



MEMORANDUM CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: September 11, 2017

SUBJECT: Work Session for September 11, 2017

5:00 p.m. (40 min) – Regional Food Scraps Policy. A representative from Metro (Jennifer Erikson) will present information to the Council regarding a regional food scraps recycling program/policy that is being proposed.

5:40 p.m. (40 min) – Mobile Food Unit Ordinance. Staff will provide a status update on the proposed draft mobile food unit ordinance to the Council, including revisions to the proposal based on direction provided by the Council at the July 10, 2017 work session.

6:20 p.m. (30 min) – Council Rules. The Council discussed the Council Rules document on August 28 and directed that it be placed on the agenda for further consideration. Also attached are documents from the cities of Happy Valley and Tigard.

6:50 p.m. (5 min) – Proclamation Request. The attached request for a Council Proclamation was received for Council's consideration.

6:55 p.m. (5min) – Council Meeting Agenda Review, Communications & Roundtable. Council will review the agenda for the September 11th City Council meeting and brief the Council on issues of mutual interest.



STAFF REPORT

CITY OF TUALATIN

City Council Work Session

Meeting Date: 09/11/2017

Subject: Food Scraps

Through: Sherilyn Lombos, Administration

Food Scraps Project Q&A: Elected Officials

PowerPoint



Solid Waste Roadmap

Food Scraps Project Q&A: Elected Officials

Public benefits of a regional solid waste system

Through its management of the regional solid waste system, Metro seeks to:

- Protect people's health
- Protect the environment
- Get good value for the public's money
- Keep our commitment to the highest and best use of materials
- Be adaptable and responsive in managing materials
- Ensure services are available to all types of customers

About 40 percent of the food in the U.S. is wasted. That waste comes at all stages of the food system: at the farm, in transport, at wholesalers and retailers, and at home. Despite the region's waste prevention and donation efforts, we still send to landfills the equivalent of 5,000 long-haul trucks full of nothing but food every year.

Why food scraps?

- Food is the largest component of what the region throws out as garbage. It is 18 percent of our overall disposed waste. Businesses are responsible for over half of that total.
- It's not only the quantity of food scraps that is driving the region's interest in recovering them. Landfills are significant emitters of greenhouse gases (GHG), and food scraps are a primary contributor to the production of methane in landfills. Methane is a very potent GHG—24 times that of CO₂.
- The goal of collecting food scraps is to capture the environmental and economic benefits of turning that material into useful products, creating energy, supporting local agriculture and residential gardening while reducing the negative environmental impacts associated with disposal. Putting food scraps in the garbage is a missed opportunity to capture these benefits and make the most of our waste.
- This isn't just a local issue. The state of Oregon recognizes the importance of keeping food out of our landfills and established a wasted food recovery goal of 25% by 2020. In addition, the state recently amended existing recycling laws to encourage local governments to implement programs that increase the recovery of food scraps.

Why focus on businesses?

- Businesses in the region throw away approximately 100,000 tons of food per year—which represents 55 percent of the total food that is disposed in the Metro region.
- The overall greenhouse gas emissions benefit of recovering just half of the food waste from businesses rather than sending it to the landfill is equivalent to removing 3,000 cars from the road or saving over 1.6 million gallons of gasoline.
- In addition, food scraps from businesses tend to be cleaner, concentrated in larger quantities and come from a smaller set of sources rather than spread across a broad population like with individual households. For example, the majority of food scraps in the region are produced by about 2,700 businesses. By comparison, residential food scraps are spread across the region's approximately 675,000 households.

Why mandatory food scraps collection?

- Our voluntary program for collecting food scraps from businesses has resulted in slow growth and has not enabled the region to secure a stable, local processing facility. In order to create a sustainable business, processing facilities need a large and reliable supply of food scraps.

Shouldn't businesses donate food instead?

- Yes, definitely. Good food that has been stored properly and is fit for human consumption should be donated. Local governments can help businesses set up donation programs at the same time as setting up programs to collect scraps. Most businesses that donate food also have other food scraps--this requirement is focused on those food scraps that are not edible and cannot be donated such as trimmings, bones, shells, coffee grounds, food preparation waste and plate scrapings. The prevention of food waste and the donation of edible food are and will continue to be the region's highest priority.

How will this affect businesses?

