

## 2023 COUNCIL PROCEDURES UPDATE

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Date:	October 30, 2023	Prepared by:	Anne Buzzini
Department:	Council Office	Presenters:	Anne Buzzini (she/her), Metro; Ina Zucker (she/her), Metro
Meeting Date:	November 9, 2023	Length:	30 minutes

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### ISSUE STATEMENT

Council procedures are a set of guidelines that reflect current Metro Council operations and expectations. A shared understanding of these operations and expectations supports efficient and consistent meetings, delineates policymaking roles from operational roles, promotes a culture of respect amongst Councilors and with Metro staff, and provides clear instructions to members of the public seeking to offer testimony.

The most recent Council procedures were adopted in 2013 (Attachment 2). As a best practice, Council procedures should be reviewed and updated regularly to ensure they are understood by all Councilors and to reflect changes in practices.

The attached discussion draft (Attachment 1) revises the 2013 procedures to describe existing Metro Council procedures more plainly and concisely, so that expectations for Councilors, staff, and the public are more easily understood. Technical updates to the procedures reflect current practices, such as the use of virtual meetings and adjusted timelines for submitting meeting materials.

Staff circulated and updated draft in the summer of 2023 and received feedback from several Councilors. Newly proposed additions in the discussion draft seek to capture that feedback and are intended to foster respectful relationships among Councilors and with Metro staff. The new proposals ask that Councilors communicate in advance any virtual attendance, absence, or proposed changes to legislation and that staff comply with updated requirements for submitting materials. The proposals include the following commitments and expectations:

- Councilors will receive meeting materials at least 48 hours prior to meetings
- Councilors will notify the Council President at least 24 hours in advance of their absence or virtual attendance, with a reason for the absence or virtual attendance
- The Council President has discretion to cancel meetings or change in-person or hybrid meetings to virtual, if fewer than four Councilors will be present in-person, particularly when absences or virtual attendance are not communicated in advance
- Councilors will notify the Council President 24 hours prior to a meeting if they intend to object to an item on the consent agenda or make an unanticipated motion on a matter
- Councilors attending a meeting virtually will keep their cameras on for the entire meeting

## **ACTION REQUESTED**

Staff seeks feedback on the current discussion draft to inform a revised draft for future Council adoption.

## **IDENTIFIED POLICY OUTCOMES**

Updated Council procedures that reflect current practices provide clear guidance to the Metro Council, Metro staff, and the public. Furthermore, review and consideration of Council procedures provides an open forum for the Council to discuss and debate their preferred expectations. In ultimately adopting updated Council procedures, Council will renew this social contract.

## **POLICY QUESTION(S)**

- Is the level of detail in the procedures sufficient to answer questions you may have about the administration of Council meetings and work sessions?
- Do the proposed changes to the Council procedures reflect your expectations and values?
- Are there additional expectations or practices that should be added to the procedures?

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Metro Code 2.01 directs the Metro Council to adopt a resolution(s) that establishes additional Council procedures<sup>1</sup>. To comply with code requirements, Council may:

1. Adopt changes to the procedures that reflect current practice (e.g., meeting times), but not additional expectations.
2. Adopt changes to the procedures that reflect current practices and additional expectations for attendance and communication, as described above.

If Council does not adopt procedures by resolution, the procedure will default to *Robert's Rules of Order, Newly Revised*. The existing 2013 Council procedures do not reflect current practice.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

Metro Code 2.01, *Council Organization and Procedures*, provides detailed information about the roles of the Council, the Council President, and the Chief Operating Officer. The code also describes some, but not all, aspects of Council administration. The code requires specific procedures be established by resolution(s) (see footnote).

Procedural matters not addressed by Metro Code of Council procedures are governed by Robert's Rules of Order, Newly Revised, are available to the public for free.

### Legal Antecedents

Metro Code, 2.01, *Council Organization and Procedures*; Oregon Public Meetings Law, ORS 192.610-192.710

### Anticipated Effects

Provide clarity to Councilors, staff, and the public about the procedures that govern Council meetings and work sessions.

## **BACKGROUND**

Metro Code 2.01, *Council Organization and Procedures*, details the legal requirements for conducting Council business and obligates Council to adopt a resolution that establishes additional Council procedures, including public testimony, debate, and the introduction and consideration of ordinances and resolutions.

The Council Procedures were last formally updated in 2013. In 2020, Metro Council President issued a memo providing direction to staff about the procedures that govern Council business, but that memo was not adopted by a resolution (Attachment 3).

## **ATTACHMENTS**

- Is legislation required for Council action?  Yes  No
- If yes, is draft legislation attached?  Yes  No
- What other materials are you presenting today?
  - Attachment 1: Discussion draft of 2023 Council Procedures
  - Attachment 2: 2019 Council Procedures Memo
  - Attachment 3: 2013 Council Procedures
  - Attachment 4: Robert's Rules: Making Motions Guide

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<sup>i</sup> Rules for placing items on the consent agenda (Metro Code 2.01.130(c))  
Introduction and consideration of ordinances and resolutions (Metro Code 2.01.070(c) and (Metro Code 2.01.080(d))  
General order of business for meetings (Metro Code 2.01.130(a))  
Rules governing work sessions (Metro Code 2.01.035)  
Rules governing conduct of debate (Metro Code 2.010.090(e))  
Rules and procedures for communications from the public (Metro Code 2.01.120)