

B. Meetings

1. Rules of Procedure

“Robert’s Rules of Order,” current version, shall govern in all situations not specifically covered by the Commission’s Rules of Procedure or the City Charter. In the event of a conflict between the Rules of Procedure and Robert’s Rules of Order, the Rules of Procedure shall prevail.

2. Requirement to Meet in Public

The Oregon form of government requires an informed public be aware of the deliberations and decisions of governing bodies and the information upon which such decisions are made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies are arrived at openly.

All meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.630 (ORS 192.610 to 192.690).

Legal reasons to hold closed sessions are very limited and the occasions when an advisory board could adjourn to a closed session are rare. Specific cases should be cleared with the City Attorney prior to attempting to schedule a closed session. The board should follow all City guidelines and checklists regarding compliance with the Oregon Open Meeting Laws.

3. Requirement to be Accessible to Public

State law requires that public meetings shall be accessible to persons with disabilities.

Wheelchair Access

All board, committee, and commission meetings and meetings of the sub-committees must be held at wheelchair accessible locations. This includes the approach to the facility, entry, path of travel within the facility, and restrooms. City of Oregon City facilities are continually being upgraded to meet accessibility requirements.

Communication Access for Disabled Members of the Public

Pursuant to ORS 192.630, it is discrimination on the basis of disability for a governing body of a public body to meet in a place inaccessible to persons with disabilities, or upon request of a person who is deaf or hard of hearing, to fail to make a good faith effort to have an interpreter for persons who are deaf or hard of hearing provided at a regularly scheduled meeting.

Assistive listening devices are available in Commission Chambers for persons with impaired hearing. Arrangements for these can also be made with the staff person prior to the scheduled meeting.

4. Public Comment

Citizens are welcome to present information or raise issues relevant to the City during the "Citizen Comments" portion of the agenda, for issues not related to an item on the agenda. Citizens are allowed up to 3 minutes to speak, and are asked to complete a comment form prior to the meeting and present it to the staff person/City Recorder. The Commission generally does not dialog with the citizen, but may direct staff to address the issue.

Citizens are welcome to comment on an item on the agenda and are allowed up to 3 minutes to speak when the item is brought forward at the meeting. Representatives of a recognized neighborhood association, government agency, or other incorporated public interest organization may speak to an item on the agenda for up to 5 minutes, if requested and the Chair approves.

5. Meeting Types

Regular Meetings

Regular meetings of boards and commissions are opportunities to take action on agenda items, receive public comment, discuss issues, receive updates from staff, and receive member communication.

Public Hearings

Public hearings are held when required by law or when the board determines that such a hearing would be desirable. When a hearing is required by law, the procedure for that hearing may also be specified by that law. Most hearings and Commission matters are quasi-legislative; the Commission is making policy or programmatic recommendations to the City Manager or City Commission. Some hearings are quasi-judicial, such as hearings or permits before the Historic Review Board or Planning Commission. In such quasi-judicial proceedings, special rules apply.

Work Session

Work sessions are meetings designed to discuss city matters in an informal manner, allowing interaction between citizens and Commissioners when needed, or for boards, committees and the City Commission to work on issues in an in-depth manner. Work sessions do not culminate in action at that meeting. Actions or recommendations should be taken at either the next regular meeting or at another publicly announced date and time. In both cases, the committee, when establishing the time and place for the meeting, should determine the period of time available and establish the portion of time to be devoted to presentations by the public. Staff persons should also keep in mind that all public access and communication access requirements must be met for all public hearings and work sessions.

Executive Session

A public meeting or part of a meeting of a governing body may be closed to the public and certain persons for deliberation on certain matters. (ORS 192.610(2)). State law has identified certain subjects permitted for executive sessions and procedures for holding such sessions in ORS 192.660. If the matter may not be discussed in executive session under this statute, it must be discussed in a meeting open to the public.

Although not open to the public, noticing of an executive session must take place.

City Commission Retreat

The City Commission shall hold a retreat in January of each odd numbered year for the purpose of setting Commission goals. In addition, at the retreat, all City Department Heads provide a department update, addressing current and future projects for the department. Commission retreats shall be held within City limits and are subject to the open meeting and public records laws of Oregon.

6. Board, Committee and Commission Conduct

While the meeting is in session, the members should not interrupt the proceedings or any Commissioner or member of the public who has the floor.

7. Conduct of Public in Attendance

Persons attending the meeting should not disrupt meeting business, for example: by shouting, making disruptive noises, such as boos or hisses; creating or participating in a physical disturbance; speaking out of turn or in violation of the Commission's procedures or rules; preventing or attempting to prevent others who have the floor from speaking; preventing others from observing the meeting; entering into or remaining in an area of the meeting room that is not open to the public; or approaching the board without consent. Any message to or contact with any member of the board/committee while it is in session should be through the staff person. Each person addressing the board/committee should first give his/her name and city of residence in an audible tone of voice for the record. All remarks should be addressed to the board/committee as a body and not to any specific member. No one other than the board/committee and the person having the floor may enter into any discussion, either directly or through a member of the board/committee, without the permission of the Chair. No question may be asked of a board/committee member except through the Chair. After being recognized for this purpose by the Chair, any member may briefly respond to comments made during the public comment period or may pose a question to the person speaking at public comment or during a public hearing but may not discuss the matter. Interested persons may address the board/committee on any issue concerning city business during the period assigned to "*Citizen Comment*". The public may also comment during a public hearing on the subject of the public hearing in accordance with any procedures established by the board/committee for this purpose. Commissioners/members may ask questions but the board/committee should not discuss or act in connection with such citizen comment, if the subject is not on the agenda for action. A Commissioner may, however, refer a subject to staff or other resources for factual information or for action, if appropriate.

