

**CITY OF THE DALLES
COUNCIL RULES**

Section 1. Authority.

- 1.1 As authorized by the City Charter, The Dalles City Council established the following rules for the conduct of its meetings, proceedings, and business. These rules shall be in effect from Council adoption until amended or until new rules are made by resolution.

Section 2. Mayor and Council President.

- 2.1 The charter provides for the Mayor to preside over Council meetings. In the Mayor's absence, the Council President shall preside.
- 2.2 Whenever the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor.

Other duties assigned to the Council President are:

- attend committee meetings when another Councilor is unable to attend certain meetings or delegate to ensure a Council representative is in attendance.
- 2.3 In the absence of both the Mayor and the Council President, the Council will designate a senior member of the Council to serve as the Presiding Officer.

Section 3. Council Meetings.

- 3.1 Regular Council meetings will be held on the second and fourth Monday evening of each month for the purpose of conducting business.
- Any other special meetings will be limited to two per week including the regular or workshop meetings. Additional meetings will require approval by a majority of the Council.
- 3.2 If possible, only one or two major topics (defined as issues of special interest, controversial, or difficult) will be scheduled per meeting.
- 3.3 Regular Council business meetings will begin at 5:30 p.m. Meetings will adjourn within three hours of the beginning of the meeting.

In order for any meeting to continue past the normal adjournment time, a majority of the Council must agree.

3.4 Special meetings will be topic centered.

3.5 Citizen comments will be scheduled for all regular Council meetings that are open to the public.

The Presiding Officer will state the ground rules at the start of each meeting. The Presiding Officer has the flexibility to extend or shorten the time limit on citizen comments.

The Presiding Officer will state the public hearing procedures before each hearing.

3.6 Staff/consultants will provide brief input and respond to questions.

3.7 Citizen and community group sign-in forms will be available at each meeting.

3.8 The City Clerk will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council.

Only Councilors or the Clerk have the authority to make revisions to the minutes subject to a majority vote of the Council. If a citizen wishes to suggest a modification or revision, the request must be made through the Mayor, a Councilor or the Clerk.

3.9 Types of Meetings:

(1) Regular - the Charter provides for regular meetings at least once each month at a location within the City boundaries.

(2) Special - any Council meeting other than the regular Council meeting. Notice shall be given at least 24 hours in advance. A special meeting may be scheduled by the Mayor or at the request of three Councilors.

(3) Emergency - a special meeting that is called with no more than 24 hours notice nor less than 3 hours notice. The minutes need to state the nature of the emergency. Emergency meetings may be held by consent of a majority of Councilors.

- (4) Executive (closed) - a special session that is closed except to the Council, City Manager, City Attorney, Clerk, designated staff, and consultants. The media is allowed to attend but may not report, in accordance with the State open meeting law.

Executive Session subjects are limited to: hiring the City Manager or City Attorney, dismissal or discipline, labor negotiations, real property transactions, exempt public records, trade negotiations, consultation with City Attorney on litigation or potential litigation, City Manager or City Attorney evaluations, public investments, and any other topic allowed by State statute.

No final action nor decision may be made during an executive session. The Council may discuss, instruct, or reach a consensus; formal approval in public session satisfies legal decision-making requirements.

3.10 A regular meeting agenda will contain the following categories listed in order:

- A. **CALL TO ORDER** The meeting is called to order by the Mayor or presiding officer.
- B. **ROLL CALL OF COUNCIL**
- C. **PLEDGE OF ALLEGIANCE**
- D. **APPROVAL OF AGENDA**
- E. **PROCLAMATIONS/PRESENTATIONS** Formal recognition is given by the Mayor or Presiding Councilor. The Mayor will ask if anyone is present to speak on the matter.
- F. **AUDIENCE PARTICIPATION** Citizens may comment on Consent Agenda items or city related non-agenda issues. (15 minutes maximum time; 5 minutes per speaker). If a response by the City is requested, the speaker will be referred to the City Manager for further action. The issue may appear on a future meeting for City Council consideration.
- G. **CITY MANAGER COMMENTS** The City Manager provides information to Council on current activities and issues, and sometimes requests direction.

