

Rules of Order and Procedure
For the City Council
Of
The City of Hermiston, Oregon

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Table of Contents

I.	RULES.....	1
1.	RULES OF ORDER.....	1
2.	PUBLIC MEETINGS LAW	1
3.	SUSPENSION OF RULES	1
II.	MEETINGS.....	1
4.	REGULAR COUNCIL MEETINGS	1
5.	QUORUM	1
6.	SPECIAL MEETINGS.....	2
7.	EXCUSAL DURING MEETING	2
8.	SEATING ARRANGEMENT	2
9.	COUNCIL MEETING AGENDA	2
10.	ORDER OF BUSINESS.....	2
11.	SPECIAL ORDER.....	3
12.	ADJOURNED SESSIONS	3
III.	MINUTES.....	3
13.	ATTENDANCE RECORD.....	3
14.	DISTRIBUTION OF MINUTES	3
15.	APPROVAL OF MINUTES	3
IV.	PRESIDING OFFICER	3
16.	CALL TO ORDER.....	3
17.	PRESIDENT OF THE COUNCIL	4
18.	COUNCIL PRESIDENT PRIVILEGES.....	4
19.	TEMPORARY CHAIRMAN	4
V.	ELECTED AND APPOINTED OFFICIALS	4
20.	COUNCIL MEMBERS	4
21.	CITY MANAGER	4
22.	CITY RECORDER	5
23.	CITY ATTORNEY	5
24.	DECORUM AND ORDER.....	5
25.	PERMISSION REQUIRED TO ADDRESS COUNCIL	6
26.	OFFICERS AND EMPLOYEES TO ATTEND.....	6
27.	RIGHT OF APPEAL.....	6

28.	LIMITATION OF DEBATE	6
29.	QUESTION OF PRIVILEGE	7
	VI. VOTING	7
30.	VOTING.....	7
31.	RECORDING OF VOTE	7
32.	PERSONAL INTEREST	7
33.	EXPLANATION OF VOTE DURING ROLL CALL	7
34.	TIE VOTE	7
35.	VOTING ON ORDINANCES OR RESOLUTIONS.....	7
	VII. COMMITTEES.....	7
36.	GENERALLY	7
37.	APPOINTMENTS BY THE MAYOR OR COUNCIL.....	8
38.	APPOINTMENTS TO MUNICIPAL BOARDS AND COMMISSIONS	8
39.	STANDING COMMITTEES	8
40.	TERMS AND VACANCIES.....	8
41.	APPLICATION.....	8
42.	SPECIAL COMMITTEE APPOINTMENTS.....	8
43.	MEETINGS.....	8
44.	NOTICE	9
45.	REPORTS	9
46.	REPORTS TO BE IN WRITING	9
47.	RELIEVING FROM FURTHER CONSIDERATION	9
48.	POWERS.....	9
	VIII. MOTIONS.....	9
49.	PRECEDENCE OF MOTIONS	9
50.	MOTIONS TO BE STATED BY CHAIR	9
51.	WITHDRAWAL	9
52.	MOTIONS OUT OF ORDER	10
53.	MOTION TO ADJOURN.....	10
54.	MOTION TO LAY ON THE TABLE.....	10
55.	THE PREVIOUS QUESTION	10
56.	DIVISION OF QUESTION	10
57.	AMEND: TO STRIKE OUT	10

58.	AMEND AN AMENDMENT.....	10
59.	MOTION TO POSTPONE	10
60.	VOTING ON ORDINANCES AND RESOLUTIONS	10
61.	RECONSIDERATION.....	10
62.	DISSENTS AND PROTESTS.....	11
IX.	MISCELLANEOUS	11
63.	ANONYMOUS COMMUNICATIONS.....	11
64.	PROCEDURE FOR FILLING COUNCIL VACANCIES.....	11
65.	COMPLAINTS	11
66.	AMENDMENT TO RULES OR ORDER AND PROCEDURE	11
67.	PRESCENCE AT THE POLICE DEPARTMENT.....	11
X.	DUTIES OF THE COUNCIL MEMBER.....	12
68.	COUNCIL DUTIES	12
XI.	DUTIES OF THE MAYOR OR PRESIDING OFFICER.....	13
69.	MAYOR/PRESIDING OFFICER DUTIES.....	13

RULES OF ORDER AND PROCEDURE FOR HERMISTON CITY COUNCIL MEETINGS

IF THE CONTEXT SO REQUIRES,
MALE GENDER WORDS SHALL BE
TAKEN TO MEAN AND INCLUDE
FEMININE AND MASCULINE.

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 second and fourth Mondays of each month. Unless otherwise specified all meetings will be in the council chambers in city hall and shall be called to order at 7:00 p.m. (Amended 2/24/03)

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 request of two or more council members, or by the mayor upon his own motion. The city recorder shall prepare a notice of the special session stating time, place and object, and this notice shall be delivered to each council member, the mayor and the city manager or left at their usual place or 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. EXCUSAL DURING MEETING

No member shall leave the council chamber during council meetings without the permission of the presiding officer.

