RESOLUTION R1314-08

A RESOLUTION ADOPTING RULES OF THE GOLD BEACH CITY COUNCIL AS PROVIDED IN THE CITY CHARTER, CHAPTER IV, SECTION 13 AND RESCINDING RESOLUTION R0910-02 AND ANY OTHER RESOLUTIONS THAT MAY BE IN CONFLICT

Rules of the City Council
City of Gold Beach

Rules of the City Council as provided in the Gold Beach City Charter, Chapter IV, Section 13. Rules may be clarified by the City Charter but nothing herein may take precedence over the City Charter, as may be amended from time to time. Rules may be amended by Council Resolution.

COUNCIL MEETINGS

RULE NO. 1 **Regular Council Meetings** Council shall hold its regular meetings at least once a month on a date, or dates, to be specified from time to time by the Council. In no case shall less than one meeting be held in each month, in conformance with the City Charter. Regular meetings shall be held at a time and at a place that it designates and to last no longer than 10:30 P.M., unless there is a unanimous consent to continue beyond that time.

RULE NO. 2 **Special Meetings** Special council meetings may be called by the Mayor, or any two Councilors, or the City Administrator.

RULE NO. 3 **Executive Sessions** Executive sessions of the Council may be called by the Mayor, or any two Councilors, or the City Administrator. Only members of the Council, the City Administrator and others invited by the Council or City Administrator shall attend executive sessions. Representatives of the news media may attend all executive sessions, except those where the Council deliberates and meets with its labor negotiator, but nothing said in executive session may be disclosed or published by the media or by any other meeting attendees, including the Mayor and Councilors.

RULE NO. 4 **Adjourned Meetings** Any meeting of the Council may be continued or adjourned from day to day or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting thereafter.

THE PRESIDING OFFICER

RULE NO. 5 **Presiding Officer** The Mayor shall be the Presiding Officer at all regular, special and executive meetings of the Council of which the Mayor is in attendance. The Mayor shall be limited only to such limitations as those imposed by Section 17 of the City Charter, reason for acting as Presiding Officer. The Mayor may speak on all questions of order in preference to any other member. The Mayor, or in the absence of the Mayor, the Mayor Pro Tem, shall take the chair at the hour appointed for the Council to meet and shall

immediately call the members to order. The City Administrator or Recorder shall enter in the minutes of the meeting the names of the members present.

RULE NO. 6 **Mayor Pro Tem** At its first meeting in January of each year, the Council shall appoint a Mayor Pro Tem from its membership. Whenever the Mayor is unable, on account of absence, illness or other cause, to perform the functions of the office, the Mayor Pro Tem shall act as Mayor. Section 19, paragraphs (3) and (4) of the City Charter shall provide further guidance, regarding the Mayor Pro Tem.

RULE NO. 7 **Temporary Mayor Pro Tem** In case of the absence of the Mayor and Mayor Pro Tem, the City Administrator shall call the Council to order and call the roll of the members, and if a quorum is found to be present the Council shall proceed to elect, by a majority vote of those present, a Temporary Mayor Pro Tem of the meeting to act until the Mayor or Mayor Pro Tem appears. Upon the arrival of the Mayor or Mayor Pro Tem, the Temporary Mayor Pro Tem shall immediately relinquish the chair upon conclusion of the business immediately before the Council.

RULE NO 8 **Quorum** A majority of the Council shall constitute a quorum to do business but a less number may meet and adjourn from time to time and compel attendance of absent members.

RULE NO. 9 **Decorum and Order** The Mayor shall preserve decorum and decide all questions or order, subject to appeal of Council.

a) During Council Meetings the Councilors shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings or refuse to obey the orders of the Mayor or the rules of the Council. **When addressing Councilors, Mayor, staff, or audience formal titles shall be used to be courteous and respectful (i.e. Mayor Smith, Councilor Smith, Chief Smith, Mr. Smith, Mrs./Ms. Smith, etc.).** Every Councilor desiring to speak shall address the chair and upon recognition by the Mayor, shall limit comments to the question under debate. Every Councilor desiring to question the administrative staff shall address questions to the City Administrator, who shall be entitled to either answer the inquiries or designate a staff member for that purpose. A Councilor, once recognized, shall not be interrupted while speaking unless called to order by the Mayor, or unless a point of order is raised while the Councilor is speaking, the Councilor shall cease speaking immediately until the question of order is determined. If ruled to be in order the Councilor shall be permitted to proceed; if ruled to not be in order the Councilor shall remain silent or shall alter his or her remarks as to comply with the rules of the Council.

b) Members of the administrative staff and employees of the City and other persons attending Council meetings also shall observe the same rules of procedure, decorum and good conduct, applicable to the members of the Council. Any person making personal, impertinent and slanderous remarks or who becomes boisterous while addressing the Council or attending the Council meeting, shall be removed from the room if the Sergeant-At-Arms is so directed by the Mayor.

