

***RULES OF ORDER AND PROCEDURE***

***FOR THE***

***CITY COUNCIL***

***CITY OF PENDLETON***

***PENDLETON, OREGON***

***EFFECTIVE March 1, 1977***

***Policies Adopted through January 7, 1997***

***As amended through August 2, 2011***

## TABLE OF CONTENTS

SECTION	Page
<b>I. RULES</b> .....	1
1. <b>RULES OF ORDER</b> .....	1
2. <b>PUBLIC MEETINGS LAW</b> .....	1
3. <b>SUSPENSION OF RULES</b> .....	1
<b>II. MEETINGS</b> .....	1
4. <b>REGULAR COUNCIL MEETINGS</b> .....	1
5. <b>QUORUM</b> .....	1
6. <b>SPECIAL MEETINGS</b> .....	1
A.    Special meetings .....	1
B.    Executive Sessions .....	1
7. <b>COMMITTEE OF THE WHOLE</b> .....	1
8. <b>EXCUSAL DURING MEETING</b> .....	1
9. <b>SEATING ARRANGEMENT</b> .....	1
10. <b>COUNCIL MEETING AGENDA</b> .....	2
11. <b>ORDER OF BUSINESS</b> .....	2
12. <b>SPECIAL ORDER</b> .....	3
13. <b>ADJOURNED SESSIONS</b> .....	3
<b>III. MINUTES</b> .....	3
14. <b>ATTENDANCE RECORD</b> .....	3
15. <b>READING OF MINUTES</b> .....	3
16. <b>DISTRIBUTION OF MINUTES</b> .....	3
<b>IV. PRESIDING OFFICER</b> .....	3
17. <b>CALL TO ORDER</b> .....	3
18. <b>PRESIDENT OF THE COUNCIL</b> .....	3
19. <b>COUNCIL PRESIDENT PRIVILEGES</b> .....	3
20. <b>TEMPORARY CHAIRMAN</b> .....	3
<b>V. ELECTED AND APPOINTED OFFICIALS</b> .....	3
21. <b>COUNCIL MEMBERS</b> .....	3
22. <b>CITY MANAGER</b> .....	4
23. <b>CITY RECORDER</b> .....	4
24. <b>CITY ATTORNEY</b> .....	4
<b>VI. CONDUCT DURING MEETINGS</b> .....	4
25. <b>DECORUM AND ORDER</b> .....	4
Council Members .....	4
administrative staff and employees .....	4
Public members .....	5
public member .....	5
26. <b>PERMISSION REQUIRED TO ADDRESS COUNCIL</b> .....	5
27. <b>OFFICERS AND EMPLOYEES TO ATTEND</b> .....	5
28. <b>RIGHT OF APPEAL</b> .....	5
29. <b>LIMITATION OF DEBATE</b> .....	5
30. <b>QUESTION OF PRIVILEGE</b> .....	5
A. <b>PRIVILEGE OF THE ASSEMBLY</b> .....	5
B. <b>PERSONAL PRIVILEGE</b> .....	5