- Businesses in the region are already required to have systems in place to recycle items like paper and plastic, metal and glass containers. Metro is considering implementing a similar requirement for food scraps from medium and large-sized businesses that process, cook or sell food.
- Local governments provide technical assistance to hundreds of businesses a year to help set up waste reduction and recycling programs. We will continue and enhance that assistance for food businesses.

How many businesses will be affected?

- The first group of businesses to be affected is about 850 of the region's largest food producers such as grocery stores, large restaurants and cafeterias. Another 750 businesses will be brought in after a period of time, and then the last group of about 1,000. The actual number of businesses, dates and time frame between each group is still being refined in consideration of business needs and operations and our capacity to help each group get set up appropriately. It will take a few years.

How many businesses currently participate?

- About 1,250 businesses of all types and sizes are currently recovering food scraps. This number includes businesses that may not be required to participate in the proposed required program due to their size or the fact that they are not food businesses (such as offices).

What are the challenges for a business?

- Many of the businesses that would be included in this requirement are operating on tight margins and are already affected by other regulations. Metro and local governments in the region will provide businesses with on-site assistance to help with training, provide containers and facilitate appropriate collection schedules to keep transition costs down.

What will it cost?

- As with any new program, there will be associated costs. Metro Council directed staff to look at the financial implications and evaluate ways to minimize cost burden. This is a challenging process, will take some time and costs may change as the system matures and stabilizes.
- Costs will also be determined by market conditions and city and county rate setting processes. It will be influenced by many factors, some of which include the number of participants, the distance to transfer stations, and processing fees.
- Metro will examine its role in controlling costs such as what is charged when food scraps are delivered to transfer stations, where the food scraps are delivered and the fees charged by the processing facility.

What do businesses think?

- In September 2016, a series of interviews and surveys were conducted with businesses in the region but outside of Portland. The participants were businesses currently participating in food scraps collection service, businesses that previously participated but stopped and those that were offered the service but declined it.
 - Nearly 45% of businesses were in favor of a mandatory program that had everyone participating, 15% had no strong concerns and would comply if required, 30% had some concerns about how it would work but were not opposed, and 10% were opposed.
 - The on-site assistance, containers and training materials were highly valued by participants.
 - Cost neutrality, space constraints, labor and concerns about cleanliness were biggest concerns for non-participants.
 - Most commonly, businesses said they wanted to reduce the garbage sent to the landfill and do something good for the environment. Saving money was not a priority, but keeping costs close to neutral was important.
 - Larger businesses saw greater positive financial outcomes of participation.
- Metro staff is talking with food industry businesses, trade groups and local government partners to inform our planning process and design a system to best meet the needs of businesses and local governments. Our goal is to reduce the barriers and address the concerns of those affected while ensuring we can keep as much of this valuable material out of landfills and put to better use.

Isn't the methane gas emitted from the landfill being captured and used to generate electricity? Why do we need to treat our food separately if we are already capturing the methane?

- Yes, landfill methane capture systems are in many landfills. However, these systems vary greatly in their efficiency and ability to capture gases. Even among landfills with the best gas collection systems, some methane escapes to the atmosphere, where it contributes to climate change. Methane is a very potent greenhouse gas (34 times more powerful than carbon dioxide over a 100 year time horizon).
- The Oregon Department of Environmental Quality completed a comprehensive study in 2014 on the climate, energy and soils impacts of four different food scraps management systems (composting, digestion technology, in-sink disposals, and landfill). In all but one of six evaluation category, landfill ranked lowest. It ranked second lowest in energy production and capture.

Will building more compost facilities result in more odor issues?

- Compost facilities, like many other types of natural and industrial processes do produce odors. The goal of this work is to attract the development of a food scraps processing facility suitable for an urban or suburban environment, meaning it is highly unlikely that there will be any new outdoor food scraps composting facilities built in the Metro region. It is more likely that our food scraps will be processed in an anaerobic digester which is an industrial facility that uses an enclosed tank system to capture and store gas for energy and produces a liquid and solid fertilizer that can be used in agriculture.
- Metro is in the process of procuring a facility to serve the region over the long term. Nine companies have been pre-qualified for this important work. We expect to know what kind of facility this will be and where it will be located by the end of 2017.

What kinds of products will get made from the food scraps collected and how will they be used?