- H. CITY ATTORNEY COMMENTS
- I. DEPARTMENT MANAGER COMMENTS [Added by Resolution No. 96-034, August 12, 1996.]
- J. COUNCIL REPORTS Councilors report on their committee and other City activities. [Amended by Consent Agenda, January 10, 2005.]
- K. CONSENT AGENDA Routine purchases, contracts, bid awards, council bills, resolutions, and other non-controversial items may be approved by one motion and vote. Any councilor may have any item removed for consideration under Action Items.
- L. PUBLIC HEARINGS Citizens may testify pro or con, on any item.
 1. General: Public hearing on Council bill, resolution or other proposed Council action (one hour maximum per hearing);
 2. Legislative: Recommendation from Planning Commission (one hour maximum per hearing: 15 minutes for staff report and questions, 15 minutes for proponent testimony, 15 minutes for opponent testimony and 15 minutes for questions and decision);
 3. Quasi-Judicial: Recommendation from Planning Commission (one hour and 15 minutes per hearing: 10 minutes for staff report and questions, 15 minutes for applicant presentation, 15 minutes for proponent testimony, 15 minutes for opponent testimony, 5 minutes for applicant rebuttal, and 15 minutes for questions and decision).
 4. Appeal from Planning Commission Decision: One hour and 15 minutes per hearing: 10 minutes for staff report and questions, 15 minutes for appellant presentation, 15 minutes for proponent testimony, 15 minutes for opponent testimony, 5 minutes for appellant rebuttal and 15 minutes for questions and decision.
 5. The above mention time limits may be exceeded by a vote of the Council or Planning Commission if the matter before them is of a complex nature or requires extensive testimony from staff, the applicant, or opponents.

- M. CONTRACT REVIEW BOARD ACTIONS
- N. ACTION ITEMS Items for Council action are taken individually. Staff provides information and recommendation. Citizen comments are permitted at the discretion of the presiding officer.
 - 1. Council Ordinance First Reading: A Council ordinance which is being introduced for the first time is schedule for first reading.
 - 2. Council Ordinance for Enactment: A Council ordinance is enacted when read for the second time and adopted (or only one time if Charter requirements are met). When enacted, an ordinance becomes enforceable as City law in 30 days, unless an emergency is declared.
 - 3. Resolution: A Resolution provides for adoption of formal City policy or interpretation of a policy. Resolution also set specific fees and City requirements and standards.
 - 4. Council Measures and Proposals: This item provides a formal opportunity for Councilors to initiate policy items for discussion, decision and direction to staff. If an item warrants further research, Council will direct staff to provide a report.
 - 5. Council Memoranda: Information to Council from staff or committees on status of projects or activities is presented as Council Memoranda from the City Manager.
- O. DISCUSSION ITEMS [Amended by Resolution No. 96-034, August 12, 1996.]
- P. ADJOURNMENT The presiding officer adjourns the meeting.

Section 4. Agenda.

- 4.1 The City Clerk's office will prepare an agenda for each Council meeting specifying the time and place of the meeting and a brief general description of each item to be considered by the Council.

4.2 Items may be placed on the Council agenda by any of the following methods:

- (1) A majority vote of Council;
- (2) Consensus of Council;
- (3) By any Councilor by advising the Mayor or City Manager;
- (4) By the City Manager or City Attorney; and
- (5) By department directors or designee

Documentation for each agenda item will be received by the City Clerk by 5:00 p.m., on Wednesday, just less than two weeks prior to the Council meeting on a Monday. Agenda materials will be available to the Council, staff, media, and public on Friday, 10 days prior to the meeting. [Amended by Consent Agenda August 28, 1995 and October 23, 1995.]

4.3 An item may be placed on the Council agenda after the agenda is closed and the notice published if the Mayor, Councilor, or City Manager explains the necessity. The City Manager will notify the media and any known interested citizens as soon as possible after receiving information about the proposed agenda addition.

