget, etc.?

In Duluth, the City Council does not have a dedicated staff; that is, there is no central staff for the Council and there are no aides to the individual Council Members. The City does support an internship program whereby Council Members may employ interns to help on limited projects; this program is administered by the City Clerk. In addition, the Clerk's Office provides limited clerical and administrative support for Council Members, such as travel coordination, expenditure controls and reimbursements, correspondence, etc.

For policy support, the Council Members can call upon the City Attorney (staff of 15) for legislative drafting assistance. Otherwise, when Council Members need assistance, they reach out to the City Administrator, particularly for assistance in responding to or resolving constituent issues. These kinds of legislative requests for support from the Administration are referred to as "specials," and they are highly prioritized by the Mayor and Administrator [this is the Duluth equivalent of an informal staff directive]. Both the Mayor and Administrator share a priority to respond in a timely manner and to follow-up with Council Member "specials." When Council Member requests ("specials") are beyond a fairly routine or simple response, that may be elevated, but that is not common. If it does need to be elevated, the Mayor or Administrator will request formal guidance by the full Council, particularly on larger, community-wide issues or concerns. This practice has the added benefit of reinforcing that the Council acts as a body and that individual Council Members, under the Duluth City Charter, have no separate, independent, personal powers or authority. That approach also ensures that the Administration treats all Council Members fairly and consistently and that the Administration is also responsive to the Council and its needs without giving the appearance of playing favorites.

4. Do you have a chief administrative officer position? If so, how does that position fit into the system? What roles and responsibilities does the chief administrative officer have, and how does that position relate to the Mayor and Council?

The Duluth City Charter provides for a City Administrator that functions as the chief administrative officer. It was stated that the position functions as a sort of organizational traffic cop, with responsibility for ensuring effective and efficient workflows across the Administration (enterprise). Significant attention is dedicated to the internal management operations and to facilitating timely responses to Council Members. While the Mayor is the chief executive officer, the City Administrator is essentially a combination of chief of staff to the Mayor, chief operations officer for enterprise management functions, and the principal appointed official responsible for day-to-day performance. The City Administrator is, thus, comparable to a city manager position but under the direct supervision of the Mayor.

The City Administrator has a direct reporting relationship to the Mayor and is expected to implement and enforce the Mayor's priorities. The City Administrator maintains personal relationships with each of the Council Members and has regular meetings to assure they have the information and resources needed to fulfill their official functions. The position serves as a type of institutional bridge between the Mayor and Council, and between the Mayor and the operating departments.

As noted, the Administration drives the Council's agenda; the majority of business items are placed on the agenda by staff. Internally, there is a vetting process for every agenda item to ensure sufficient oversight by the professionals in the respective departments. For example, agenda items must be internally reviewed and approved for a variety of "checks," which includes, for example, legal, financial, and policy analyses. Items may not be added to the agenda without these checks being completed. That is an important control lever to minimize surprises in legislative and policymaking sphere. There is also a significant amount of internal staff-led

review processes before any item is submitted for the agenda of the regular Thursday “committee of the whole” meetings. Briefings for individual Council Members are not the norm since so much planning goes into each agenda; rather, one-on-one briefings are usually limited to those items that are highly-visible, sensitive, complex, etc., and can involve both the Mayor and the Administrator, or both.

The role of the City Administrator in Duluth is heavily focused on building, sustaining, and improving the working relationships between key components of the governance system: Mayor, Council, and Staff. The City Administrator convenes and leads a regular leadership team meeting—generally every two weeks (twice per month)—that includes the Mayor, department heads, and key senior staff—that is focused on general status reports from all departments, updates on major projects and initiatives, as well as team-building. The City Administrator considers these meetings a key focus of his work and a critical component of his own success in helping to lead the Administration.

5. What do you believe are the strengths or best attributes of your city’s structure?

Some of the strengths identified included—

1. Clear and direct accountability, from voters to the Mayor and from the Mayor to the departments (Administration). This makes accountability clear for the public/community and for staff.
2. A system of checks and balances that focuses on partnership between the Mayor (as executive) and Council (as legislative). City work is a collaborative effort and is perceived that way by the key players.
3. The give-and-take between Mayor and Council can result in better, more fully fleshed-out policy because it required collaboration and compromise.
4. The inclusion of a non-elected chief administrator position to support the executive Mayor ensures that the City incorporates the values of professionalism, efficiency, and effective service delivery in its operations. It also buffers the departments and staff from the political nature of the elected officials and lends to more organizational stability and long-term focus.
5. Council agenda is driven by the Administration (professionals with expertise), so it tends to reflect more deliberative, data-driven approaches supported by industry best practices, etc., and is not subject to the shifting priorities and short-term interests that a more political organization can have. City policy is less impacted by political personalities and is therefore more stable and consistent over time.

Some of the weaknesses identified included—

1. “Policy by committee” can be challenging, consume more time and resources, and be difficult to manage all the factors. Particularly on the more highly-visible, complex, and sensitive issues, there is more need to engage and facilitate the elected officials to reach consensus. Those places where there is overlap between the Mayor and Council can result in friction occasionally. Fortunately, the investment in strong personal relationships helps to overcome any temporary disagreements, so this hasn’t been a major issue in Duluth.
2. Sometimes, the compromise required to reach a consensus on major issues requires that the Mayor may not get the stronger policy positions they favored (and vice versa).

6. What other lessons, observations, or feedback would you offer in terms of considering a change in government structure?

1. Having a central, professional administrator (unelected) is key to organizational success. In addition to the professional benefits for elected officials, it provides long-term stability for the enterprise and minimizes inappropriate political influences in municipal operations, including insulating employees from politics. Recommend considering how a similar position could be established in Minneapolis; check resources from the International City/County Managers Association (ICMA) for details on how to define this kind of chief administrative officer role and responsibilities.
2. Be explicit about the roles and responsibilities of the Mayor and Council Members and be sure that the boundaries between them are clear and respected. In Duluth there is an annual retreat, with the agenda coordinated between the Mayor and Council President. The Council President is expected to set the tone for the City Council in this regard. At this retreat, the elected officials will discuss mutual expectations in terms of communications, major shared goals and priorities, etc. A thorough orientation and onboarding process for newly-elected Council Members has been important in setting and managing expectations

- right from the start about role, responsibilities, and division of powers, and how the City operates and their part in that system.
3. City Council adopted “civility rules” to help reinforce a shared commitment to operated as a body in a professional, courteous manner. Staff also invest in orientation as an ongoing concept: it begins after the election with the initial onboarding period and continues through the rest of the term with relationship building, agreement on shared goals and values, etc. The annual retreat provides a regular, recurring opportunity for Mayor and Council, with department leaders, to revisit, fine tune, and recommit to those matters.
 4. Recognize that a process to transition to a new governance structure is going to be messy and provide ample time and space for thinking through both the technical and process changes as well as the impacts on interpersonal relationships. Likely that returning elected officials will face a greater challenge adjusting to the transition.