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Creating Effective Citizen Advisory Committees: Using Short-Term Advisory Committees to Help Resolve Local Problems

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CREATING EFFECTIVE CITIZEN ADVISORY COMMITTEES

Using Short-Term Advisory Committees to Help Resolve Local Problems

David Angerer, Municipal Management Consultant

July 2009

THE UNIVERSITY of TENNESSEE

MUNICIPAL TECHNICAL ADVISORY SERVICE

In cooperation with the Tennessee Municipal League

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The Municipal Technical Advisory Service (MTAS) was created in 1949 by the state legislature to enhance the quality of government in Tennessee municipalities. An agency of the University of Tennessee Institute for Public Service, MTAS works in cooperation with the Tennessee Municipal League and affiliated organizations to assist municipal officials.

By sharing information, responding to client requests, and anticipating the ever-changing municipal government environment, MTAS promotes better local government and helps cities develop and sustain effective management and leadership.

MTAS offers assistance in areas such as accounting and finance, administration and personnel, fire, public works, law, ordinance codification, and wastewater management. MTAS houses a comprehensive library and publishes scores of documents annually.

MTAS provides one copy of our publications free of charge to each Tennessee municipality, county and department of state and federal government. There is a $10 charge for additional copies of "Creating Effective Citizen Advisory Committees."

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City councils often are confronted with problems or projects where it is worthwhile to seek advice from local citizens having special knowledge and expertise. Issues involving new technology immediately come to mind — a council might seek advice from people in the community known to have experience in the operation of computers, software or other technical gadgetry.

But a city council also may seek citizen assistance for a wide variety of routine problems as well.

- A city council may want input from concerned citizens on how best to clean up areas of town where weeds, trash and other litter exist.
- A city may want advice from senior citizens to help guide city policy on providing services to the elderly.
- A city may want citizen input on hiring a new city manager, a group that can help the council focus on the skills and abilities needed in the new manager.
- The park board may want advice from park patrons on developing walking trails and exercise stations in a city park.

In every community there are residents who have credentials qualifying them to advise their elected and appointed officials on these sorts of questions. It sometimes is wise to ask these people for help when formulating city policies, especially when the governing board and the staff may lack the expertise needed to make informed decisions.

We are not talking about the various standing committees that may exist in the city government — the park board, the planning commission, etc. Instead, we are considering citizen panels that are appointed to investigate or review a single issue and that are disbanded once recommendations on that issue have been delivered to the governing body.

THE VALUE OF CITIZEN ADVISORY COMMITTEES

Properly appointed, a citizens advisory committee can provide two valuable services to city government:

- First, the committee can offer specialized, practical expertise that may not be available from the city council or city staff. Such citizens often can help guide city leaders on important issues, usually at little or no cost to the city.
- Second, the committee can lend legitimacy and credibility to the ultimate decision made by city government. Properly advised by the committee, the city council's decisions are more likely to be seen as fair and considerate of all people having a stake in the outcome. Ideally, the committee can even help "sell" the council's decision to the public.

SOME THINGS TO THINK ABOUT BEFORE CREATING AN ADVISORY COMMITTEE

It has been said that "advice is what we ask for when we already know the answer but wish we didn't." Before creating an advisory committee and obligating local citizens to a significant commitment of their time, city officials should consider these questions:

- Is the issue already decided? Is the committee being created simply to validate a decision that has already been made? It is unethical to use citizens in this manner.
- Is the city governing board or staff uncomfortable with the issue at hand? Is the decision likely to be controversial? Is the committee being created simply to diffuse the anticipated public criticism? Never appoint a citizen committee to avoid responsibility for a difficult decision. The committee members will feel used and manipulated and are likely to say as much to the general public in the ensuing controversy.
- Does the city have all the information it needs to make a decision on the issue it is confronting? If not, would creating a citizen panel serve to better inform the city's decision?
- Do city staff have the background and expertise necessary to process the available information? Would a citizen panel be useful to the city in digesting the available information?
- How much time will advisory committee members need to devote to the project? Is it reasonable to expect the members to dedicate this much time?
- Are there people in the community having knowledge of the issues involved? Or, is the issue so specialized or complex that it will be difficult finding a sufficient number of committee members to advise the city?
- Is the governing board or staff prepared to accept advice that may conflict with their long-held, established viewpoints? A Chinese proverb has it that "honest advice is unpleasant to the ears." Before asking for citizens' advice, the governing board must realize the truth inherent in this proverb. Cities should not ask for advice they have no intention of heeding.

FINDING THE RIGHT PEOPLE FOR THE COMMITTEE

Once the decision to appoint an advisory committee is made, qualified residents must be identified and recruited to serve. This sounds much easier than it usually is. Many qualified people will decline involvement due to their lack of time to commit to the project. Others will decline service if the project is seen as controversial.

Cities are urged to avoid the "want ads" approach to finding people to serve on committees. Advertisements in the media may attract a large number of volunteers, but most will not have the expertise you are looking for. Some may have issues with the city and are looking for a platform to air these issues. Remember that you are seeking advice from known experts in your town to help resolve difficult problems. Every person on the street will have an opinion about what direction the city should take, but expertise is not evenly distributed throughout the community.

Instead, the governing board and staff should draw up lists of people recognized as having the necessary qualifications and who also are seen as community leaders. A proactive approach to recruiting these individuals should be undertaken. Professional groups, civic organizations, educators, clergy and neighborhood associations may be helpful in identifying those who possess the knowledge for the task.