- Depending on the technology chosen to manage our food scraps, products could include electricity, vehicle fuel, natural gas, liquid fertilizer, solid fertilizer and compost. Most of these products are of value to many industries including agriculture, construction, vehicle fleets and utilities. In addition, the natural fertilizers and composts help to retain our rich soil health, prevent erosion, increase crop yields and productivity which help support our important agricultural markets.

What about residential food scraps collection?

- The focus for Metro right now is on recovering those concentrated amounts of food scraps coming from businesses. This does not detract from the importance of keeping all food scraps out of the landfill. A few local cities in the region either currently offer or are considering adding food scraps to yard debris collection programs. Residential food scraps and yard debris are typically composted at different facilities than the food scraps coming from businesses. Metro supports this effort.

Do other communities have mandatory programs like the one being proposed?

- Yes. There are six states and 13 municipalities that have some sort of mandatory program or ban on the disposal of food in the landfill. Metro has learned a lot from studying these other programs. Aside from the environmental benefits, many programs have also seen other positive trends such as increased donations of good food to food banks.

For more information, contact: Pam Peck at pam.peck@oregonmetro.gov or Jennifer Erickson at jennifer.erickson@oregonmetro.gov or visit www.oregonmetro.gov/foodscraps.



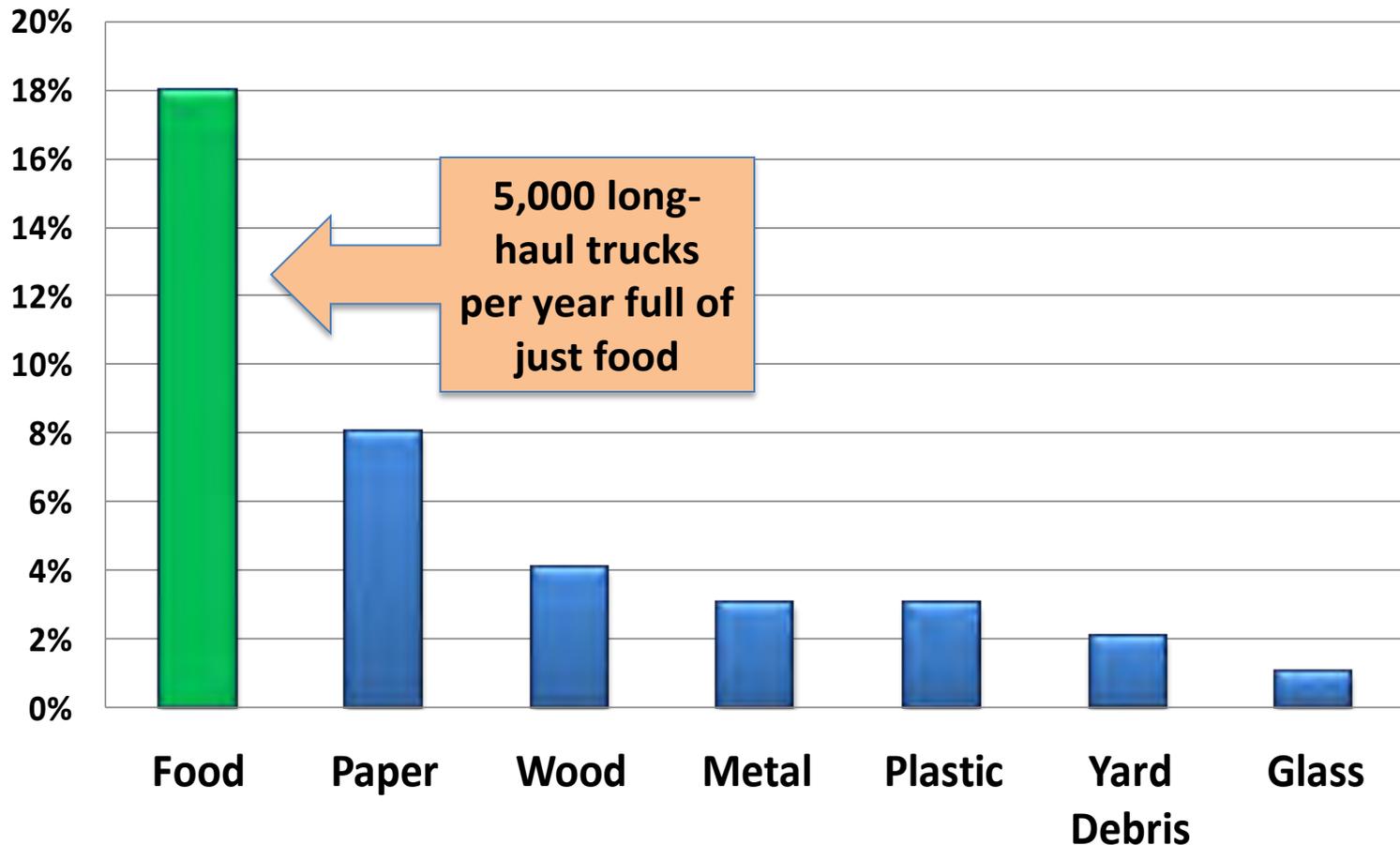
Metro

Regional Food Scraps Policy Overview

Tualatin City Council
September 11, 2017

Why Food?

Metro Region Disposed Recoverables



Why Food?



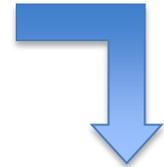
Commercial not Residential



These food scraps



Not these



This work isn't new

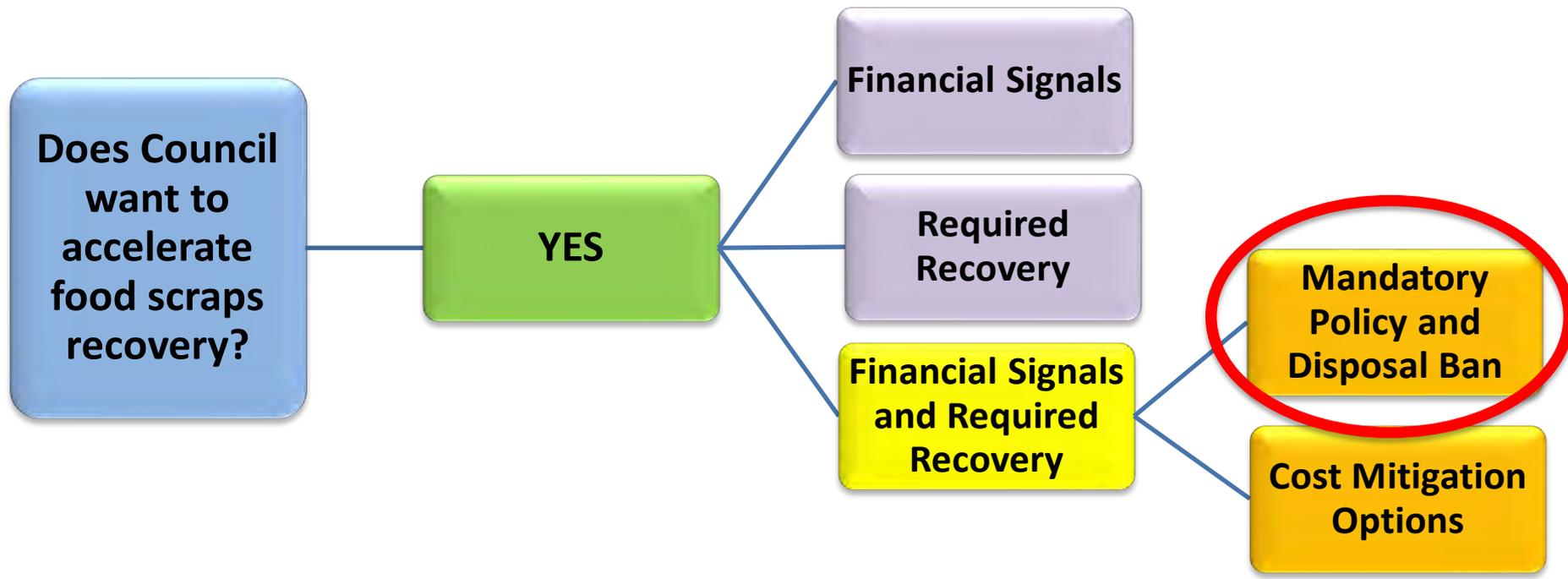
- 1993: Metro workshop to develop strategies for Organic Waste
- 1994: Metro conference follow up to 1993 workshop
- 1995: RFP for Phase I Food Waste Collection & Processing
- 1996: RFP for Phase 2 Food Waste Collection & Processing
- 1999: AOR Organics Forum: Portland discusses mandatory
- 2000: Metro & Portland convene processing roundtable, Metro RFP
- 2001: City of Portland issues RFP
- 2002: Metro matching grant program & site search
- 2003: Metro Organic Waste Infrastructure Development Grant
- 2004: RFP for combined transportation & processing services
- 2004-present: Metro provides funding to support local program development
- 2005: Food scraps collection program begins in Portland
- 2010: SWAC engagements specific to Food System
- 2009: PRC begins accepting food scraps
- 2010: Recology takes over contract for processing
- 2010: Nature's Needs begins accepting food scraps
- 2011: SWAC recommends the region move to mandatory if benchmarks not met
- 2012: Roadmap Food Scraps Project begins
- 2013: Nature's Needs closes to commercial food scraps
- 2013: JC Biomethane begins processing the region's food scraps

