



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL WORK SESSION MEETING FOR JUNE 24, 2024

Present: Mayor Frank Bubenik, Council President Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Octavio Gonzalez

Absent: Councilor Christen Sacco

Mayor Bubenik called the meeting to order at 6:01 p.m.

1. Review of Council Rules Subcommittee proposed revisions to Council Rules.

City Attorney Kevin McConnell presented the proposed revisions to the Council Rules. He stated the Council established a sub-committee that met three times to discuss revisions to the rules. Attorney McConnell highlighted four main areas of revisions: decorum, the travel policy, mandatory Oregon Government Ethics and Council Rules training, and allowing council members to attend Council meetings virtually. He explained the revisions to Rule 8B(5), which ensure that council rules regarding public comment prohibit actual disruptions, allow community members to engage in constitutionally permissible expressive conduct, and authorize the presiding officer to request the arrest of a disrupter for disorderly conduct if the disruption threatens the safety/security of the public. Attorney McConnell spoke about revisions in Rule 8B(1-4) related to interactions among council members. These revisions add the objective of decorum, detail how members of the Council can appeal Presiding Officer decisions, speaks to prohibiting personal attacks/intimidation of fellow members, and explain how members can raise a point of personal privilege if offended by the actions/remarks of another member.

Attorney McConnell discussed the proposed rules for virtual attendance at council meetings. He also discussed the travel policy, he noted the basic rules have not changed, but a premium economy seat for flights over two hours long or if personal circumstances require it has been added. Attorney McConnell mentioned the addition of rules regarding ethics and council rules training. He stated that the next steps include Council decisions on the proposed rules and further directing staff to prepare a resolution for adoption.

Councilor Brooks inquired about the difference between a 'point of personal privilege' and a 'point of order'. Attorney McConnell explained that a 'point of order' is for addressing a direct violation of the council rules, whereas a 'point of personal privilege' is used when a councilor feels offended by a statement.

Council President Pratt asked about the timeline for the mandatory trainings and suggested aligning both ethics and council rules training within the same timeframe. Attorney McConnell agreed to change the wording for both to "within one year of assuming office."

Council President Pratt also proposed adding clarifying language around the use of Council Communications and shared her suggestions for discussion. She emphasized the need for a purpose statement.

Councilor Brooks sought clarification on how many times council members need to take the ethics training per term. Attorney McConnell clarified that it must be done once per elected term. Councilor Brooks requested that this be clearly stated in the rule.

Councilor Brooks spoke about her desire for flexibility of Council Communications, emphasizing that councilors attend various relevant events outside of the city, which should be shared.

Councilor Reyes agreed, highlighting the importance of flexibility in reporting Council Communications. She asked for there to be further clarification on whether presentations are for seeking direction or not when presentations are given.

Councilor Hillier suggested defining the term “general” in Council President Pratt’s proposed clarifying language for Council Communications.

Councilor Brooks asked how Councilor Reyes could seek clarification on the point of a topic. Attorney McConnell stated that a ‘point of information’ could be used for this purpose, allowing the councilor to receive further clarification.

Councilor Gonzalez expressed concerns about Council President Pratt's proposed rule change, particularly in ensuring he can discuss matters related to the local school district. Attorney McConnell clarified that discussions on general matters affecting the city are permissible. If a ‘point of order’ is called, the presiding officer decides on the matter, and this decision can be appealed to the entire council for a vote.

Council President Pratt emphasized the need for clarification on when personal opinions may have gone too far.

Councilor Brooks expressed a desire to strengthen the rules concerning factual or misleading statements and how to establish boundaries around them. Attorney McConnell agreed to look into how that can be remedied.

Mayor Bubenik asked about the handling of disruptions during Council meetings and at what point a meeting can be stopped. Attorney McConnell stated that the authority lies with the Mayor and does not need to be explicitly included in the rules.

Mayor Bubenik also raised concerns about meeting absences and the use of Zoom for attendance, emphasizing the expectation for members to attend in person except for personal circumstances. Council President Pratt suggested adding language to limit the number of meetings a member could attend virtually.

Councilor Hillier sought clarification on whether a virtual member has the right to vote. Attorney McConnell confirmed that taking away a member's ability to vote would infringe on their constitutional rights.

Mayor Bubenik asked for consensus on clarifying the timing of mandatory trainings. The consensus was reached to require both ethics and council rules training once per term.

Mayor Bubenik sought consensus on the language regarding virtual attendance. Consensus was reached to clarify that council members cannot solely attend meetings via Zoom unless personal circumstances prohibit in-person attendance.

Mayor Bubenik also sought clarification on the desired language for Council Communications. Consensus was reached to ensure the language upholds the spirit of the community and remains factual.

City Manager Lombos inquired about updating the preamble as suggested by Councilor Pratt, specifically Section 8B(1). Consensus was reached to combine the language from Tigard with the current language.

2. Council Meeting Agenda Review, Communications & Roundtable.

Council communications was moved to the end of the regular meeting due to a lack of time.

Adjournment

Mayor Bubenik adjourned the meeting at 7:02 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor