



STAFF REPORT

Meeting Type: City Council
Meeting Date: July 17, 2023
From: Jeff Aprati, Interim Deputy City Manager
Subject: City Council Rules Revision

DECISION TO BE MADE:

Whether to approve Resolution 2023-29, adopting revised City Council Rules for the City of Sandy.

BACKGROUND / CONTEXT:

The City Council has prioritized updating the Council Rules for the past several years. The current version of the rules has been in place since 2015. Updating the rules, using the League of Oregon Cities (LOC) model rules as a guide, was listed as an official Council Goal during the 2021-23 biennium.

During 2021 city staff worked to customize the model LOC rules for Sandy's usage, to give the Council a comprehensive set of refreshed and modernized rules that reflects best practices while also retaining important elements of the existing document.

Approach to Editing the Model Rules

Staff's general approach was to use the LOC model rules as a starting point and to provide edits that fall into one of the following categories:

- Edits that tailor LOC's model rules for Sandy, including ensuring consistency with City Charter requirements and/or reflecting current standard practices. (Example: incorporating Sandy's process for adopting ordinances, as provided by our Charter)
- Edits to the model rules that incorporate important elements of the existing Council Rules. (Example: language about Council requests for staff policy research)
- Minor edits to the model rules to correct terms, such as changing 'City Administrator' to 'City Manager,' or to clarify meaning and avoid confusion.

Staff also took the approach of eliminating text that is preempted either by the City Charter or by state law, allowing those authorities to speak for themselves instead. This has the benefit of avoiding contradiction or confusion as state laws and regulations evolve in the future.

Council Review

Mayor Pulliam and Councilor Hokanson have served as liaisons to this effort since 2021. In early 2023, the Mayor added Councilor Sheldon and formed a formal Council Rules Subcommittee. This group met with staff in March and June 2023 to review the latest draft and provide feedback.

The full City Council last discussed the Council Rules during a work session on June 21, 2022. [That work session staff report can be accessed here.](#)

KEY CONSIDERATIONS / ANALYSIS:

Below is a summary of edits made to the draft since the June 2022 work session. Please see the attached Council Rules Change Log for a full listing of topics and editorial decisions.

Issues Presented for Council Discussion at the June 2022 Work Session

- Public Statements Representing the City (page 25)
 - There was discussion in 2022 about the need to protect free speech of Council members, and also acknowledgement of the need to be careful to point out when a Council Member is speaking for themselves, and when they are speaking on behalf of the Council as a body.
 - The new draft makes this distinction clearer and makes the expectations for making personal statements more streamlined.
- Council Interactions with Staff (page 27)
 - Language from the LOC model rules is included in the new draft in place of the language in the existing rules.
- Decorum (page 25)
 - Language from the LOC model rules is included in the new draft in place of the language in the existing rules. (See: Editorial Direction from Council Subcommittee below)
- Public Communications Added to Packets
 - The Council previously discussed the idea of including emails and other correspondence from residents within Council agenda packets.
 - This language is not included in the latest draft

Edits Resulting from Council Discussion at February 2023 Goal Setting

- Council Liaisons (page 24)
 - Added language specifying that Council Members who are not liaisons and who attend Board or Commission meetings may only speak during public comment periods, unless requested to otherwise participate by the Chair.
- Emails to Staff (Page 27)

- Added a requirement for Council Members to cc the whole Council on emails to staff concerning items on an upcoming agenda. (Page 27)

Editorial Direction from Council Rules Subcommittee: March - June 2023

- Virtual Meeting Attendees (page 5)
 - The Subcommittee recommends changing the deadline to sign up to deliver comments virtually from 3:00 to 4:00 p.m. on the day of the meeting.
- Public Comment / Testimony Time Limits (pages 5 &6)
 - The Subcommittee recommends maintaining the 3 minute time limit for general public comments, and extending the time limit to 5 minutes for public hearings.
- Sergeant-at-Arms (page 7)
 - The Subcommittee recommends clarifying language regarding the Sergeant-at-Arms' role in maintaining order and decorum in extreme cases where attendees do not follow the instructions of the Presiding Officer.
- Meeting Notice (page 9)
 - The Subcommittee recommends specifying that in addition to state-required noticing practices, notice of meetings "shall also be provided via electronic media that are freely and easily accessible by the public."
- Decorum (page 25)
 - Rather than attempting to tailor Sandy's Board and Commission Code of Conduct language for the Council, the Subcommittee preferred to simply use the exact language from the LOC model rules.
- Confidentiality (page 26)
 - The Subcommittee recommends clarifying that Council members should not have contact with parties to confidential negotiations "pertaining to the subject of the executive session"
- Interactions with Staff (page 27)
 - The Subcommittee recommends specifying that Council Members wishing to express specific concerns regarding staff should address their concerns to the City Manager. They also recommend striking the section in the previous rules limiting the Council's ability to interact with staff directly (rather than through the City Manager) during Council meetings.
- Council Member Benefits (page 30)
 - The Subcommittee noted the importance of placing in writing the benefits offered to Council Members, including free SandyNet and one fitness facility membership

RECOMMENDATION:

The Council Rules Subcommittee recommends Council approval of this updated version of the Council Rules.

SUGGESTED MOTION LANGUAGE:

“I move to adopt Resolution 2023-29.”

LIST OF ATTACHMENTS / EXHIBITS:

- Resolution 2023-29
- Revised Council Rules: July 2023
- Council Rules Change Log
- Existing Council Rules: June 2015
- [Link to LOC Model Rules](#)
- [Link to Sandy City Charter](#)