Such person or persons shall be barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Mayor who may direct the Sergeant-at-arms to remove such offenders from the room. Aggravated cases shall be prosecuted by an appropriate complaint signed by the Mayor. In case the Presiding Officer should fail to act, any member of the Council can move to require the Presiding Officer to act to enforce the rules and the affirmative vote of the majority of the Council present shall require the Mayor to act.

c) Any citizen desiring to address the Council shall be recognized by the Mayor. A citizen addressing the Council shall limit remarks to the item under discussion, and shall be allowed a maximum of 5 minutes to speak. The Mayor may allow additional time for individual citizen comments, upon a majority vote from the Council. All comments shall be addressed to the Council as a whole and not to any individual member thereof. All comments addressed to any administration of the City shall be addressed to the City Administrator and not to any individual City employee. Citizens shall not be disorderly, abusive, or disruptive, nor shall they present irrelevant, immaterial, or unduly repetitious testimony. No persons other than members of the Council and the person having the floor shall enter into any discussion, either directly or through a member of the Council without the permission of the Mayor.

RULE NO. 10 **Sergeant-At-Arms** The Chief of Police or such members of the Police Department as designated by the Chief of Police will be Sergeant-At-Arms at Council Meetings. The Sergeant-At-Arms shall carry out all orders or instructions given by the Mayor for the purpose of retaining order and decorum at the council meetings. The Sergeant-At-Arms will only attend meetings if requested by the Mayor or the City Administrator.

EMPLOYEES

RULE NO. 11 **City Administrator** The City Administrator shall attend all meetings of the Council unless excused by the Council. The City Administrator shall make recommendations to the Council and shall take part in all discussions concerning the welfare of the City and shall perform such other duties in the meeting as ordered by the Mayor or Councilors. No elected official shall be eligible to receive appointment as City Administrator during the term for which that official is elected.

RULE NO. 12 **City Attorney** The City Attorney shall either in person or by deputy attend meetings of the Council when requested to do so by the Mayor, two Councilors or the City Administrator. Any elected official desiring an informal oral opinion should request same through the City Administrator. Written or oral opinions shall be authorized by City Administrator or the City Administrator's designee.

RULE NO. 13 **Officers and Employees to Attend** Any member of the City Council may request the City Administrator to direct any employee to attend any regular, special or executive meeting to confer with the Council on matters relating to the City.

DUTIES AND PRIVILEGES OF MEMBERS

RULE NO. 14 **Right to Floor** When recognized by the Mayor, a Councilor shall confine comments to the questions under debate, avoid personalities and refrain from impugning the motives of any member's argument or vote. No member shall address the Mayor or demand the floor while any vote is being taken.

RULE NO. 15 **Right to Appeal** Any Councilor may appeal to the Council from a ruling of the Mayor, and if the appeal is seconded, the member making the appeal may briefly state reasons for the same and the Mayor may briefly explain the ruling; but there shall be no debate on the appeal and no other Councilor shall participate in the discussion. The Mayor shall then put the question, "Shall the decision of the Chair stand as the decision of the Council?" If the majority of the members vote "AYE", the ruling of the Mayor is sustained; otherwise it is overruled.

RULE NO. 16 **Voting** When the question has been called for, the Mayor shall ask for the voice vote by consecutive numerical position. At each succeeding meeting at which a roll call is taken, the Councilor who voted second during the previous meeting, shall vote first. After a vote has been taken, the Mayor shall announce the results of the vote. Every Councilor present when a question is called shall vote either AYE or NAY. No Councilor present at a Council meeting shall abstain from voting without first stating reasons in detail at the meeting.

RULE NO. 17 **Debate** No motion shall be debated until it has been seconded and announced by the Mayor. Any Councilor may request that a motion be reduced to writing and read by the City Administrator. Councilors shall limit their remarks on a subject to five minutes unless granted additional time by the majority of the Council. No Councilor shall be allowed to speak more than once upon any subject, until every other member choosing to speak thereon has spoken. No Councilor shall speak more than twice upon any subject without approval of the Council.