<b>VII. VOTING</b> .....	5
31. <b>VOTING</b> .....	5
32. <b>RECORDING OF VOTE</b> .....	6
33. <b>PERSONAL INTEREST</b> .....	6
34. <b>EXPLANATION OF VOTE DURING ROLL CALL</b> .....	6
35. <b>TIE VOTE</b> .....	6
36. <b>VOTING ON ORDINANCES OR RESOLUTIONS</b> .....	6
<b>VIII. COMMITTEES</b> .....	6
37. <b>APPOINTMENTS BY THE MAYOR OR COUNCIL</b> .....	6
38. <b>APPOINTMENTS TO MUNICIPAL BOARDS AND COMMISSIONS</b> .....	6
39. <b>STANDING COMMITTEES</b> .....	6
40. <b>SPECIAL COMMITTEE APPOINTMENTS</b> .....	6
41. <b>MEETINGS</b> .....	7
42. <b>NOTICE</b> .....	7
43. <b>REPORTS</b> .....	7
44. <b>REPORTS TO BE IN WRITING</b> .....	7
45. <b>RELIEVING FROM FURTHER CONSIDERATION</b> .....	7
46. <b>POWERS</b> .....	7
<b>IX. MOTIONS</b> .....	7
47. <b>PRECEDENCE OF MOTIONS</b> .....	7
48. <b>MOTIONS TO BE STATED BY CHAIR</b> .....	7
49. <b>WITHDRAWAL</b> .....	7
50. <b>MOTIONS OUT OF ORDER</b> .....	7
51. <b>MOTION TO ADJOURN</b> .....	7
52. <b>MOTION TO LAY ON THE TABLE</b> .....	7
53. <b>THE PREVIOUS QUESTION</b> .....	8
54. <b>DIVISION OF QUESTION</b> .....	8
55. <b>AMEND; TO STRIKE OUT</b> .....	8
56. <b>AMEND AN AMENDMENT</b> .....	8
57. <b>MOTION TO POSTPONE</b> .....	8
58. <b>VOTING ON ORDINANCES AND RESOLUTIONS</b> .....	8
59. <b>RECONSIDERATION</b> .....	8
<b>X. ORDINANCES AND RESOLUTIONS</b> .....	8
60. <b>INTRODUCTION OF ORDINANCES AND RESOLUTIONS</b> .....	8
61. <b>REVIEW</b> .....	8
62. <b>AMENDMENTS</b> .....	8
63. <b>DISSENTS AND PROTESTS</b> .....	8
64. <b>ORDINANCES, EFFECTIVE DATE</b> .....	8
<b>XI. MISCELLANEOUS</b> .....	8
65. <b>ANONYMOUS COMMUNICATIONS</b> .....	8
66. <b>EMPLOYMENT OF PROFESSIONAL SERVICES</b> .....	9
67. <b>PURCHASES</b> .....	9
68. <b>COMPLAINTS</b> .....	9
69. <b>STATE OR FEDERAL COOPERATION -- PROCEDURE</b> .....	9
70. <b>AMENDMENT TO RULES OF ORDER AND PROCEDURE</b> .....	9
<b>Other Council Policies</b> .....	9
<b>POLICY FOR NAMING PUBLIC FACILITIES AND LANDS WITHIN THE CITY OF PENDLETON</b>	

.....	9
<b>DUTIES OF THE COUNCIL MEMBER.....</b>	<b>11</b>
<b>DUTIES OF THE MAYOR OR PRESIDING OFFICER.....</b>	<b>13</b>
<b>DUTIES OF THE CITY MANAGER.....</b>	<b>14</b>

# RULES OF ORDER AND PROCEDURE FOR THE CITY COUNCIL MEETINGS

## I. RULES

1. **RULES OF ORDER.** All meetings of the Council shall be conducted in accordance with, and pursuant to, the provisions of Roberts Rules of Order, as revised, which said rules are herewith adopted by reference thereto, except as the same may be specifically varied or changed herein or hereafter.
2. **PUBLIC MEETINGS LAW.** All Council, committee, commission or board meetings shall be held pursuant to the Public Meetings Law of the State of Oregon.
3. **SUSPENSION OF RULES.** Any provision of these rules not governed by the charter or law may be temporarily suspended at any meeting of the Council, by a majority vote of the Council. The vote on any such suspension shall be taken by YES and NO and entered upon the record.

## II. MEETINGS

4. **REGULAR COUNCIL MEETINGS.** The City Council shall convene in regular session on the first and third Tuesdays of each month. Unless otherwise specified all meetings will be in the Council Chambers in City Hall and shall be called to order at 7:30 p.m.
5. **QUORUM.** Five members of the Council shall constitute a quorum. In case a lesser number than a quorum shall convene at a regular or special meeting, the majority of the members present are authorized to send a police officer or other person for any or all absent members, as such majority of members shall agree. In the event a quorum cannot be obtained, the meeting may be adjourned as provided for in Rule 13.
6. **SPECIAL MEETINGS**
  - A. Special meetings may be called by petition of two or more Council Members, or by the Mayor upon his own motion. (Section 23, City Charter) The City Recorder shall prepare a notice of the special session stating time, place and object, and this notice shall be served personally upon each Council Member, the Mayor and the City Manager or left at their usual place of residence or business at least twenty-four hours before the time of the meeting, except in the event of an emergency meeting. It shall also be the duty of the City Recorder, immediately upon receipt of written request, to make diligent effort to notify each Council Member in person, either by telephone or otherwise, of such special session. Only matters set forth in the notice of the meeting shall be discussed at such meeting.
  - B. Executive Sessions of the City Council may be called by the Mayor, two Council Members or the City Manager, but shall be confined to subject matters as provided by ORS 192.660, as amended.
7. **COMMITTEE OF THE WHOLE.** When the Council shall decide to go into Committee of the Whole, without objection the regular officers shall continue to serve, otherwise the Council shall appoint a chairman to preside and the presiding officer of the Council shall leave the Chair. The rules of the Council as far as applicable shall be observed in the Committee of the Whole, save for quorum requirements, except that no limit shall be placed on the frequency of speaking, that the YES and NO votes shall not be taken and that motion to rise and report progress shall always be in order and shall be decided without debate.
8. **EXCUSAL DURING MEETING.** No member shall leave the Council Chambers during Council meetings without the permission of the presiding officer.
9. **SEATING ARRANGEMENT.** Members shall occupy seats in the Council Chambers assigned to them by the Mayor, but any two or more members may exchange seats by joining in a written notice to the Mayor to that effect.