4.4 Sufficient time will be allowed between public hearings and other scheduled items so the public is not kept waiting unduly, and so the Council will have sufficient time to review relevant materials, to hear testimony and to deliberate.

4.5 Legally required and advertised public hearings will have higher priority than other time scheduled agenda items.

4.6 Agenda items that are continued from one meeting to another will have preference on the subsequent agenda to the extent possible.

4.7 The Mayor may, with the concurrence of the Council, consider agenda items out of order.

Section 5. Public Hearing Procedural Requirements.

5.1 Quasi-judicial hearings require a Council decision by using a certain process which includes criteria, evidence, and specific findings.

Legislative hearings do not always require a Council decision even though evidence is presented.

5.2 A Councilor's qualifications may be challenged for bias, prejudgment, personal interest, or other reasons. The challenge may prevail if it shows a

Councilor cannot be impartial.

A Councilor will not participate in the discussion nor vote when any of the following conditions exist:

- (1) Family financial interests
- (2) Ownership of property within noticed area
- (3) Direct private interest
- (4) Other valid reasons showing a Councilor cannot be impartial

5.3 For quasi-judicial hearings, Councilors will refrain from having prehearing or ex-parte contacts relating to any issue of the hearing.

If a Councilor has prehearing or ex-parte contact prior to any hearing, the Councilor will reveal this contact at the meeting and prior to the hearing. The Councilor also will state whether such contact affects the Councilor's impartiality or ability to vote on the matter. The Councilor must state whether he or she will participate or abstain.

5.4 For quasi-judicial hearings, a Councilor may be disqualified from the hearing by a two-thirds' vote of the Council. The Councilor subject to disqualification cannot vote on this motion.

5.5 For quasi-judicial hearings, a Councilor who was absent during the presentation of evidence cannot participate in any deliberations or decision regarding the matter unless the Councilor has reviewed all the evidence and testimony received.

Section 6. Council Ordinances.

6.1 All proposed ordinances will be prepared by the City Attorney.

6.2 Council Ordinances will be confined to one subject which shall be clearly stated in the title.

6.3 Council Ordinances will be read according to policy set forth in the City Charter.

6.4 The City Clerk or designee will number the ordinance, fill in the vote results, and obtain the signature of the Mayor and City Clerk within three days from the date passed.

6.5 Ordinances become effective 30 days after enactment unless a later date is specified, except ordinances that make appropriations and the annual tax levy, local improvements and assessments, and emergency ordinances.

Emergency ordinances take effect immediately and must state the reason for the emergency.

Section 7. Council Discussions.

- 7.1 Before speaking, a Councilor will ask the Presiding Officer to be recognized.
- 7.2 Councilors will be direct and candid; Councilors need to be comfortable saying what they want and giving positive feedback.
- 7.3 Councilors will speak one at a time; allowing one another to finish; encouraging all Councilors to participate.
- 7.4 During decision making, Councilors will talk out differences when the minority tries to sway the majority, and once decisions are made, will support the decision. It is permissible to point out how opinions differ from the decision. For example: “Yes, I disagreed. This is why my peers voted the way they did.” Councilors will disagree in a way that is not destructive to the staff who follows the majority.
- 7.5 During the voting process, Councilors will express ideas (clarify positions), if at all possible, prior to the vote.
- 7.6 During public hearings, Councilors will be open to the ideas and input of the citizens and will suspend judgement until reading the packet information and listening to the ideas and opinions of others (Councilors, citizens, staff). It is appropriate to defer action or refer back to staff, but Councilors will specify what new and/or additional information is needed and determine how long before it will be brought back. The Presiding Officer will seek consensus on the action the Council is to take.
- 7.7 During Council discussions, Councilors will ask questions to clarify information. Councilors will avoid disguising opinions in a question, and will state where they are unclear, then ask a question. Councilors will not ask leading questions (questions that are framed with an implied answer). Councilors will be conscious of the meeting time limit during discussion and debate; will identify items and the type of action and/or information they are seeking through the agenda process; will articulate what the issue is; will help keep the group on track and to the point of the discussion; and will offer ideas and search out commonalities among Councilors’ perspectives and opinions. Each member is responsible for facilitating the discussions.