RULE NO. 18 **Personal Privilege** The right of a Councilor to address the Council on a question of personal privilege shall be limited to cases in which the Councilor's integrity, character or motives are assailed, questioned or impugned.

RULE NO. 19 **Dissent and Protest** Any Councilor shall have the right to express dissent from or protest against any Ordinance, Resolution or decision of the Council and have the reason, entered into the Council minutes. Such dissent or protest must be filed in writing, couched in respectful language and presented to the Council not later than the next regular meeting following the date of passage of the Ordinance, Resolution or decision.

RULE NO. 20 **Excusal During the Meeting** No Councilor may leave a Council meeting while in session without permission from the Mayor.

RULE NO. 21 **Code of Ethics** Councilors shall conduct themselves as to bring credit upon the City as a whole, so as to set an example of good ethical conduct for all citizens of the community. Councilors shall bear in mind at all times the responsibility to the

entire electorate, shall refrain from actions benefiting special interest groups at the expense of the City as a whole and shall do everything in their power to insure an equal and impartial law enforcement throughout the City at large without respect to race, color, creed, gender, or the economic or social position of individual citizens.

RULE NO. 22 **Council Procedure - Order of Business** The business of all regular meetings of the Council shall be transacted in the following order:

1} Pledge of Allegiance
2} Roll Call
3} Special Orders of Business
4} Consent Calendar
5} Citizens Comments
6} Public Hearings
7} Citizen-Requested Agenda Items
8} Public Contracts and Purchasing
9} Ordinances and Resolutions
10} Miscellaneous Items (including policy discussions and determination)
11} City Administrator's Report
12} Mayor and Council Comments
13} Citizen Comments
14} Executive Session
15} Adjournment

When it appears to be in the best interest of the public, the Mayor may, upon approval of a majority of the Councilors present, change the order of business specified above.

RULE NO. 23 **Special Order of Business** Agenda items that are of special importance to the Council may be treated as Special Orders of Business. Special Orders of Business agenda items have transaction precedence over all other items except the Flag Salute and Roll Call.

RULE NO. 24 **Consent Calendar** The approval of minutes, warrants and other routine agenda items may be placed on the Consent Calendar. Discussion of the Consent Calendar shall be limited to five minutes. Any item placed on the Consent Calendar shall be removed at the request of the Mayor or a Councilor prior to the vote being taken on the Consent Calendar items. All remaining items on the Consent Calendar shall be disposed of by a single motion "to adopt the Consent Calendar" which shall not be debatable. Adoption of the Consent Calendar shall be by the affirmative vote of all Council members present at the time the vote is taken and shall have the same effect as a separate vote for each item. If there are dissenting votes, each item on the Consent Calendar shall be voted upon separately in the usual manner.

RULE NO. 25 **Agendas** Staff shall prepare an agenda for every regular, and if requested, for every special Council meeting. Items may be placed on the agenda by any person, but such items shall be presented to the City Administrator or designee in writing at least six days prior to the meeting at which they are to be discussed. Agendas and

informational material for regular meetings shall be distributed to the Council at least four days prior to the meeting. Items may be added to the agenda in accordance with Council Rule 26. New business brought before the Council in a meeting may be referred to the City Administrator for a report at a future Council meeting.

RULE NO. 26 **Additions to Agenda** A request to add an item for Council consideration to the Council agenda may be presented at the Council meeting but shall require a majority concurrence of the Councilors present to be so added. Decisions on added agenda items that were not advertised on the agenda could be challenged.

RULE NO. 27 **Precedence of Motions** When a question is before the Council no motion shall be entertained except:

1} to abide by the rules
2} to adjourn
3} to fix the hour of adjournment
4} to lay on the table
5} for the previous question
6} to postpone to a certain date
7} to refer
8} to amend
9} to postpone indefinitely

These motions shall have precedence in the order indicated. Any such motion except a motion to amend shall be put to a vote without debate.

RULE NO. 28 **Motions to be Stated by Presiding Officer - Withdrawal** When a motion is made and seconded it shall be stated by the originator or the Mayor before debate. A motion may not be withdrawn without the consent of the Councilor seconding it.

RULE NO. 29 **Motion to Adjourn - When not in Order - When Not Debatable** A motion to adjourn will be in order at any time except as follows:

1} when made as an interruption of a member while speaking
2} when the previous question has been ordered
3} while a vote is being taken

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

RULE NO. 30 **Motion to Lay on the Table** A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion should prevail, consideration of the subject may be resumed only upon motion of a Councilor voting with the majority and with the consent of two-thirds of the Councilors present.