8. 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.

9. 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's office by end of business of the Wednesday before the next regular meeting of the council. The city manager shall furnish a copy of the agenda to each council member, the mayor, and such other persons as required, at least 10 business hours 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's office 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's office by the time specified shall be placed on the agenda only by a majority vote of the council members present at the council meeting.

10. 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 (Amended 2/24/03):

CALL MEETING TO ORDER

DECLARATION OF QUORUM

FLAG SALUTE/PLEDGE OF ALLEGIANCE

PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS (IF NEEDED)

CITIZEN INPUT ON NON-AGENDA ITEMS

CONSENT AGENDA – MINUTES, LIQUOR LICENSES, COMMISSION/COMMITTEE APPOINTMENTS ETC.
(ITEMS CAN BE REMOVED BY ANY COUNCILOR OR MAYOR)

ITEMS REMOVED FROM THE CONSENT AGENDA (IF NEEDED)

PUBLIC HEARINGS (IF NEEDED)

RESOLUTIONS AND ORDINANCES (IF NEEDED)

OTHER (CONTRACTS, AGREEMENTS, FINANCIAL REPORT, ETC.)

COMMITTEE/COMMISSION REPORTS

MAYOR'S REPORT

COUNCIL REPORTS

MANAGER'S REPORT

ADJOURNMENT

11. **SPECIAL ORDER**

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

12. **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

13. **ATTENDANCE RECORD**

The city recorder shall enter in the minutes of the meeting the names of the council members present.

14. **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.

15. **APPROVAL OF MINUTES**

If no objection is made to the minutes of the preceding meeting, the same shall be approved.

IV. PRESIDING OFFICER

16. **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.

17. PRESIDENT OF THE COUNCIL

At its first meeting of each odd-numbered year, the council shall appoint a president from its council members. Except in voting on questions before the council, the president shall function as mayor when the mayor is: (a) absent from the council meeting, or (b) unable to function as mayor.

18. COUNCIL PRESIDENT PRIVILEGES

The president of the council may move, second and debate from the chair, subject only to 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.

19. TEMPORARY CHAIRMAN

In case of the absence of the mayor and the president of the council, the city 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

20. COUNCIL MEMBERS

The mayor and the council members occupy positions 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 member declares a conflict of interest, that official shall leave the council chambers and not return during any discussion, debate or vote on any such matter. After the conclusions 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 council chambers. However, in those cases where all council members would have an equal conflict of interest, for example where the discussion of residential water rates which are set by the city is taking place, after declaring a potential conflict of interest, each of the council members may participate in the discussion, debate or vote on such issue. If after the mayor or council member declares a conflict of interest that official is uncertain as to whether to leave the council chambers and requests the advice of the council, or if after another member of the council or mayor points out a potential conflict of another official, then the issue of the conflict of interest shall be referred to the council for their decision as to the conflict of interest. A majority vote of the council members present, not including the official whose conflict of interest is being questioned, shall be the final authority as to whether a conflict of interest exists. If the majority of the council members decide that an official has a conflict of interest, then that official shall leave the council chambers during any discussion, debate or vote on any such matter as described above. Council members and the mayor shall refrain from making use of, or discussing outside the council chambers, any 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.

21. 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.

22. CITY RECORDER

The city recorder or their designee shall serve as clerk of the council and shall keep minutes of the meetings and perform such other and further duties in the meeting as may be ordered by the mayor, council or city manager.

23. 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 may at 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.

24. 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 ensure that such decorum is preserved at all times by city employees in council meetings. The city manager or any 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.

25. 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.

26. 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.

27. 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.

28. 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.

29. 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.

VI. VOTING

30. 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.

31. RECORDING OF VOTE

The roll call vote shall be put by a vocal response FOR the question, and then AGAINST the question. The vote shall be recorded by name unless unanimously.

32. 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.

33. EXPLANATION OF VOTE DURING ROLL CALL

It shall not be in order for members to explain their vote during the roll call.

34. TIE VOTE

In case of a tie vote on any matter before the council, the mayor shall cast the deciding vote.

35. 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.

VII. COMMITTEES

36. GENERALLY

The City Council may create standing citizen advisory boards, committees or commissions to aid the Council in the conduct of public affairs. The City Council may also create ad hoc citizen committees to accomplish a specific task or project. All standing citizen advisory boards, committees and commissions shall be governed by COH Chapter 32, except that if application of a provision of COH Chapter 32 conflicts with an applicable state statute, the state statute shall prevail. The specific enabling provisions for each standing advisory board, committee and commission are contained in LOC Article 12.51.