10. **COUNCIL MEETING AGENDA.** All reports, communications, ordinances, resolutions, documents, or other matters, to come before the Council for consideration must be filed with the City Manager. The City Manager shall furnish a copy of the agenda to each Council Member, the Mayor, and such other persons as required, at least five calendar days before the Council meeting or as far in advance of the meeting as time for preparation will permit. All agenda items filed with the City Manager for Council action shall be arranged according to the order of business, and must be accompanied by an explanation sheet in such form as the City Manager shall require. Any items not filed with the Manager by the time specified shall be placed on the agenda only by a majority vote of the Council Members present at the Council meeting.<sup>1</sup>

11. **ORDER OF BUSINESS.** The business of all regular meetings of the Council shall be transacted in the following order, unless the Council by a vote of a majority of the members present, shall suspend the rules and change the order:

- A. Call to Order
  - 1. Invocation
  - 2. Welcome Guests
- \*B. Consent Agenda
  - 1. Approve minutes
  - 2. Approve liquor licenses previously approved by the Police Chief
  - 3. Approve business licenses approved by the respective departments
  - 4. Approve other licenses previously approved by the respective departments
  - 5. Approve intergovernment contracts
  - 6. Approve Finance Committee report
  - 7. Accept deeds to the City by authorizing the Mayor and City Recorder to sign such deeds.
  - 8. Authorize respective departments to call for bids
  - 9. Confirm Committee Appointments
  - 10. Receive annual committee reports
  - 11. Receive administrative reports
  - 12. Set Executive Session pursuant to appropriate statutory reference
  - 13. Resolutions:
    - (a) Set public hearings
    - (b) Set election dates and amounts previously recommended by Budget Committee
    - (c) Canvass election returns
    - (d) Applications for grants, funding and other monetary sources from State and Federal sources
    - (e) Commendations, honorariums
  - 14. Set special meetings
- C. Items from the Consent Agenda removed by the request of the Council or Mayor
- D. Public Hearings and Related Ordinances and Resolutions
- E. Bids
- F. Unfinished Business and Related Ordinances and Resolutions
- G. New Business
  - 1. Petitions, Communications, Reports and Related Ordinances and Resolutions
  - 2. Miscellaneous Ordinances and Resolutions
  - 3. Licenses
- H. City Manager Report
- I. Other Business
- J. Adjournment

\*The consent agenda will be considered as one item. There will be no discussion of the consent agenda unless the Mayor or a member of the Council requests that a specific item be removed from that agenda prior to voting on the

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<sup>1</sup> Amended April 7, 2009

consent agenda. If any member of the Council requests that an item be removed from the consent agenda it will be considered following the consent agenda. (Amended December 21, 1982.)

12. **SPECIAL ORDER.** To make any subject a special order shall require the consent of a majority of the members present.

13. **ADJOURNED SESSIONS.** Any session 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.

### **III. MINUTES**

14. **ATTENDANCE RECORD.** The City Recorder shall enter in the minutes of the meeting the names of the Council Members present.

15. **READING OF MINUTES.** At each meeting the minutes of the preceding meeting and/or meetings shall be read, unless the reading shall be dispensed with by consent of a majority of the Council Members present. If no objection is made to the minutes, the same shall be approved.

16. **DISTRIBUTION OF MINUTES.** Prior to each meeting the City Recorder shall furnish each Council Member, the Mayor and the City Manager with a copy of the minutes of the preceding meeting.

### **IV. PRESIDING OFFICER**

17. **CALL TO ORDER.** The Mayor, or in his absence the President of the Council, shall take the chair at the hour appointed for the Council to meet, and shall immediately call the members to order.

18. **PRESIDENT OF THE COUNCIL.** At the first regular meeting in January of each year the Council shall elect by secret ballot one of their members as President of the Council. The President of the Council shall serve as Mayor during the absence or disability of the Mayor, and during any vacancy in the office of the Mayor.

19. **COUNCIL PRESIDENT PRIVILEGES.** The President of the Council may move, second and debate from the chair, subject only to the limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Council Member by reason of acting as the presiding officer.