In making appointments to citizen panels, you generally should avoid the following types of people:

- People known to have conflicts of interest in the issue and those who want to sell the city a specific product or service and who have a stake in the final decision.
- Relatives of board members or staff.
- Obstructionists. An effective citizen panel will consist of citizens having wide and diverse backgrounds. Each member should be able to speak freely and be critical of the status quo. You should look for problem solvers and avoid those who cannot suggest reasonable solutions to the objections they may raise.
- People with political ambitions. One of the purposes of seeking citizen advice is to receive input that is not colored by politics and that provides an objective analysis of facts. Appointing politicians (or wannabes) to advisory committees defeats this purpose.

FOCUSING THE COMMITTEE

It generally is best for the committee to be appointed by the governing board. It lends legitimacy to the committee and underscores the importance of the project.

Prior to appointment, the city must provide a charge for the committee, a clearly written mission statement and set of objectives. The objectives should be provided in writing and clearly delineate the sort of recommendations being sought. Ideally, the charge to the committee would be put in the form of a question, for example, "What training, skills and experience should the city council seek in a new city manager?"

The focus of the committee will be improved if the city provides written instructions on the following:

- The authority of the committee to expend money, hire consultants, etc. Generally, it is a good idea to require that all committee expenditures be approved in advance by the appropriate city official or the governing board. Be very clear about this point. Do not let the panel spend money for which it is not legally accountable.
- Likewise, the authority to solicit donations on the city's behalf should be clearly understood by all parties. If the committee is given such authority, it is wise to have a written policy in place on the methods and conditions of such solicitations.
- The need for the committee to comply strictly with the Tennessee Open Meetings Law and the Open Records Law. There can be no secret meetings, and all documents must be turned over to the city recorder for safekeeping.
- Some basic operating rules: where meetings are to be held, appointing a chairperson, etc.
- The authority, if any, to direct the work of city staff.
- The names of staff members and consultants available to assist the committee and how such individuals are to be contacted.
- The deadline for submitting a recommendation.

Most importantly, before beginning its work the advisory committee members must clearly understand and accept that the governing board will make the final decision on any recommendations it receives and that the final decision may be at variance with the committee's advice.

Without such explicit instructions, a citizen committee may find itself exploring issues that were never intended when they were appointed. This can result in embarrassment to the governing board and threaten the committee's success.

STAFF'S ROLE

A citizen committee will benefit from having access to the city's professional staff who can help arrange and coordinate committee meetings, perform research and provide reports for the committee's study, and handle media inquiries.

Often, it is helpful to appoint a staff member (city manager, city recorder, city attorney, department head, etc.) to serve as an official advisor to the committee.

Although it is important to make staff available to assist the committee, it also is important that staff members do not dominate the committee's work. A staff member's knowledge and expertise may be used to help inform the committee, but the purpose of a citizen committee is, after all, to provide a perspective that might not otherwise be available within the usual machinery of government. Staff should assist the committee but not run it.

MAKING RECOMMENDATIONS TO THE GOVERNING BOARD

In most instances, it will be best that the committee submit written recommendations to the governing board. Oral reports may suffice for minor issues, but misunderstandings can be avoided if the committee issues a written final report to the board.

It is important that each recommendation included in the report be voted upon by the committee members and that the report reflect the outcome of such voting. Reporting the outcome of these votes will enable the governing board to better evaluate the committee's recommendations. A 4 to 3 vote in favor of a recommendation may not be as impressive as one recorded as 7 to 0.

When the advisory committee is sharply divided on any recommendation, it may be advisable to allow a minority report to be submitted. This is a written statement expressing the views of those not voting with the winning side. This sort of report can place the committee's recommendation to the governing board in a useful perspective.

In addition to submitting a written report, the governing board should insist upon a presentation of the committee's recommendations at a public meeting. This is best done after the written report has been delivered to the governing board and its members have had time to read it. After the governing board is familiar with the committee's recommendations, committee members should be invited to meet with the governing board to discuss the committee's findings.

Finally, the committee members should be thanked — both publicly and with a personal note — for assisting the city. This is an important detail, especially if the city plans to ask other citizens for similar help in the future.

MAKING THE FINAL DECISION

No city council may delegate final decision-making authority to an unelected citizen advisory committee. From start to finish, this simple fact must be understood clearly by everyone involved in the issue: the committee members, the news media, the general public, the staff, and the governing board members themselves. Even when the committee report is brilliantly written and the committee members worked especially hard, it is the city's governing board that must make the final decision on the recommendations.

This often is a difficult fact for members of a citizen committee to accept, and it is not unusual for members to feel let down if the city council rejects the committee's recommendations goes in a different direction. This underscores the importance of the governing board's initial instructions to the citizen committee, that every member of the committee knows from the outset

that the governing board very well may pass on the advice it receives.

When an advisory committee's advice is rejected, it is important that it be done in a way that does not embarrass the citizens who volunteered their time to help the city. The governing board may want to emphasize that their final decision is the result of interpretational differences (politics) rather than the scholarship of the committee members.

CONCLUSION

However helpful they can be, there are inherent risks associated with appointing citizen groups to advise the city. Considerable care must be taken selecting committee members, and it is even more important that the committee is given specific instructions about their purpose, role and methods. Otherwise, the advice provided by these committees likely will be no more valuable to the city than the advice of any randomly selected group of citizens. A well-chosen group of citizen advisors, given clear and specific direction on the help sought by the governing board, can provide valuable suggestions to city hall and help resolve difficult problems.

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