Metro Council Direction

To achieve the objectives of increasing recovery and attracting stable, local processing capacity:

1. Require certain businesses to separate their food scraps for recovery, eventually ban disposal of food.
2. Determine how to efficiently collect and deliver food scraps for processing.
3. Secure local and stable processing capacity.

Staff Actions: Recovery



Policy context

- There are approximately 67,000 businesses in the Metro region.
- About 7,000 of those are food-oriented.
- About 3,000 would be affected by the policy (4% of the region's businesses).
- Over 1,300 are participating already.

What will this policy do?

- Requires local governments inside the Metro boundary to implement collection programs.
- Affects ~3,000 large to medium-sized food-oriented businesses.
- Phased in over 5 years.
- Will eventually prohibit the disposal of large amounts of food.



Draft policy elements

- Local Governments must adopt policy that meets the regional requirements and performance standards, including:
 - Send notice to affected businesses
 - Require businesses to separate food from other waste
 - Provide educational materials, program setup assistance
 - Ensure collection service is provided
 - Enforcement, grant waivers, reporting
- Metro will continue to provide funding support.

Policy implementation phases

- Local Government adoption (July 2018)
- Phase 1 begins (March 2019)
- Phase 2 begins (March 2020)
- Phase 3 begins (Sep. 2021)
- Disposal ban effective (2023)



Exemptions and Waivers

For Governments:

- Outside the Metro boundary exemption.
- Business quantity minimum threshold waiver.
- Distance (to transfer or processing) waiver.

For Businesses:

- Local governments may grant temporary compliance waivers.

What does this mean for Tualatin?

~71 businesses would be affected overall.

- Phase 1 (2019):
~22 businesses
- Phase 2 (2020):
~30 businesses
- Phase 3 (2021):
~19 businesses

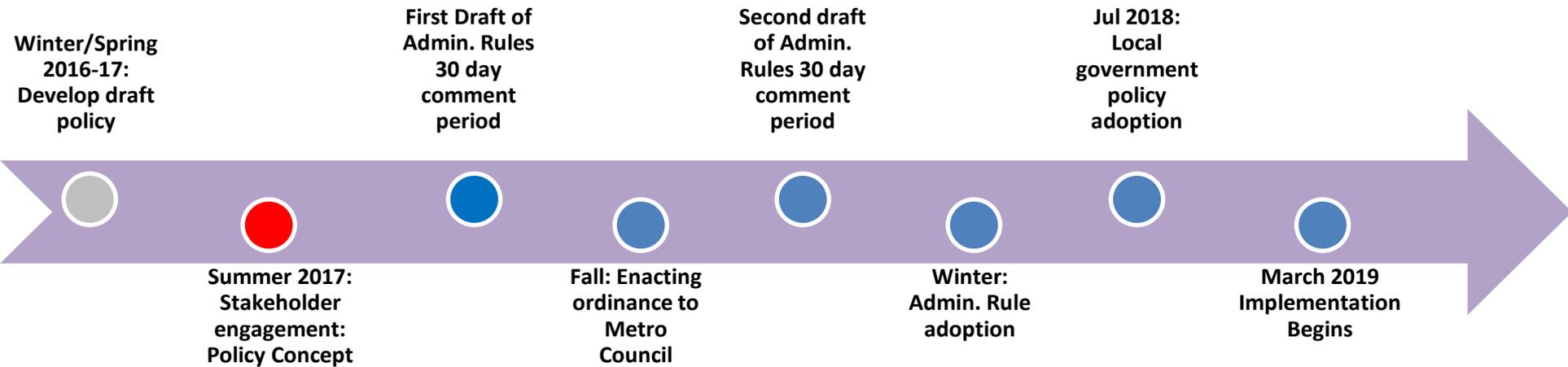


What have businesses told us?