20. **TEMPORARY CHAIRMAN.** In case of the absence of the Mayor and the President of the Council, the Recorder shall call the Council to order and take the roll of the members. If a quorum is found to be present the Council shall proceed to elect, by majority vote of those present, a chairman of the meeting, to act either until the Mayor or the President of the Council appears.

### **V. ELECTED AND APPOINTED OFFICIALS**

21. **COUNCIL MEMBERS.** The Mayor of the City of Pendleton and the Council Members of the City of Pendleton occupy position of public trust. All business transactions of such officials dealing in any manner with public funds, either directly or indirectly must be subject to the scrutiny of public opinion. Such officials shall adhere to Oregon Laws on Government Ethics. After the Mayor or Council Members declares an actual conflict of interest that official shall leave the dais. The council member with a conflict may present testimony, but may not participate in any council discussion, debate or vote on any such matter. After the conclusion of such discussion, debate or vote, the presiding officer shall advise the official with the conflict of interest so that they may return to the dais. However, in those cases where a majority of Council Members would have an actual conflict of interest, for example where the discussion of residential water rates which are set by the City is taking place, after declaring a conflict of interest each of the Council Members with a conflict may not participate in discussion or debate, but may vote on such issue. . Council Members and the Mayor shall refrain from making use of special knowledge or information before it is made available to the general public and shall comply with all lawful actions, directives and orders of duly constituted

municipal officers as they may be issued in the normal and lawful discharge of the duties of those officers. (Amended March 15, 1983, August 2, 2011.)

22. **CITY MANAGER.** The City Manager shall attend all meetings of the Council, unless excused by the Council; shall keep the Council fully advised as to the financial condition and needs of the City; may make recommendations to the Council and may take part in discussions of all matters concerning the welfare of the City; and shall have a seat but no vote in the meetings of the Council.

23. **CITY RECORDER.** The City Recorder shall serve as clerk of the Council and shall keep minutes of the meeting and perform such other and further duties in the meeting as may be ordered by the Mayor, Council or City Manager.

24. **CITY ATTORNEY.** The City Attorney shall, either in person or by deputy, attend all meetings of the Council, unless excused by the City Manager. Any Council Member at may any time call upon the City Attorney for an oral or written opinion to decide any question of law, with the approval of the Council, but not to decide upon any parliamentary rules; however, the Attorney may advise the presiding officer on parliamentary matters.

## **VI. CONDUCT DURING MEETINGS**

25. **DECORUM AND ORDER.** The presiding officer shall preserve decorum and decide all questions of order, subject to appeal to Council.

A. During Council meetings, Council Members shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of the Council. No member shall address the chair or demand the floor while any vote is being taken. Every Council Member desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine remarks to the question under debate and shall avoid all personalities and indecorous language, and refrain from impugning the motives of any other member's argument or vote. Every Council Member desiring to question the administrative staff shall address questions to the City Manager who shall be entitled either to answer the inquiries or designate some staff member to do so. A Council Member once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, unless a point of order is raised by another member or unless the speaker chooses to yield to questions from another member. A Council Member called to order while speaking shall immediately cease speaking until the question of order is determined. If ruled to be in order the member shall be permitted to proceed, or if ruled to be not in order shall remain silent or shall alter any remarks so as to comply with the rules of the Council. All members shall accord the utmost courtesy to each other and refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

Members shall confine their questions to the particular matters before the assembly and in debate shall confine their remarks to the issue before the Council. Members shall be removed from the meeting for failure to comply with the decisions of the presiding officer and/or for continued violations of the rules of the Council. If the presiding officer fails to act, any member may move to require said officer to enforce the rules and the affirmative vote of a majority of the Council shall require the presiding officer to act.

B. Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. While the presiding officer shall have the authority to preserve decorum in meetings as far as staff members and City employees are concerned, the City Manager also shall be responsible for the orderly conduct and decorum of all City employees under his direction and control. The City Manager shall take such disciplinary action as may be necessary to insure that such decorum is preserved at all times by City employees in Council meetings. The City Manager or staff member desiring to address the Council or members of the public shall be recognized by the chair, shall state their name for the record, and shall limit remarks to the matter under discussion. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof. No staff members, other than staff members having the floor, shall enter into any discussion either directly or indirectly without permission of the presiding officer.

C. Public members attending Council meetings shall also observe the same rules of propriety, decorum, and good conduct applicable to Council Members. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while addressing the Council or while attending the Council meeting shall be removed from the room as directed by the presiding officer, and such person shall be barred from further audience before the Council and not be permitted to return to the meeting unless permission has been granted by a majority vote of the Council Members present. The removal shall be effected by whomever the presiding officer designates. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer, who shall direct the removal of such offenders from the room. Aggravated cases shall be prosecuted as provided by ordinance. In case the presiding officer shall fail to act, any member of the Council may move to require said officer to act to enforce the rules, and the affirmative vote of the majority of the Council shall require the presiding officer to act.