- 7.8 Councilors should refrain from using the “calling for the question” parliamentary procedure for the sole purpose of blocking or stopping discussions.
- 7.9 Councilors will avoid asking people to appear at a Council meeting to state their complaint or question. Instead as a first step, the matter will be referred to the City Manager or designee, or ask that the matter be placed on the agenda as a Council Measure and proposal item with the appropriate background information.

When citizens contact Councilors, the Councilors will ask these questions:

- Have you contacted the City Manager? If “yes”, the Councilor will trace back through Mayor or City Manager.
- Will you write me a letter?

Section 8. Comments and Testimony to Council.

- 8.1 Persons addressing the Council are requested to step to the podium microphone, give their name and address for the record and unless further time is granted by the Presiding Officer, must limit comments to three minutes. All remarks will be addressed to the Council as a body. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing Council may be requested to leave the meeting.
- 8.2 The Presiding Officer has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct, and to enforce the rules of the Council. The Presiding Officer may command the assistance of a Police officer of the City to restore order at any meeting.

Section 9. Motions.

- 9.1 When a motion is made and seconded, it shall be clearly and concisely stated by its mover. The Presiding Officer will state the name of the Councilor who made the motion and the name of the Councilor who made the second.
- 9.2 When the Council concurs or agrees to an item that does not require a formal motion, the Presiding Officer will summarize the agreement at the conclusion of discussion.

- 9.3 A motion may be withdrawn by the mover at any time without the consent of the Council.
- 9.4 If a motion does not receive a second, it dies. Some motions can proceed without a second, including nominations, withdrawal of motion, agenda order, request for roll call vote, and point of order.
- 9.5 A motion to table is not debatable and precludes all amendments or debate of the issue under consideration. If the motion prevails, the matter must be taken from the table at the same meeting.
- 9.6 A motion to postpone to a certain time is debatable and amendable, and may be reconsidered at the date and time designated in the motion.
- 9.7 A motion to postpone indefinitely is debatable and is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote. The object of this motion is not to postpone, but to reject the question without risking a direct vote when the maker of this motion is in doubt as to the outcome of the question.
- 9.8 A motion to call for the question shall close debate on the main motion and is undebatable.
- 9.9 A motion to amend can be made to a motion that is on the floor and has been seconded. An amendment is made by inserting or adding, striking out, striking out and inserting, or substituting.
- 9.10 Council will discuss a motion only after the motion has been moved and seconded.
- 9.11 The motion maker, Presiding Officer, or City Clerk should repeat the motion prior to voting.
- 9.12 The City Clerk will record the vote for all action items.
- 9.13 At the conclusion of any vote, the City Clerk will inform the Presiding Officer of the results of the vote, and the Presiding Officer will announce such results.
- 9.14 When a question has been decided, any Councilor who voted in the majority may move for a reconsideration, but no motion for the reconsideration of a vote shall be made after the ordinance, resolution, or act has gone out of the possession of the Council.
- 9.15 The City Attorney shall decide all questions of interpretations of these rules and any other questions of a parliamentary nature which may arise at a Council

meeting. All cases not provided for in these rules shall be governed by Robert's Rules of Order, newly revised.

Section 10. Council Attendance at Meetings.

- 10.1 Councilors will inform the Mayor, City Manager or City Clerk if they are unable to attend any Council meeting. Lack of notification will constitute an unexcused absence. The Mayor will inform the Council President regarding an absence of the Mayor.
- 10.2 Vacancies in Office: Rules will be followed according to the City Charter.

Section 11. Council Seating at Meetings.

