**Best Practice Recommendations**

**for Development of**

**Council Procedures**

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# **Background**

In November 2022, Portland voters approved Ballot Measure 26-228 that directs the City of Portland to implement three connected changes by January 1, 2025:

1. Allow voters to rank candidates in order of preference, using ranked-choice voting.
2. Establish four geographic districts, with three city council members elected to represent each district – expanding city council to total of 12 members.
3. Establish the city council to focus on setting policy and engaging with community, transitioning day-to-day oversight of bureaus to a mayor elected citywide and a professional city administrator.

As a part of implementing the voter-approved changes, the transition team researched best practices from a variety of legislative bodies including the cities of Atlanta, Baltimore, Boston, Denver (City and County), Detroit, Fresno, Memphis, Milwaukie, Minneapolis, Philadelphia, Phoenix, Sacramento, San Francisco, San Jose, Santa Fe, Seattle, and Washington DC as well as the Oregon House and Senate, and Prince William County, Virginia Board of Supervisors. One common practice of these bodies is a Rules of Procedure, which is adopted annually or bi-annually most typically by resolution.

The Rules of Procedure from other cities are all intended to provide a framework for elected officials, staff, and community members to understand and have clear expectations related to how council meetings are run, the duties of specific members such as the council president, how the legislative body organizes itself - including its standing and ad hoc committees, expectations of decorum, and any processes and procedures not clearly articulated in charter or code.

This document is intended to provide a framework and language options based on the research so the 2025 Portland city council can create and adopt its own Rules of Procedure. It is not intended to limit discussions, recommendations, or final decision-making.

# **Framework**

While each jurisdiction researched requires processes, procedures, and rules specific to its own unique operational needs, there were commonalities across many of the Rules of Procedure. These common topics include:

* A preamble or purpose statement outlining the intended use and audience.
* General provisions, such as the authorities granted by the rules document or other key documents of the city and how rules are approved or amended.
* Duties, responsibilities, and general conduct of council, including expectations for how councilors treat each other, other elected officials, members of the public, and staff. This often includes the duties and expectations of specific council roles, such as council president, vice president, or council committee chairs.
* Expectations of members of the public. A good relationship between council and members of the public is vitally important. Establishing expectations of conduct, access, and decorum can help community engage with council in meaningful ways.
* Processes or requirements related to council meetings or legislative process. This often includes topics such as attendance and quorum requirements, procedures for making motions or debating topics, vote requirements, agenda item submittal processes, and internal deadlines.
* Legislative bodies who regularly meet in committees also typically include information about their standing and ad hoc committees such as creation, membership, areas of responsibility, and procedures specific to working in committees.

A few other topic areas were found in some, but not all, of the procedure documents. These included:

* Duties, responsibilities, and general conduct of staff reporting to council.
* Use of council facilities – including both council meeting spaces and councilor or staff office spaces.
* Communication standards or social media requirements.
* Processes for censure or removal of councilors from committee assignments.
* A glossary or definitions section.

Additionally, many of the reviewed Rules of Procedure include information regarding the roles and responsibilities both the mayor and the council clerk. However, as the City of Portland’s mayor will not serve as a member of council and the council clerk is overseen by the city auditor, this information was deemed unnecessary and not included in these recommendations.

# **Recommended DRAFT Language for Rules of Procedure**

The attached *Exhibit A* is a draft based on language used in comparator cities’ Rules of Procedure documents. It has been modified to reflect City of Portland Charter and Code, the City Auditor’s Drafting Manual, and recommendations from community articulated in the Government Transition Advisory Committee’s listening sessions held during the spring and summer of 2024.

# **Additional DRAFT Language Recommendations**

The attached *Exhibit B* contains additional recommendations regarding language not commonly included in comparator cities Rules of Procedure. It is intended to address concerns raised by independent bodies such as the Government Transition Advisory Committee, staff and community members regarding the need to have a clear process for how the Mayor breaks a tie vote and well-articulated roles, responsibilities, and expectations of council and its staff.