D. Any public member desiring to address the Council shall be recognized by the chair, shall state their name and address in an audible tone for the record, and shall limit remarks to the question under discussion. All remarks and questions shall be addressed to the Council as a whole and not to an individual member thereof. All remarks and questions addressed to the administration of the City shall be addressed to the City Manager and not to any individual City employee. No person other than Council Members and the person having the floor shall enter into any discussion either directly or through a Council Member without permission of the presiding officer.

26. **PERMISSION REQUIRED TO ADDRESS COUNCIL.** Persons other than Council Members and City officers shall not be permitted to address Council except upon either introduction or invitation by the presiding officer or by the chairman of the appropriate committee.

27. **OFFICERS AND EMPLOYEES TO ATTEND.** The head of any department, or any officer or employee of the City, when requested by the City Manager or the Council, shall attend any regular, adjourned or special meeting and confer with the Council on all matters relating to the City.

28. **RIGHT OF APPEAL.** Any Council Member may appeal to the Council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state the reason for the same, and the presiding officer may briefly explain the ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the chair be sustained?". If a majority of the members vote YES, the ruling of the chair is sustained; otherwise it is overruled.

29. **LIMITATION OF DEBATE.** No member shall be allowed to speak more than once upon any one subject until every other member choosing to speak thereon shall have spoken, and no member shall speak more than twice upon any one subject, nor for a longer time than five minutes without leave of Council.

30. **QUESTION OF PRIVILEGE**

A. **PRIVILEGE OF THE ASSEMBLY.** Any member may address the Council on a Question of Privilege relating to the organization of the Council, comfort of members, conduct of members and employees, punishing members for disorderly conduct, conduct of the news media, heating, lighting or ventilation of the Council Chambers, or any general disturbance.

B. **PERSONAL PRIVILEGE.** Any member may address the Council on a Question of Privilege relating to that member's personal comfort, ability to hear or otherwise take part in Council proceedings, as well as on discussion which questions that member's integrity, character or motives.

## **VII. VOTING**

31. **VOTING.** Every member present when a question is put shall vote, unless the Council shall, for special reason, excuse a member from voting. Application to be excused from voting must be made before the votes are called for. The member having briefly stated the reason for the request, the decision thereon shall be made without debate.

32. **RECORDING OF VOTE.** The vote shall be put by a show of hands FOR the question, and by a show of hands AGAINST the question. The vote shall be recorded by name unless unanimous.

33. **PERSONAL INTEREST.** No member stopped from voting by personal interest shall remain in the Council Chambers during the debate and vote on any such matter.

34. **EXPLANATION OF VOTE DURING ROLL CALL.** It shall not be in order for members to explain their vote during the roll call.

35. **TIE VOTE.** In case of a tie vote on any proposal, except Ordinances and Resolutions, the Mayor shall cast the deciding vote.

36. **VOTING ON ORDINANCES OR RESOLUTIONS.** When an ordinance or resolution is voted upon by the Council and does not receive a Council majority of YES or NO votes said resolution or ordinance shall automatically be reconsidered at the following Council meeting, and successive meetings, if necessary, until such time as a majority vote of the Council is achieved.

### **VIII. COMMITTEES**

37. **APPOINTMENTS BY THE MAYOR OR COUNCIL.** Whenever the Mayor or a Council Member shall, at any meeting, submit an appointment to be made, confirmation of such appointment shall be deferred until the next meeting.

38. **APPOINTMENTS TO MUNICIPAL BOARDS AND COMMISSIONS.** All appointments to City boards, commissions and committees shall be made in accordance with the ordinances and City Charter. Appointees shall be residents of the City except where otherwise required by ordinance or statute, shall not be appointed to more than one (1) board, commission or committee without consent of the Council.

Members of city boards, commissions, and committees and members of their families or households or of a business with which the member or the member's family or household is associated in a ownership, in other than a publicly held corporation, or managerial capacity shall not sell to the city, either as a prime contractor or supplier, or as a first tier subcontractor or first tier supplier, upon recommendation of the board, commission or committee to which the person has been appointed, except if permitted by the Oregon Government Standards and Practices law, where the city purchase has been conducted by an open bid process.

Sales means sales, services or fees of \$5,000.00 aggregate total in any one (1) calendar year. "Business with which the member is associated," "family," and "household" have the same meanings as in the Oregon Government Standards and Practices law, ORS chapter 244.