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 and commissions shall be made in accordance with the ordinances and city charter. Appointees shall not be full-time employees of the city, shall not be elected officials of the city, shall not be appointed to more than two boards or commissions at a time, and shall not sell to the city or its boards and commissions over which the council has appointive powers and budget control either directly as a prime contractor or supplier, or indirectly as a first-tier subcontractor or supplier. Sales shall be construed to mean sales, services or fees aggregating \$7,500 (*revised 02/28/94*) or more in any one calendar year. Preference for appointees shall be given to city residents.

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. Preference for appointments shall be given to city residents.

40. **TERMS AND VACANCIES**

Terms for standing committees shall be three years, beginning and terminating on established dates unless otherwise designated by law. Positions shall be staggered so as to provide continuity. All standing committee vacancies will be handled the same with term expiration constituting a vacancy. Vacancies will be advertised by position number only. Members of city advisory boards, committees or commissions may request a leave of absence from their positions of up to nine months.

41. **APPLICATION**

All applications for standing committees must be in writing, on a form provided by the City, addressed to the mayor and delivered before the expiration date established by the council. A basic volunteer background check will be performed on all potential committee members and results will be delivered to the selection committee. A selection committee composed of the mayor and two councilors will review the applications and make recommendations to the council. The two councilors serving on the committee may be rotated annually. The selection committee will select members for all openings including temporary ones caused by a leave of absence.

42. **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.

43. **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.

44. **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.

45. **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 city recorder the documents pertaining to the matter, and the matter shall take its proper place in the Order of Business.

46. **REPORTS TO BE IN WRITING**

The reports of committees shall be in writing, agreed to in committee assembled. 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.

47. **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.

48. **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.

VIII. MOTIONS

49. **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.

50. **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

51. **WITHDRAWAL**

A motion may not be withdrawn by the mover without the consent of the member seconding it and the approval of the council.

52. 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.

53. 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.

54. 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.

55. 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?"

56. DIVISION OF QUESTION

If the question contains two or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.

57. 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.

58. 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.

59. 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.

60. VOTING ON ORDINANCES AND RESOLUTIONS

On the passage of every ordinance and resolution, the vote shall be taken by YES and NO and entered in full upon the record.

61. 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

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.

62. 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 council not later than the next regular meeting following the date of passage of the ordinance.

IX. MISCELLANEOUS

63. ANONYMOUS COMMUNICATIONS

Unsigned communications shall not be introduced in council meetings.

64. PROCEDURE FOR FILLING COUNCIL VACANCIES

Upon receipt of a resignation of a council member, the council will:

- A. Accept the resignation by motion.
- B. Advertise the vacancy in a local newspaper for two weeks stating that the city council is accepting applications for the position and establishing a deadline for applying.
- C. The mayor will appoint a council committee, approved by the council, to review applications.
- D. The committee will recommend an individual from the applications to fill the vacancy.
- E. The council will approve the recommendation.
- F. The oath of office will be administered at the next regular council meetings.

65. 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.

66. AMENDMENT TO RULES OR ORDER AND PROCEDURE

These rules may be amended or new rules adopted by a majority vote of the council (Amended 02/24/03)

67. PRESCENCE AT THE POLICE DEPARTMENT

- A. Neither the Mayor or any member of the City Council shall be present at the Hermiston Police Department or in a patrol vehicle with any police officer unless at least one of the following two conditions is met:
 - a. The Police Chief or a Police Lieutenant (now Captain) is present and accompanies the Mayor or member of the City Council while said official is at the Department or in a patrol vehicle with any officer; or,
 - b. The Mayor or member of the City Council is accompanied by at least one of their fellow elected officials while said official is at the Department or in a patrol vehicle with any officer.
- B. The following shall be the only exceptions to this policy:
 - a. The Mayor or any member of the City Council is present at the Police Department on a matter of personal business with the Department, in which case the Mayor or member of the City Council shall present him or herself at the front counter area and conduct the matter of business in a timely manner with appropriate duty personnel;
 - b. The Mayor or any member of the City Council is present at the Police Department on business for her or his employer;
 - c. The Mayor or any member of the City Council is present at the Police Department for the purpose of performing a volunteer service for the Department, which service shall have the prior written acknowledgment of the City Manager; and,
 - d. The Mayor or any member of the City Council is participating in the police "ride-along" program, which participation shall be limited to not more than one time per quarter per member in any calendar year.

X. DUTIES OF THE COUNCIL MEMBER

68. COUNCIL DUTIES

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 recommendations 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 members' 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 back-ground 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 cannot always be clearly defined, 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 citizen complaint, 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 and/or solve the problem.

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 an answer or solution to the problem. Also, the council member should bring the complaint to the attention of the city manager for follow up.

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 brought up in the meeting, except an emergency measure, 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.

XI. DUTIES OF THE MAYOR OR PRESIDING OFFICER

69. MAYOR/PRESIDING OFFICER DUTIES

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 of 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.