8. Rules of Debate

The presiding officer may debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members, and should not be deprived of any of the rights and privileges of board/committee members by reason of his/her acting as the presiding officer. Improper references are to be avoided. Every member desiring to speak should address the Chair and upon recognition by the presiding officer, should confine him/herself to the question under debate.

9. Interruptions

A commissioner/member, once recognized, should not be interrupted when speaking unless it is to call him/her to order, or as herein otherwise provided. If a member, while speaking, is called to order, he/she should cease speaking until the question of order can be determined, and, if in order, he/she should be permitted to proceed.

10. Notice of Meetings

In order to protect the right of the public to know when meetings are held, adequate notice must be made. In the case of regular meetings whose time and place is set forth in a formal document (bylaws, ordinance, resolution, etc.), the required agenda serves as notice and no additional notice is needed. Special meetings may be called by the chair or a majority of members if written notice is received at least twenty-four hours in advance by each member and by any news media which have requested such notice in writing. The notice must contain the time and place of the meeting as well as the business to be transacted. No other business can be considered. Agendas of meetings of the board, committee or commission and any subcommittee meetings are to be posted on the official City bulletin board, Pioneer Center bulletin board, and Library bulletin board and are also to be posted on the City's Web site and sent to the media.

11. Polling, Quorum, and Voting

The staff person/City Recorder should check with the chair of such board/committee or Mayor of the City Commission a few days before the scheduled meeting to ensure there will be adequate attendance by members to make a quorum.

A quorum is the minimum number of members/commissioners who must be present for the valid transaction of business. In order to take any action, a quorum of members/commissioners must be present. For the purposes of these guidelines, a quorum means a majority of actual appointees. Thus, if a board has nine actual appointees (out of a potential of nine), five members constitute a quorum. If there are only five appointees (out of a potential of nine), three members constitute a quorum. The number of affirmative votes needed to pass a motion is the same number which constitutes a quorum - a majority of actual appointees. This ensures that a majority of those actually appointed to a board endorse the action being taken. If one were to allow a majority of a quorum to take action (instead of a majority of those actually appointed), formal action could be taken by a very low percentage of those actually appointed (e.g., if there were five actual appointments to a nine-member body, a quorum would be three and action could be taken by two appointees). Occasionally, a particular enabling ordinance or resolution may create a different requirement so the ordinance or resolution establishing the Commission should be consulted for particular requirements, as in the case of the Urban Renewal Commission. There are specific rules on these matters applicable to the City Commission under sections 15, 18 and 19 of the City Charter.

12. Polling for Special Meetings

"Polling" members to determine their vote is **not** permitted because no discussion or testimony is possible. In instances where the board desires a prompt advisory recommendation and there is no time to consider the City Commission's request at a regular meeting, a special meeting should be called. If a quorum cannot be assembled for a special meeting, the staff person/City Recorder so advises the City Commission and indicates the date that the board, committee or City Commission is expected to be able to consider the issue.

13. Minutes

Pursuant to ORS 192.650, the staff person/city recorder shall keep an accurate record of the board/commission's proceedings and transactions. The staff person/City Recorder, or another person so designated, shall provide minutes. Minutes list the date, time, and place of the meetings, the members and staff in attendance and absent, a description of the actions taken, and give a true reflection of the matters discussed at the meeting and the views of the participants. Approved motions are indicated by "moved, seconded, and carried," and include a breakdown of the vote. The vote breakdown includes the members voting yes, no, and abstain.

In quasi-judicial proceedings more detailed minutes are needed which summarize debate, list findings, and note testimony offered by appellant, witnesses, etc. Public hearings may require more specific and complete minutes, depending on the nature of the hearing. In the case of public hearings, a tally is made of speakers for or against and a summary of their views is provided, if possible. Most board/committee meetings and all City Commission meetings are Web streamed and a designated person who is under contract with the City of Oregon City will transcribe the minutes for most meetings.

Once the minutes have been transcribed, they are presented to the board, committee, or commission for approval, at the following meeting or soon thereafter. The board may by motion make such correction as conforms to fact. It is the responsibility of the staff person to retain the official signed copies of minutes in accordance with the State's General Records Retention Schedule.

State law required public bodies to provide a recording or written minutes of all its meetings. A verbatim transcript is not required, but the law requires a record of the members present; actions proposed and the vote of each member by name; the substance of any discussion on any matter; and a reference to any document discussed at the meeting. [ORS 192.650(1)]

14. Recording Meetings

It is desirable to record meetings when resources permit; but it is not required. However, if a board/committee decides to record their meetings, all meetings should consistently be recorded on a regular basis. Recorded meetings must be maintained in accordance with the City's Records Retention Schedule.

15. Official Board, Committee, and City Commission Records

Pursuant to ORS Chapter 192, all agendas, minutes, reports, communications, tapes/DVD's (if retained), and any other related material, should be kept in an organized manner and in such a way that these records can be easily transferred to another staff person in the event of a change in duties or termination with the City. It is the responsibility of the board/commission staff person to maintain all records pursuant to the State's General Records Retention Schedule and other policies.

The Office of the City Recorder maintains the City Seal and serves as clerk of the City Commission by recording and archiving the official records, proceedings, and legislative history of the City of Oregon City. The Office strives to provide professional, courteous, and timely assistance to the City Commission, citizens, City departments, and other agencies. The City Recorder manages City records and implements the State's records retention schedule for cities, and maintains the permanent records for boards and commissions.

For further information on Boards, Commissions, and Committees

visit the City's Web site at:

www.orcity.org

Select City Government, then Boards and Commissions

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