

Draft for discussion at the PSC Retreat on February 29, 2016

Communicating Dissenting Opinions to City Council

Transmittal Memo

The PSC writes a transmittal memo for every recommendation they make to the City Council.

In general, the memo includes:

- Date of their hearings and vote.
- The recommendation (vote for or against a proposal).
- The vote tally (unanimous, 6-5, 1-10, etc.).
- Main themes of the discussions.
- Main themes from the testimony they heard.
- Main reasons for the recommendation.
- Main dissenting opinions.
- Other issues that are outside the project's scope but deserve the Council's attention.

Should all dissenting positions be included in the letter?

Not necessarily. Even when Commissioners vote contrary to the opinion held by the Commission as whole, s/he might not find it necessary to communicate the dissenting position to Council. It is incumbent upon the Commissioners in the minority to voice their rationale and request that it be included in the letter.

Who decides which dissenting opinions get included?

Those holding the dissenting opinions and the Officers decide what is communicated to Council in the transmittal letter.

Presenting at City Council

Along with the staff presentation about the project, a PSC member often presents the Commission's recommendation to City Council.

Who presents for the PSC?

Usually the Chair. If the Chair can't attend the Council hearing date, then usually one of the Vice Chairs presents. If any of the PSC officers are not in agreement with Commission's recommendation, then another Commissioner should present.

What are they presenting?

They are presenting the transmittal letter, including the dissenting opinions that were included in discussion at the meeting and that are included in the letter.

Testimony at City Council as Individuals

If the PSC is the recommending body and a Commissioner is not presenting the PSC's letter, then s/he should:

Before the meeting:

- Let Sandra, Julie and the PSC Officers know s/he will testify as him/herself.
- Staff will let the Mayor's office know to extend a courtesy.

At the meeting:

- Sign up on the testimony sheet.
- A PSC member will usually be extended a courtesy from the Council to testify at the beginning of the testimony portion of the meeting.

As active members of the Portland community, Commissioners will sometimes want to testify before City Council on other matters. If the PSC is not the recommending body for a project a Commissioner is testifying about, s/he should be clear at the beginning of testimony that s/he is speaking for him/herself. Council members will often recognize the Commissioners in the audience and extend a courtesy to testify first.

What the Bylaws Say

G. Communications and Coordination

2. Public Speaking

When a Commission member speaks in other venues, such as with the media or before City Council, the member must:

- Be clear whether the member is speaking on the member's own behalf or for the Commission;
- Speak for the Commission only when its position is clear, the member is in agreement with the Commission's position, and the member is authorized by the Commission to speak on its behalf; and,
- When speaking for the Commission, support the Commission's position. The member may describe the Commission's debate, but may not challenge the legitimacy of the decision.