- 11.1 During regular Council meetings, the Mayor will be seated in the center with the City Manager and City Attorney seated on each side of him/her. No other seats are designated and Council may be seated in any order to the left and right of the Mayor, City Manager and City Attorney.
- 11.2 There will be no specified seating arrangement for any other Council meetings.

Section 12. Media Representation at Council Meetings.

- 12.1 All public meetings of the Council and its committees, commissions, and task forces, will be open to the media, freely subject to recording by radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting.
- 12.2 Media representatives are allowed to attend most Council executive sessions subject to the understanding that issues will not be reported.
- 12.3 Media representatives may be restricted from attending executive sessions involving deliberations with persons designated by the Council to carry on labor negotiations.

Section 13. Council Meeting Staffing.

- 13.1 The City Manager will attend all Council meetings unless excused. The City Manager may make recommendations to the Council and shall have the right to take part in all Council discussions but shall have no vote.
- 13.2 The City Attorney will attend all regular Council meetings unless excused, and will, upon request, give an opinion, either written or oral, on legal questions. The City Attorney acts as the Council's Parliamentarian.

- 13.3 The City Clerk will attend all Council meetings and keep the official minutes, and perform such other duties as may be needed for the orderly conduct of meetings.
- 13.4 Department Directors will attend Council meetings upon request of the City Manager.

Section 14. Council Relations With City Staff.

- 14.1 City staff or Council will not argue during a public meeting.
- 14.2 There will be mutual respect from both staff and the Council of their respective roles and responsibilities when and if expressing criticism in a public meeting.
- 14.3 City staff will acknowledge the Council as policy makers, and the Council will acknowledge staff as administering the Council's policies.
- 14.4 All written informational material requested by individual Councilors or the Mayor will be submitted by staff to the entire Council with a notation indicating which Councilor requested the information.
- 14.5 Mayor and Councilors will not attempt to coerce or influence staff in the making of appointments, the awarding of contracts, the selection of consultants, the processing of development applications, or the granting of city licenses and permits.
- 14.6 Mayor and Councilors will not attempt to change or interfere with the operating rules and practices of any City department. The City Manager will designate the necessary staff to conduct business for the Councilors, including handling correspondence, arranging appointments, and making travel arrangements.
- 14.7 Mail that is addressed to the Mayor and Council will be opened and circulated to the Mayor and Council as soon as practical after it arrives.
- 14.8 At no time will staff open any mail that is marked personal or confidential.
- 14.9 The Mayor and Councilors will not direct staff to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the approval of a majority of the Council.
- 14.10 Mayor and Council requests for information can be made directly to staff. If the request would create a change in work assignments for any staff member, the request must be made to the City Manager.

Section 15. Council Relationship With City Committees, Task Forces, and Commissions; Council Representation to Community Organizations, Other Agencies, and Media.

15.1 The Mayor will appoint the committees and commissions of the City. The Mayor may request assistance from Councilors in making a recommendation.

To encourage broad participation, service on City committees will be limited to specific terms.

A citizen may not serve on more than two City committees simultaneously. Any citizen serving on two advisory bodies may not be chairperson of both committees simultaneously.

15.2 With the consent of the Council, the Mayor may remove a citizen from the City committee or commission prior to the expiration of the term of office. Reasons for removal may include, but are not limited to: missing three consecutive regular meetings of the committee or commission, disruptive or inappropriate behavior prior to, during, or after committee or commission meetings, which prohibit the advisory body from completing its business in a timely manner, or not acting in the best interest of the citizens or City. This includes preventing a committee or commission from carrying out its goals and objectives.

When the Mayor is satisfied that it would be in the best interest of the City and the committee or commission, a citizen may be removed from an advisory position by the following process:

- A. The Mayor will request the citizen to submit a letter of resignation within 10 days from the Mayor's notification to committee or commission member. The Mayor's letter will contain the reasons for requesting the resignation. The citizen may submit a letter of response as to why he or she should remain on the committee or commission. This letter will be reviewed by the Council prior to action on the removal request from the Mayor.
- B. The Mayor will request the item be placed on a regular Council meeting agenda for consideration for removal of the citizen from the committee or commission. The citizen will be notified of the Council meeting date when this issue will be discussed.
- C. If the Council approves the Mayor's request for removal, the Mayor will send a letter to the citizen informing him or her that he or she has been removed from the committee or commission.