- On-site assistance is key, as is reliable collection service.
- 90% not opposed to a mandatory program.
- 45% in favor.
- 30% had some concerns.
- Phase-in is critical.



Policy Process Timeline



Summer 2017:
Stakeholder
engagement:
Policy Concept

Fall: Enacting
ordinance to
Metro
Council

Winter:
Admin. Rule
adoption

March 2019
Implementation
Begins

Businesses, local
elected officials,
chambers, industry
organizations, etc.

What's Next?

Metro:

- Secure a processing facility
- Continue stakeholder engagement
- Public comment on draft administrative rules (2 rounds)
- Identify measures to minimize costs
- Continue to provide financial support for local government business assistance staff

Local Governments:

- Aim for consistent rate structures and service levels
- Ensure collection service is more widely available
- Participate in stakeholder engagement and policy development
- Bolster food donation efforts
- Continue refining assistance to businesses

Thank you

Jennifer Erickson

Metro

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MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Charles Benson, Associate Planner

DATE: 09/11/2017

SUBJECT: July/August 2017 Revisions to Draft Mobile Food Unit Ordinance

ISSUE BEFORE THE COUNCIL:

Staff will provide a status update on the proposed draft mobile food unit ordinance to the Council, including revisions to the proposal based on direction provided by the Council at the July 10, 2017 Council work session.

EXECUTIVE SUMMARY:

Staff presented a project update on the proposed ordinance to the City Council at the July 10, 2017 City Council work session, which included a summary of the findings from the Tualatin Food Cart Work Group and the proposed draft mobile food unit ordinance (see Attachment A for the meeting minutes from this work session). The City Council discussed the draft ordinance at length. Some of the highlights included:

- Whether food trucks/carts should be allowed to operate in the Commercial Office (CO) planning district;
- Defined situations and events where the proposed ordinance would be applicable; and
- Clarified the applicability of proposed licenses and permits.

Council directed staff to return to the Tualatin Food Cart Work Group for clarification on their position regarding food trucks/carts in the CO planning district and the permitting processes.

DISCUSSION:

Staff made the Council-suggested revisions to the proposed draft ordinance and forwarded these revisions to the Tualatin Food Cart Work Group, the CCIO, the Chamber, and those included on the Interested Parties list for their comment/input (see Attachment B for proposed changes). Key revisions to the draft ordinance include the following:

1. Modifications to the 'Purpose and Applicability' section to further refine situations where the proposed ordinance would apply.
2. Creation of a new mobile food unit permit; the previous draft did not propose a new

specific mobile food unit permit, only proof of a Tualatin business license and proof of compliance with all health, safety, and environmental laws.

3. Food trucks would be allowed to operate in the CO planning district, but not within 200 feet of the Central Commercial (CC) planning district.

4. Food trucks would not be allowed to operate in the General Commercial (CG) planning district without an approved Special Event or Public Assembly permit--which are existing City of Tualatin permits. The previous draft proposed the creation of a "mobile food unit special location permit" to allow food trucks to operate in the CG planning district; the provisions for this new special location permit have been eliminated.

5. Only one mobile food unit would be allowed on any given site at one time without an approved Special Event or Public Assembly permit.

Staff received a number of public comments on the draft ordinance after the July 10, 2017 City Council work session. These comments are attached (see Attachment C).

Staff presented the revised draft ordinance at the Planning Commission meeting on August 17, 2017 for comments and recommendations (see Attachment D). The Planning Commission questioned why food trucks are prohibited from connecting to on-site sources of electricity, when the alternative is gas-powered generators, and if the restrictions on other infrastructure connections are necessary due to county regulations that food trucks be self-contained. Joseph Hall--whose sons operate The PuPu Shack, the only food truck operating in the Tualatin commercial core--spoke at the Planning Commission meeting, stating his concern that the proposed ordinance will prohibit the PuPu Shack from operating at its current location. Mr. Hall also expressed concern that the process did not seek feedback from his business establishment until recently.

Next Steps

Staff will incorporate any recommended changes to the revised draft ordinance as directed by Council. While the proposed ordinance will reside in the Tualatin Municipal Code (TMC), a Plan Text Amendment (PTA) is required to remove the existing Tualatin Development Code (TDC) Section 34.013 from the code (TDC).

