

Agenda Item Number 11.C.

Criteria for LCOG Exploration of Regional Issues

Presenter: George Kloeppel

Action Recommended: Consider Suggested Criteria, Provide Direction to Staff

Issue Summary:

Note: This agenda item is a continuation of the discussion begun at the October Board meeting.

At the Board's September 25 meeting, a discussion of potential improvements to the "flow of Board meetings" yielded a request that I draft proposed criteria by which issues could be assessed for policy exploration by LCOG. Specifically, the Board sought a means to judge *issues with regional significance* and *hot issues on the horizon*. These two categories of issues had emerged from the July Goal Setting Session as ones deserving of Board attention. The question is what topics, or kinds of topics, should be included or excluded. It was understood that Board members' time is valuable and that it would not be constructive to consume limited meeting time in the exploration of topics that were irrelevant or otherwise failed to meet a reasonable *sniff test*. This memo is drafted in response to that request.

Suggestion:

The Board could adopt an operating norm or policy that requires one or both of the following standards to be met for substantial discussions by the Board or for "special presentations" on Board meeting agendas:

- Public policy topics that have impacts upon multiple jurisdictions within our region.
- Public policy topics that have impacts upon multiple types of member governments, e.g. schools, cities, county.

Assumed here is a continuation of the operating procedure by which items meeting these criteria can be requested for Board consideration by individual Board members or by the Executive Director, when such requests allow sufficient time for their inclusion on the published agenda. When items for Board consideration come to light after a meeting agenda has been published, approval by a majority of the voting members present at the meeting is required for consideration of a “new item.” The criteria suggested above are intended as guidance for those who might wish to request consideration of a topic, whether informational or action-oriented.

Analysis:

The following narrative is intended simply to flesh-out the above suggestion.

Undoubtedly, issues that could be considered regionally significant or ones felt to be “hot issues on the horizon” will always be judged from a highly subjective perspective. Individual elected officials will naturally have differing views with regard to *what’s hot and what’s not*. In addition, the *timing factor* is critical. That is, a subject that might seem totally extraneous in the summer could be *the* critical issue for the community the following winter or in the next year. The challenge for a council of governments is often one of staying well ahead of the wave of popular perception. Another factor that muddies the goal of only exploring issues that pass a relevancy test is the diversity of interests and public purpose reflected in the COG’s membership. LCOG’s work program spans a broad range of activities. Unquestionably, not every project or activity is of paramount importance to each of our twenty-six member governments. However, each has been accepted and approved by the organization’s leadership—perhaps with the understanding that if a task is a good thing for some of the *others*, I can go along with it for their sake. But if that mindset is manageable for the operational activities of the organization, the discussions conducted by the Board of Directors probably need to promise broader, if not universal, appeal and relevance.

Where, and by whom, can the line separating relevant from irrelevant be drawn? As with many aspects of our lives, *balance* is the key. On the one hand, the LCOG Board is not a Rotary nor the City Club. The latter organization in Eugene proclaims a purpose of “building community through open inquiry.” Over the months and years, the topics explored at its weekly meetings span an incredibly broad range. People self-select their participation in something like the City Club because they find the exposition of a wide variety of topics interesting and fulfilling. But such is not the purpose of the LCOG Board of Directors—at least

not its sole purpose. So consider the other end of the spectrum. The LCOG Board, with its diversity of membership and interests, is also more than simply a decision-making machine, where votes are counted and choices made. Indeed, the number of deliberative choices arrived at by democratic process by the Board are few. I suspect that somewhere *in the middle* may be found the optimal operational strategy for us.

I believe that the real question is broader than the one asked. At its September meeting, the Board essentially requested staff help in deciding *What should we talk about?* I believe a more encompassing question might be *What are we?* As the venue for communication among public sector leaders and decision makers in the region, the Board plays a number of roles—among them, legitimizing and gluing together the many functions of the council of governments.

Let me return to the assignment. Both our *Charter* and our *Bylaws* provide some insight as to the intentions of previous leaders of the organization. The *Charter*, in the section dealing with the nature of the intergovernmental agreement by which the COG was formed asserts that:

...The members also recognize the need to inform each other of proposals, plans, developments, and operations which have an areawide effect; and while recognizing that not all these activities need be jointly planned, the members hereby agree to bring all such to the attention of the Council for its review and recommendation.

This language, which goes back over 30 years, reflects the intention that the organization be a place for intergovernmental sharing of information and viewpoints on topics that have “areawide effect.”

The agency’s *Bylaws* speak to LCOG’s “Purpose and Objectives.” The wording most pertinent to the question at hand is found in Section 1:

The Lane Council of Governments (LCOG) is established and supported by its member units of government to coordinate and provide high quality public services within Lane County, Oregon. It carries out this mission...by providing a venue for sharing and exploring intergovernmental issues.

Once again, there is an expressed expectation that this agency—presumably the Board—will talk about and explore issues that are “intergovernmental” or “areawide” in nature. So, what sorts of “criteria” for judging the relevance of a

regionally significant, or prospectively “hot,” issue might we employ? Perhaps the simplest and most straight-forward would be to say that *anything* that is agreed upon by a majority of the Board is appropriate. But, assuming that the Board wanted a more predictive formula than just throwing a topic up in the air and conducting a vote, you might embrace a norm that emphasizes the two criteria stated above—relevance to multiple jurisdictions and to multiple types of member governments.

Neither of these standards would require that *every* member government be impacted by a topic for it to be worthy of exploration. Nor would the establishment of these norms preclude the representatives of all jurisdictions reporting to one another about purely local situations. But for the Board to engage in substantial policy discussions or for a “special presentation” to be scheduled, a connection to multiple, diverse units of government would be a requisite. If desired, somewhat more restrictive—or *demanding*—standards could be established. For example, you might wish to require that two or more member jurisdictions request consideration of a topic by the Board. But my sense is, given the Board’s prerogative to defer or table a particular subject, that a policy which allows a topic to surface after being suggested by even a single jurisdiction or by the LCOG Executive Director (under the suggested standards) would provide adequate protection from extraneous discussions. In the end, you as policy officials can say whatever you choose to one another; and if your thoughts on a subject evoke discussion by others, there is *prima facie* evidence that such discussion *is* appropriate in a regional forum such as LCOG.