- 15.3 Members of the Council will not attempt to lobby or influence committee, task force, or commission members on any item under their consideration. It is important for the advisory bodies to make objective recommendations to the Council on items before them. Councilors that attempt to influence committee, task force, or commission members on an item may prejudice or hinder their role in reviewing the recommendation as a member of the Council.
- 15.4 Councilors will have the right to attend meetings but should not become involved in committee, commission, or task force discussions unless they are a liaison member to that body.
- 15.5 The Mayor will make appointments of councilors to liaison positions on City committees. Rotation of Councilors to committees is encouraged. Councilors should make their committee choices known to the Mayor who will make the final recommendation.
- 15.6 If the Mayor or a Councilor represents the City before another governmental agency, before a community organization, or on the media, the official should first indicate the majority position of the Council. Personal opinions and comments may be expressed only if the Councilor clarifies that these statements do not represent the position of the Council.

Section 16. City Manager/City Attorney Evaluation Process.

- 16.1 Councilors and the City Manager or City Attorney will determine the evaluation form used for the evaluation.
- 16.2 The standards, criteria, and policy directives used in the evaluation of the City Manager or City Attorney will be adopted at a regular Council meeting in accordance with State law.
- 16.3 The Council will determine when the completed evaluations are due and who will collect these documents.
- Under existing law, completed evaluation forms are considered public records and will be placed in employee's personnel file at the conclusion of the evaluation process.
- Copies of the employee's contract will be provided to the entire Council. The original employment agreement shall be maintained in the City Records Management Division.
- 16.4 The evaluation session will be scheduled for executive session.

- 16.5 At the evaluation session, the summary comments may be given, as well as individual comments by Councilors. The employee may respond at the conclusion of the Council comments. The employee's contract should be discussed and any recommendation may be concurred to by the Council.
- 16.6 Since the evaluation is held in executive session, attendance is usually restricted to the Mayor, Councilors, City Manager and City Attorney.
- 16.7 The last step of the evaluation process is to have the City Attorney prepare amendments, if any, to the employee's employment contract. This contract normally will be approved as a consent agenda item at the next regular Council meeting.

Section 17. Confidentiality.

- 17.1 Councilors will not repeat by name to persons not on the Council what others have said in a way that might embarrass fellow Councilors.
- 17.2 Councilors will keep all written materials provided to them on matters confidential under law in complete confidence to insure that the City's position is not compromised. No mention of information read or heard should be made to anyone other than other Councilors, the City Manager or City Attorney.
- 17.3 If the Council in executive session provides direction or consensus to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, pending or likely claim or litigation, or employee negotiations, all contact with the other parties shall be made by designated staff or representatives handling the negotiations or litigation. A Councilor will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.
- 17.4 All public statements, information, or press releases will be handled by designated staff or a Council spokesperson.

Section 18. Council Expenses

- 18.1 Council will follow the same rules and procedures for reimbursement as those which apply to City employees, as are set forth in the purchasing procedures.
- 18.2 Councilor expenditures for other than reimbursements will follow purchasing rules which apply City-wide.

Section 19. Public Records.

- 19.1 Public records created or received by Councilors, will be transferred to the City Clerk for retention in accordance with Oregon public records law.

Section 20. Miscellaneous.

- 20.1 When gifts (Sister City gifts, etc.) are presented to the Mayor and Councilors, the main gift will become the property of the City for display purposes, and the individual gifts to the Mayor and Councilors will be for their personal use.

Section 21. Suspension and Amendment of Rules.

- 21.1 Any provision of these rules not governed by State law, the Charter, or Code may be temporarily suspended by a majority vote of the Council.
- 21.2 These rules may be amended or new rules adopted by a majority vote of the Council.

Signed and Dated: February 12, 2010