This provision shall not prevent a board, commission or committee member from selling, as defined above, to the on recommendation of any board, commission or committee of which the person is not a member. It is the specific intent of the City Council to encourage business persons to serve on City boards, commissions and committees without financial sacrifice. (Amended February 2, 1982, and March 19, 1996.)

39. **STANDING COMMITTEES.** The Mayor shall appoint all committees, subject to confirmation by the Council, except as provided otherwise by State Statutes or City ordinances. An appointment to fill a vacancy shall be for the unexpired term.

40. **SPECIAL COMMITTEE APPOINTMENTS.** Special committees for particular purposes may be appointed by the presiding officer, subject to confirmation by the Council. There shall be at least three members on each special committee, whether composed of Council Members, public members, or jointly composed. The presiding officer shall designate the member who is to serve as chairman of the committee. Vacancies occurring on any committee shall be filled in a like manner.

41. **MEETINGS.** Special committees shall meet on call of the chairman, or any two members and 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.

42. **NOTICE.** It shall be the duty of the chairman of special committees to give notice of the time and place of meetings as required by ordinance or state law.

43. **REPORTS.** When a committee to which a matter has been referred, with instructions to report at a time in the order of reference, is not ready to report at such time, the matter so referred shall, unless further time be granted, be considered as though reported back without recommendation. In such case, the committee shall forthwith return to the Recorder the documents pertaining to the matter, and the matter shall take its proper place in the Order of Business.

44. **REPORTS TO BE IN WRITING.** The reports of committees other than the Committee of the Whole shall be in writing, agreed to in committee assembled, and shall not be presented unless signed by a majority of the committee. Copies of the report shall be available to each member of such committee, Council Members, Mayor, and the City Manager. Documents referred to the committee shall be returned with the report. Nothing in this rule shall be construed to prohibit the introduction of minority reports.

45. **RELIEVING FROM FURTHER CONSIDERATION.** Upon motion, Council may by a majority vote relieve a committee of further consideration of a matter referred to it, and order the same placed on the calendar.

46. **POWERS.** No committee shall have the power to employ any person for, or on behalf of, the City, or incur any expense, unless specially authorized by the Council. Every committee shall have power and authority to send for persons and papers and examine witnesses under oath, pursuant to the laws of the state, in any matter or proceedings referred to, or before them, and such examination, together with all papers and proceedings, shall be returned to the Council.

## **IX. MOTIONS**

47. **PRECEDENCE OF MOTIONS.** When a question is before the Council no motion shall be entertained, except: (a) to adjourn, (b) recess, (c) appeal a decision from the Chair, (d) suspend the rules, (e) object to consideration, (f) to lay on the table, (g) for the previous question, (h) limit debate, (i) to postpone to a set time, (j) to refer to committee, (k) to amend, and (l) to postpone indefinitely. These motions shall have precedence in the order indicated. Any such motion except motions to postpone to a set time, to refer to committee, or to amend, shall be put to a vote without debate.

48. **MOTIONS TO BE STATED BY CHAIR.** When a motion is made and seconded, it shall be stated by the chair before debate. Any member may demand that it be put in writing.

49. **WITHDRAWAL.** A motion may not be withdrawn by the mover without the consent of the member seconding it and the approval of the Council.

50. **MOTIONS OUT OF ORDER.** The presiding officer may at any time by a majority vote of the members permit a member to introduce an ordinance, resolution, or motion out of the regular order.

51. **MOTION TO ADJOURN.** A motion to adjourn shall be in order at any time, except as follows: (a) when repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking; (c) when the previous question has been ordered; and (d) while a vote is being taken. A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

52. **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 shall prevail, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of two-thirds of the members present.

53. **THE PREVIOUS QUESTION.** When the previous question is moved and seconded by one other member, it shall be put as follows: "Shall the main question now be voted on?"
54. **DIVISION OF QUESTION.** If the question contained two or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.
55. **AMEND; TO STRIKE OUT.** On an amendment to "strike out and insert", the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out and those to be inserted shall be read, and finally the paragraph as it would stand if so amended shall be read.
56. **AMEND AN AMENDMENT.** A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be introduced. An amendment modifying, but not changing, the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.
57. **MOTION TO POSTPONE.** All motions to postpone, except a motion to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.
58. **VOTING ON ORDINANCES AND RESOLUTIONS.** On the passage of every ordinance the vote shall be taken by YES and NO and entered in full upon the record. On the passage of every resolution the vote shall be taken by a show of hands FOR the question and a show of hands AGAINST the question, which vote shall be recorded by name unless unanimous. Any member may demand that the vote on a resolution be taken in the same manner as for ordinances. (Amended August 2, 1977)
59. **RECONSIDERATION.** After the decision on any question any member who voted with the majority may move a reconsideration of any action at the same or the next succeeding meeting; provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. A motion to reconsider shall be require a majority vote of the Council. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