RULE NO. 31 **Division of Question** If the question contains two or more divisible propositions the Mayor may, upon request of the Councilors, divide the same.

RULE NO. 32 **Motion to Postpone** All motions to postpone, excepting to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely is carried, the principal question shall be declared defeated.

RULE NO. 33 **AYES and NAYS** On the passage of every Ordinance the vote shall be taken by AYES and NAYS and entered upon the record.

RULE NO. 34 **Motion to Reconsider** Any Councilor who voted with the majority may move for a reconsideration of an action at the same or the next regular meeting. Once a matter has been reconsidered, no motion for further reconsideration thereof shall be made without unanimous consent of the Council.

RULE NO. 35 **Procedure in Absence of Rule** In all cases not provided for by these rules, the Council shall be governed by the laws and practice laid down in Robert's Rules of Order, Revised Edition.

RULE NO. 36 **Suspension of Rules** No rule shall be suspended except by the vote of the majority of Councilors present at the meeting. A motion to suspend a rule is not debatable.

RULE NO. 37 **Anonymous Communication** Anonymous and unsigned communications shall not be introduced in Council meetings.

CITY BOARDS, COMMISSIONS, LAY-COMMITTEES AND COUNCIL COMMITTEES

RULE NO. 38 **Appointments to the City Boards, Commissions, Lay Committees** All appointments to City Boards, Commissions and Lay-Committees shall be made in accordance with the Oregon Revised Statutes, City Charter, and City Code. Appointees shall not be appointed to more than two Boards or Commissions at a time.

All appointees submitting applications for appointments shall be interviewed by the Mayor and Councilors prior to being appointed. Exceptions may be made for incumbents that are resubmitting applications for the same positions for an additional term.

The City Administrator shall give written notice to all Councilors the expiration of the term of office of all members of City Boards, Commissions and Laymen Committees at least thirty (30) days prior to expiration date of said term of office. Within 10 days of the close of the time set to receive applications, the City Administrator shall submit the name of applicants to Councilors in writing. All appointments and reappointments shall be made by majority vote of the Council.

RULE NO. 39 **Council Committees** Council Committees shall be appointed by the Mayor subject to confirmation by the Council. Membership on such Council Committees shall include only members of the Council. All Council Committees shall have a Chairman and Secretary, either appointed by the Mayor or by a majority vote of the Committee in the absence of an appointed Chairman and Secretary.

RULE NO. 40 **Council Committee Meetings** Council Committee meetings shall meet on call of the Chairman or any two members. Such Committees shall report to the

Council without unnecessary delay upon matters referred to them. A majority of the members of a Committee shall constitute a quorum.

RULE NO. 41 **Additional Boards, Commissions, Lay-Committees and Council Committees** At any time, the Council may, by a majority vote of Councilors, at any regular meeting, establish any City Board, Commission, Council Committee or Lay-Committee that it deems necessary. Appointments shall be made in conformance with Rule No. 38 of these Council Rules.

RULE NO. 42 **Student Liaison Positions** Student Liaisons may be appointed by the Mayor subject to confirmation by the Council. A student liaison position is considered as that of an interested citizen. Comments from the student liaison will be invited at such times as comments from the audience are invited. The Student Liaison shall be given an opportunity to give a "student liaison report" on each meeting agenda.

RULE NO. 43 **Council Liaison Positions** The Mayor may from time to time appoint individual Councilors as liaisons to local, regional or state organizations, agencies or groups, as the Mayor may determine that such liaison is of direct benefit to the City. Any Councilor Liaison appointment must be voluntary and desired by the affected Councilor, as well as deemed beneficial by the associated organization, agency or group the Councilor is appointed to. The length of any liaison term shall continue until relinquished by the Councilor or terminated by the Mayor, or organization, agency or group to which the Councilor is appointed. Each Councilor may make brief reports of their liaison activities at each regular Council meeting.

RULE NO. 44 **Lists of Boards, Commissions, Lay-Committees and Council Committee Members** The City Administrator shall prepare and keep current a list of all members, date appointed, length of term, address and phone number of all City of Gold Beach Boards, Commissions, Lay-Committees and Council Committees. A copy of this list shall be given to all members of the Council at least yearly or when the membership of any Committee changes. A current list shall be kept on file and in the City Business Office.

Footnotes:

a) The word "shall" is mandatory, the word "may" is permissive.

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 10th day of February, 2014.

Karl Popoff, Mayor

ATTEST:

Candy Cronberger

Candy Cronberger, City Recorder