Attachments: [Attachment A - City Council Minutes Jul 10 2017](#)
 [Attachment B - Revised Draft Mobile Food Unit Ordinance](#)
 [Attachment C - July/August 2017 Comment Log](#)
 [Attachment D - TPC Minutes Aug 17 2017](#)
 [Attachment E - PowerPoint presentation](#)



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 07/24/2017

SUBJECT: Consideration of Approval of the Minutes for the Work Session and Regular Meeting of July 10, 2017

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of July 10, 2017.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes of July 10, 2017](#)
[City Council Regular Meeting Minutes of July 10, 2017](#)



Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Community Services Director Paul Hennon; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Assistant to the City Manager Tanya Williams; Assistant City Manager Alice Cannon; City Engineer Jeff Fuchs; Project Engineer Dominique Huffman; IS Director Bates Russell; Associate Planner Charles Benson

CALL TO ORDER

Mayor Ogden called the work session to order at 5:37 p.m.

1. ***Mobile Food Unit Ordinance: Project Update.***

Planning Manager Aquilla Hurd-Ravich and Associate Planner Charles Benson provided a project update on mobile food units. Planner Benson provided a brief recap on the project timeline to date. Draft ordinance components including applicability, licensing and regulatory requirements, and location standards were reviewed. Manager Hurd-Ravich spoke to concerns presented from the Commercial Citizens Involvement Organization (CCIO) regarding food trucks in Commercial Office (CO) areas. The CCIO would like to see buffering in place around the Central Commercial District. Planner Benson reviewed site standards as a component of the draft ordinance. Next steps for this project include incorporating feedback from Council and the Planning Commission, holding a public hearing on the proposed ordinance, and a public hearing on the plan text amendment.

Councilor Kellogg asked why CO was removed from the original proposal. Manager Hurd-Ravich stated it was removed in order to place a buffering between food carts and brick and mortar restaurants. Councilor Kellogg stated he was under the impression the CCIO was not opposed to their being food trucks in CO zones. Assistant City Manager Alice Cannon stated one of the solutions was to put a 1,000 foot buffer in place which eliminated all CO zones. She stated staff was not in favor of the buffer in this form because it is difficult to administer. Councilor Kellogg stated he would like to see CO included as permissible, so citizens could eat in their office parks and reduce congestion on the roads.

Councilor DeHaan arrived at 5:53p.m.

Councilor Kellogg asked if private catering events are excluded from the ordinance. Planner Benson stated as long as they are not selling directly to the public they are allowed to cater.

Council President Davis asked if there were other groups opposed to including CO.

Manager Hurd-Ravich stated participants wanted a buffer of some sort in place.

Councilor Morrison asked if developers would be able to have food trucks come into unimproved areas to feed workers during construction periods. He also asked if food trucks would be allowed if the Farmers Market returned to the Commons. Manager Hurd-Ravich stated the Commons and City operated property would be excluded.

Councilor Grimes asked if CO was included, if a permitting processes could be established instead of administering a buffer.

Councilor Kellogg asked if CO could have the same standards as General Commercial (GC). Manager Cannon stated staff could review that as an option.

Mayor Ogden asked why there are permitted uses. Manager Hurd-Ravich stated there are permitted uses in place to not disturb current uses. Mayor Ogden asked if there was pushback on permitted uses in the GC. Manager Hurd-Ravich stated she did not receive any from brick and mortar stores.

Council President Davis asked if food truck owner's getting private property owner's permission was a possible to solution instead of buffering.

Mayor Ogden requested staff go back to the task force group and get clarity on the OC standards. Councilor Grimes would also like clarification from the group on the permitting processes.

Councilor DeHaan asked if there was research available to support brick and mortar's stores dissatisfaction with food trucks and the actual affects on their businesses.

Councilor Kellogg asked if there are exemptions for city events. City Manager Lombos stated there is a process in place through Community Services for city events, she noted their permits have standards for food trucks.

2. *Active and Safe Transportation in Tualatin.*

Assistant City Manager Alice Cannon spoke to the Council goal regarding active and safe transportation in Tualatin. She stated this goal was identified at the Council Advance in February 2017. The goal specifically stated "a funded transportation system that supports mobility, connectivity, and accessibility in all modes." Currently there is a Transportation Safety Coordination Team in place that includes staff from the Police, Public Works and Community Service Departments. They discuss safety concerns from residents, evaluate, prioritize, and implement projects, communicate with residents, and include the CIO's when appropriate. The current budget for the program is \$80,000 and the purpose of that funding is to address affordable safety projects in neighborhoods. Examples of typical costs for projects and completed projects done over the past two years where shared.

