

Vermont Climate Council Protocol for Making Decisions

October 2021

Overview

This document aims to clarify how the Vermont Climate Council and its related bodies (Steering Committee and Subcommittees) will make decisions as the Council heads into the final months of putting together its Initial Climate Action Plan by December 1, 2021.

The Council's Approved Process Roadmap Document

The Council's Process Roadmap Document, approved by the Council in March, says the following about decision-making. The Steering Committee approved changes to this document in its Sept. 29, 2021 meeting (changes are in **bold**).

Decision-making by the Council

The Council will strive to make decisions by consensus, including matters of process and substance.

The Council will strive to reach as broad a consensus as possible on its Vermont Climate Action Plan in order to promote state-wide buy-in into the strategies it is proposing and to motivate a range of actors to be active participants in the implementation of the strategies. Consensus is defined by broad agreement among Council Members: all or nearly all Council members can live with the proposed decision. Consensus is also defined by the process as well as the outcome of group deliberation. Thus, the Council will seek to articulate and explore members' interests and concerns, creatively develop ideas and options, seek to meet the needs and concerns of members to the greatest extent possible, and problem-solve in the face of disagreement. Consensus on the final slate of recommendations does not suggest all members will be equally satisfied with the outcomes nor prefer each and every recommendation. Rather, a consensus indicates that the slate of recommendations in total advances the public interest and well-being of the citizens of Vermont to the greatest extent it can.

Broad consensus has several benefits: 1) politically more powerful; 2) brings in cross-sectoral support essential for such a complex problem; 3) ensures more rapid implementation, reducing or avoiding litigation, and moving forward more quickly.

The Council will be supported in reaching consensus by: 1) extensive vetting and work at the Subcommittee level; 2) an iterative process of development of ideas, honing, and prioritizing; 3) facilitated dialogue that avoids the many pitfalls of classic Roberts Rules of Orders created to achieve majority vote, not broad acceptance; and, 4) Steering Committee guidance, support, and informal "mediation" to bridge differences between meetings as needed (within Open

Meeting Laws). Consensus will be tested at various steps in the process through discussion, straw polls, informal, non-decisional surveying on issues and ideas between meetings, and carefully facilitated discussion toward the end of formal votes.

If the Council cannot reach consensus on specific issues, despite its best efforts, the Council will use the majority voting protocol described in the GWSA. In addition, different viewpoints on specific issues can be noted in the Council's Climate Action Plan, which will be one, single report. The Council will use a high bar to include multiple viewpoints in the final.

Decision-making by Subcommittees

*The Subcommittees will be operated by consensus as well, as defined above for the Council. For disagreements that can't be resolved in a Subcommittee as part of a consensus set of recommendations to the Council, the Subcommittee **can activate a majority voting protocol, treating all sub-committee members equally. What is forwarded to the Council may include:***

- *The recommendations supported by all or most of the Council members of that Subcommittee*
- *A slate of options for a particular issue or recommendation, together with the advantages and disadvantages of these options as developed by the Subcommittee.*

Protocol for implementing this approach at the Council

Implementing this approach in practice will require the following:

- Clear decision request: For each agenda item, the Council must know what kind of action or decision it is being asked to take. For instance, sometimes the Council will be approving a final recommendation or proposal that will go into its Climate Action Plan. Other times, it will be providing consolidated feedback on a draft, and will need to agree that its feedback has been accurately captured. Council agendas will specify the type of decision/action.
 - Councilors will be able to see in written text what they are being asked to agree on.
 - Proposals will be circulated days prior to each meeting
 - If proposals are adapted during a meeting through discussion, specific suggested changes will be written down and shared on screen or through the chat.
 - If Councilors are providing feedback on a draft document, the consolidated notes of the discussion will be shared on a screen prior to concluding the conversation, to ensure key points are accurately captured (including differing viewpoints, if there are any)

- Consensus-based approach: We will continue to use our consensus-based approach – meaning we’re striving for a single product from this group that addresses all members’ interests and concerns. The steps outlined below are built into the process to reflect that consensus on the plan in its entirety is the goal and that to get there, we may need to reflect various opinions on individual actions.
 - We will use facilitated dialogue and other tools to address differences.
 - We will take the temperature, through real-time polling, of the group periodically on tough issues to test the different viewpoints.
 - If real-time polling shows most councilors support a proposal, yet unanimous support for the proposal cannot be reached in the time allotted in the meeting agenda, we will take the following steps:
 - For those Councilors with concerns, we will invite them to allow the proposal to move forward and to have their concerns memorialized in the meeting minutes.
 - If the Councilors with concerns aren’t satisfied with that option, they will be asked to help write a dissenting opinion on that particular proposal in the Climate Action Plan. These comments will be reflected in an appendix to ensure that the majority voice prevails in the plan but that the caveats are captured in a consolidated format.
 - If these options are unsuccessful and the group is still stuck, the majority voting protocol will be activated (see below).
- Majority voting: The Council has a majority vote protocol outlined in the GWSA statute.¹ For all the reasons described in the Council’s process roadmap, formal voting should be a last resort employed after using the steps described above. At that time, a vote could be asked for by any Councilor and will need to be seconded by another Councilor. Votes will be reflected in the minutes.

Protocol for implementing this approach at the Subcommittees

The Steering Committee agreed to alter the original Process Roadmap to ensure that, in the event of a vote in a subcommittee, all subcommittee members would be treated equally in that vote. To be sure, subcommittees should employ the same steps as the Council does prior to opening up the possibility of vote. Sub-committee recommendations to the Council are not binding on the Council.

¹ “A majority of the sitting members of the Council shall constitute a quorum, and action taken by the Council may be authorized by a majority of the members present and voting at any meeting at which a quorum is present.”