

RESOLUTION 3407, 3655, 3715 AND 3860

ADOPTING REVISED RULES OF PROCEDURE FOR USE AT MEETINGS OF THE CITY COUNCIL OF BAKER CITY

The general purpose of these rules of procedure is to ensure that meetings are run efficiently and according to simple, democratic principles, and to facilitate progress while protecting the fundamental rights of the majority rule, as well as the right of the minority to be heard.

1. Regular Council meetings shall be held on the second and fourth Tuesdays of each month as set by Resolution.
2. Agenda items should be presented to the City Manager before noon on Wednesday before the Tuesday Council meeting or be delayed until the next Council meeting. All agenda items should have a staff report accompanying the agenda with a City Manager opinion. The agenda is to be distributed to Council and posted on the city website by Friday afternoon.
 - a) The invocation is part of the Council Agenda. It should follow the guidelines set forth in Exhibit A, attached hereto and by this reference made a part thereof.
3. 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.
4. In case of the absence of the Mayor and the Acting-Mayor of the Council, the Recorder shall call the Council to order and call 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 chair of the meeting, to sit until either the Mayor or Acting-Mayor of the Council appears.
 - a) Meetings by Means of telephone or electronic communication. In an effort to encourage City Councilors to be physically present at meetings of the City Council of the City of Baker City, the City Council has determined that an elected official may not attend a meeting by telephone or electronic communication except during a time that a declared emergency exists in Baker City as a result of a State, Federal or Local proclamation.
 - i. "Electronic communication" means a teleconference or any other means that enables identifiable voices or other transmissions (such as Skype, Google Video, teleconference, etc.) to be received from any

location and enables concurrent ability to communicate with the member who is not physically present.

- ii. "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any on-site inspection of any project or program. "Meeting" also does not include the attendance of members of a governing body at any national, regional or state association to which the public body or the members belong.
5. The presiding officer shall preserve decorum and decide all questions of order, subject to appeal to Council.
- a) During Council meeting, council member shall preserve order and decorum and shall neither by conversation nor otherwise delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of the Council. Every councilor desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine comments to the question under debate and shall avoid all personalities and indecorous language. Every Councilor desiring to question the administrative staff shall address the question to the City Manager who shall be entitled either to answer the question himself or so designate some members of their staff for that purpose. A Councilor 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 questions from another member. If a Councilor is called to order while speaking the Councilor shall immediately cease speaking until the question of order is determined. If ruled to be in order, the Councilor shall be permitted to proceed. If ruled to not be in order, the Councilor shall remain silent or shall alter the remarks so as to comply with the rules of the Council. All members of the Council shall accord the utmost courtesy to each other, to city employees, and to public members appearing before the Council and shall refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motive and personalities. Councilors shall confine their questions as to the particular matters before the Council and in debate shall confine their remarks to the issues before Council.
 - b) Public members attending Council meetings shall also observe the same rules of propriety, decorum, and good conduct applicable to members of the Council. Unauthorized remarks from the audience,

stamping of feet, whistles, yells and similar demonstrations are not permitted. Every member of the public desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, shall confine comments to the question under debate.

- c) If any person refuses to abide by the rules of conduct specified above, and in the judgement of the presiding officer, the meeting cannot be conducted effectively and efficiently in the presence of the offending person(s), the presiding officer, shall inform the person(s) that they are in violation of Resolution #3407, Section 5, and that they are directed to leave the council chambers. Further, the presiding officer shall inform the person(s) that failure to leave the chambers may result in criminal charges for trespass and that, if necessary, the person(s) will be arrested and forcibly removed from the chambers by a law enforcement official.
 - d) Enforcement: The Chief of Police (or his or her representative) shall act as ex-officio sergeant-at-arms of the Council when present. The sergeant-a-arms shall carry out lawful orders and instructions of the presiding officer, strictly for the purposes of maintaining order and decorum in the Council meeting. Upon instructions of the presiding officer it shall be the duty of the sergeant-at-arms or any police officer present to remove from the meeting any person deemed by the presiding officer to be in violation of Resolution #3407 and subsequently in violation of a criminal statute.
 - e) In accordance with Charter section 22(c) (12), the City Manager or his or her designee shall ensure that the public's use of all other city property during Council meetings is consistent with Resolution #3407 to the extent necessary to maintain the order and decorum of the Council meeting.
6. The City Attorney shall provide any member of the Council an oral or written opinion to decide any question of the law, with the approval of the Council, but not to decide upon any parliamentary rules; however, the City Attorney may advise the presiding officer on parliamentary matters.
7. When recognized by the chair a member shall confine discussion to the question under debate, avoid personalities, and refrain from impugning the motives of any other member's argument or vote. No member shall address the chair or demand the floor while any vote is being taken.

8. No member stopped from voting by personal interest shall remain seated with the Council during the debate or vote on any such matter.
9. Any 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 voters present vote "Aye", the ruling of the chair is sustained; otherwise it is overruled.
10. 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. Nor shall a member speak for a longer time than ten minutes without leave of Council.
11. Every member present when a question is put to vote, shall vote either "YEA" or "NAY" by raise of hand, unless Council shall, for special reason, excuse a member from voting. Application to be excused from voting must be made before votes are called for. The member having briefly stated the reason for the request, the decision thereon shall be made without debate.
12. Upon demand of any member made before the negative has been put out, the roll shall be called for yeas and nays upon any question before the Council. It shall not be in order for members to explain their vote during the roll call.
13. City Councilors 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 both as to the legality and to the propriety of such transactions.
14. 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. A motion may not be withdrawn by the mover without the consent of the member seconding it and the approval of Council.
15. Elections and appointments to city boards and commissions shall be governed by the following procedure:

- a) An open public roster for nominees to appointive positions shall be maintained at City Hall. Interested citizens may register for any position at any time during the year.
 - b) When a vacancy occurs on any board, committee, or commission the public shall be informed of such vacancy along with an explanation of the duties and functions of the particular board, committee or commission. All interested citizens shall be encouraged to register at City Hall before a stated closing date.
 - c) At the first Council meeting after the stated closing date the City Manager shall present the names and application packets of all persons who have so registered to the Council. These persons will be screened by the City Manager prior to the meeting as to availability to serve.
 - d) The names so submitted by the City Manager shall be considered as being placed in nomination. Nominations would be closed at the meeting and positions would then be voted on.
 - e) If more than one position is to be filled on a single board or commission, each Councilor shall cast a ballot containing the same number of votes as there are vacant positions. The highest vote getters shall be considered appointed providing they receive the majority of Councilors present and voting. If the first ballot does not affect the appointment of persons to fill all vacancies, the Council shall vote again and each Councilor shall cast the same number of votes as there are remaining positions to be filled. Again, the highest vote getters equal to the number of positions to be filled shall be appointed provided each receives a majority vote of the Councilors present and voting. Voting shall continue in this manner until all vacant positions are filled. At the discretion of the Council, any vacant position can be re-posted for acceptance of new applications with appointment to be made at a later meeting.
16. These rules may be temporarily suspended upon a determination of two-thirds of Councilors present that an emergency exists and such suspension is therefore necessary.
17. Each member should support the collective decision-making of the Council.

EXHIBIT A
INVOCATION GUIDELINES

1. Invocations are given at the beginning of regularly scheduled meetings.
2. Scheduling of persons to lead invocations shall be done by the Mayor or such person as the Mayor may appoint from time to time.
3. Recommendations by individual Council Members for guests to lead invocations may be submitted to the Mayor.
4. Invocations should be brief. An inspirational, non-partisan selection is appropriate.
5. Religious and cultural diversity is appreciated.