## **X. ORDINANCES AND RESOLUTIONS**

60. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS.** All ordinances and resolutions shall be introduced to the Council in written form.
61. **REVIEW.** All proposed ordinances shall be reviewed by the City Attorney and bear certification that they are in correct form. The City Manager shall attach to each proposed ordinance a brief digest of the provisions thereof, and where it is proposed to amend an existing ordinance, such digest shall indicate the change sought to be made.
62. **AMENDMENTS.** It shall be in order to amend an ordinance at any time when not in the hands of a committee. If an ordinance, after its second reading is referred to a committee and amended, it shall be read as the second reading.
63. **DISSENTS AND PROTESTS.** Any member shall have the right to express dissent from or protest against any ordinance or resolution of Council and have the reason therefor entered in the 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.
64. **ORDINANCES, EFFECTIVE DATE.** All ordinances, except emergency ordinances, shall take effect 30 days after the date of their passage, unless a later date therefor be indicated therein.

## **XI. MISCELLANEOUS**

65. **ANONYMOUS COMMUNICATIONS.** Unsigned communications shall not be introduced in Council meetings.

66. **EMPLOYMENT OF PROFESSIONAL SERVICES.** Professional services such as furnished by appraisers, accountants, architects, lawyers, realtors, engineers, and others of similar professions shall be authorized by appropriate action of the majority of the City Council, and such selections shall be made from a roster maintained by the City Manager of qualified persons or firms interested in contracting with the City. Any Council Member and the City Manager shall have the right to place individual or firm names on the roster. Any selection may, at the request of any member, be made by written vote after recommendation by the City Manager with respect to qualifications, fees, and previous City experience.

67. **PURCHASES.** All purchases in the amount of \$1,000.00 or more must have the approval of the City Council<sup>2</sup>.

68. **COMPLAINTS.** The procedure for complaints shall be:

A. All complaints involving municipal policies shall be referred to the City Council for appropriate action, and except in the most unusual cases, such action shall be preceded by report and recommendation of the City Manager who shall have been given ample time and opportunity in which to investigate and to render a report.

B. All complaints involving charges of unfair hearings or improper hearings or inadequate hearings before advisory boards and commissions shall be processed in the manner provided by State Statute.

C. All complaints with respect to the management of the City shall be referred to the City Manager for the necessary or appropriate action in each individual case. In the case of those complaints involving the management of the City wherein the Council desires further information, the City Manager, when so requested by a majority of the Council, shall be given adequate time in which to make the necessary investigation and report.

69. **STATE OR FEDERAL COOPERATION -- PROCEDURE.** All proposals for projects which contemplate cooperation with, or financial participation by, the state or federal government shall be transmitted to Council by the City Manager. If a City board or commission desires to propose such a project, the proposal shall first be filed with the City Manager. All proposals shall be in approved form and accompanied by proper plans and specifications conforming to the requirements of respective state or federal government. If Council approves the proposal, it shall by resolution authorize the City Manager to make application to the proper authority.

70. **AMENDMENT TO RULES OF ORDER AND PROCEDURE.** These rules may be amended or new rules adopted by a majority vote of the Council. Any such alterations or amendments shall be submitted in writing at the preceding regular meeting and shall be placed on the calendar under the order of New Business. This requirement shall be waived only by unanimous consent, with a recorded vote of all members.

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<sup>2</sup> Under authority of Ord 3364, the city manager has implemented administrative rule 1. This rule provides that the purchases in excess of \$15,000 (\$10,000 in the case of trade related projects and \$25,000 for repair of roads and parking lots) are subject to formal bid. City Council approval is require on all purchases in excess of \$20,000.

Adopted by Motion of the City Council  
March 1, 1977

## **Other Council Policies**

### **POLICY FOR NAMING PUBLIC FACILITIES AND LANDS WITHIN THE CITY OF PENDLETON**

From time to time the City Council of the City of Pendleton may directly, or through one of its Commissions, solicit proposals for naming City facilities and land.

Written proposals should have historical significance and the information regarding the significance should be included as part of the proposal. Proposals to name land and/or facilities for significant individuals will be considered. However, proposals honoring living individuals will not normally be considered. Lands and facilities will not be named for the deceased until at least one year after the death of the individual.

Adopted by City Council January 7, 1997

## DUTIES OF THE COUNCIL MEMBER

The basic function of the City Council is that of establishing policy for the operation of the City. This means that the Council is responsible for determining what is to be done, while the problem of how it is to be done is primarily that of the City Manager.

Decisions in the establishing of policy for City government may be derived at by following these four steps:

### A. WHAT IS NEEDED?

Sources of this information may come from the Council Member's own observations, from individual citizen requests, citizen group requests, or from the recommendation of the City Manager.

### B. WHAT IS THE WILL OF THE PEOPLE?

Much of what the public wants may be learned by careful listening to comments of individuals, representatives of interested groups, and from the Council Member's own reactions.

### C. WHAT CAN BE DONE?

A Council Member's moral obligation to the public is to render decisions that are practical and economically feasible. The background experience of the City Manager, his staff and technical experts should be considered carefully.

### D. TAKE ACTION.

After determining the best policy, put your decisions to work by adopting, defeating, or modifying ordinances or resolutions.

Policy and its administration can not always be clearly denied, thus the Council and the City Manager must work together as a closely knit team.

Inasmuch as the City Council selects and hires the City Manager it is its responsibility to see that the Manager has a chance to administer policy properly and to evaluate his administrative accomplishments.

A Council Member shall not give, or cause to be given, any direct order to the City Manager or his subordinates. Such directives shall come only from the Council as a whole.

A Council Member shall not interfere in the administration of departments or exercise individual authority in any operation under the City Manager.

A Council Member shall not take up the cause for an applicant for an appointive office and shall direct an aspirant to take his cause directly to the City Manager on his own merits and not those of the Council Member.

A Council Member, when wishing to bring up a personal observation or complaint of his, or another citizens, shall first advise the City Manager in time to have it put on the agenda for the next regular meeting of the Council, thereby giving the City Manager time to gather together pertinent facts concerning the complaint or observation.

A Council Member, when approached with a complaint or criticism, shall refer said complaint or criticism to the City Manager telling the complainant that the City Manager is better informed on that subject and can give a more intelligent answer. However, if the complainant does not wish to do this, then the Council Member can offer to bring the complaint to the attention of the City Manager.

No decision should be made by Council, on any matter, until the City Manager has had time to delve into it and give his opinion. Any new business, except an emergency measure, brought up in the meeting should be tabled until the next meeting to give the City Manager and Council time to ponder its effect.

The Council shall try to keep pace with the sentiments of the public by investigating sources of dissatisfaction and discontent.

Council shall listen to criticism with interest and concern for the problem presented.

Adopted by motion of the City Council  
March 1, 1977

## **DUTIES OF THE MAYOR OR PRESIDING OFFICER**

The Mayor or the presiding officer shall conduct the Council Meetings and exercise his authority as to the rules of order and conduct.

The Mayor shall act as spokesman for the Council and release for publication all Council decisions, information on policy matters, information on controversial matters and general publicity releases.

The Mayor, or his delegate, shall take care of all welcoming of distinguished visitors, opening of conventions, laying of corner stones, and other public relations work of that nature.

The Mayor shall bear in mind at all times that he is the first citizen in the minds of the public and should conduct himself in such a manner as to bring only credit to himself and his office. The Mayor shall not enter any debate of the Council while occupying the chair; however, if he desires to enter the debate, he shall relinquish the chair to a Council Member willing to occupy the chair for the duration of the debate before the Council.

Adopted by motion of the City Council  
March 1, 1977

## **DUTIES OF THE CITY MANAGER**

The City Manager shall strive for orderliness in all of his procedures and make every effort to simplify the Council's understanding of the City government and its operations.

The City Manager shall provide all facts to the Council so that they can decide positively on a policy matter and not passively accept his recommendations.

The defense of policy matters is primarily the Council's job, but the Manager shall not use this as an "out" to a complaint, but rather inform the complainant of this matter and if the complaint warrants it, put it on the agenda for the Council's consideration of possibly a change in the policy on this matter.

The City Manager shall not seek publicity, but rather shall resist being incessantly quoted or pictured.

The City Manager shall have no favorites among the Council Members and should impart news, information, and new projects to all Council members at the same time either at regular or informal meetings.

The City Manager shall guard well his authority over departments and personnel therein, from encroachments of his authority by Council Members.

The City Manager shall, at all times, strive to improve his public relations. He must realize that as the administrative head of the City any and all of his actions and remarks are subject to the scrutiny of the public and any public reactions not only affect him, but indirectly affect the other members of the team, namely the Mayor and the Council. The City Manager shall conduct himself, in all contacts with the public, so that his integrity, courtesy, attentiveness, friendliness are the best remembered effects of said contact.

Adopted by motion of the City Council  
March 1, 1977