Councilor Bubenik would like to research an additional small fee on utility bills to fund future projects.

Councilor Kellogg stated fees where just added for street trees and would like to

research another options, such as a local Major Streets Transportation Improvement Program (MSTIP).

Council President Davis stated she is in support of all things that improve transportation in the area. She wanted to be clear the money now is for small local projects and not major transportation projects.

Councilor Morrison stated he would like to take a \$5 million, 5 year bond, to the voters to fund such projects.

Mayor Ogden stated two separate types of projects are being discussed, neighborhood projects and congestion projects. He noted funding for these types of projects is very different.

Councilor Kellogg stated he believes citizens would rather see funding go to congestion relief then pedestrian projects.

Councilor DeHaan would like to focus projects on walk ability in the area.

Council President Davis stated original funding for the projects was in response to a request from CIO's wanting to be able to complete smaller neighborhood projects and not to fix congestion.

3. Council Rules.

Due to lack of time this item will be placed on a future meeting agenda.

4. Climate Cities.

Due to lack of time this item will be placed on a future meeting agenda.

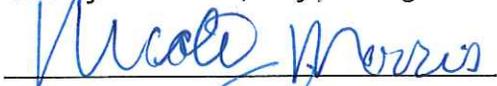
5. Council Meeting Agenda Review, Communications & Roundtable.

None.

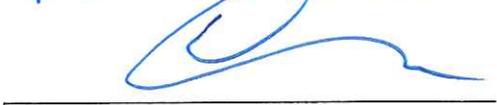
ADJOURNMENT

The work session adjourned at 7:04 p.m.

Sherilyn Lombos, City Manager



/ Nicole Morris, Recording Secretary



/ Lou Ogden, Mayor

Changes to Draft Mobile Food Unit Ordinance Presented to City Council on July 10, 2017

9-9-010 Purpose and Applicability.

Modifications to this section include further refinement on the applicability of this ordinance, including a more definitive list of events (and applicable permits required **outside** of this process) where this ordinance does **not** apply. Revisions also include adding private catering events where the sale or distribution of food is not open to the public to the list of activities not regulated by the proposed ordinance.

9-9-020 Definitions.

No changes proposed.

9-9-030 Mobile Food Unit Permit Required.

This is a new section with a substantial change: a mobile food unit permit would now be required to operate a mobile food unit in the City of Tualatin; the previous draft ordinance did not require a specific permit, only a Tualatin business license and proof of compliance with all health, safety, and environmental laws. This new section has a detailed list of required items for a complete mobile food unit application and the approval process.

9-9-040 Operating Requirements.

This section includes the same operating requirements from the previous draft ordinance, maintaining that operators must comply with the TMC, TDC, and all health, safety, and environmental laws.

9-9-050 Location Standards.

Revisions to this section include adding the Commercial Office (CO) planning district to the list of planning districts where mobile food units are allowed to operate, with the caveat that they are not allowed to operate within 200 feet of the Central Commercial (CC) planning district. See attached map for reference. This section also eliminates General Commercial (CG) as a permitted district. The previous draft ordinance allowed mobile food units in the CG planning district only with a “mobile food unit special location permit;” the provisions for this permit (per *9-9-060 Mobile Food Unit Special Location Permit* from the previous draft ordinance) have been completely eliminated. The purpose of the special location permit in the previous draft ordinance was to allow food trucks/carts on sites during events, such as a farmer’s market. The revised and simplified mobile food unit ordinance would only allow one food truck/cart to operate on a site at a given time; and multiple food trucks/carts can operate on a site in the CG planning district with an approved Special Event or Public Assembly permit.

9-9-060 Site Standards.

This section is essentially the same with the exception of revised site standards that now clarify that only one mobile food unit is allowed to be present at a site at any one time (see point 6); references to mobile food units included as part of a Special Event Permit under TMC 5-05 or a Public Assembly Permit under TMC 6-02 are exempt from this revised ordinance as discussed in *9-9-010 Purpose and Applicability* above.

9-9-070 Pushcarts.

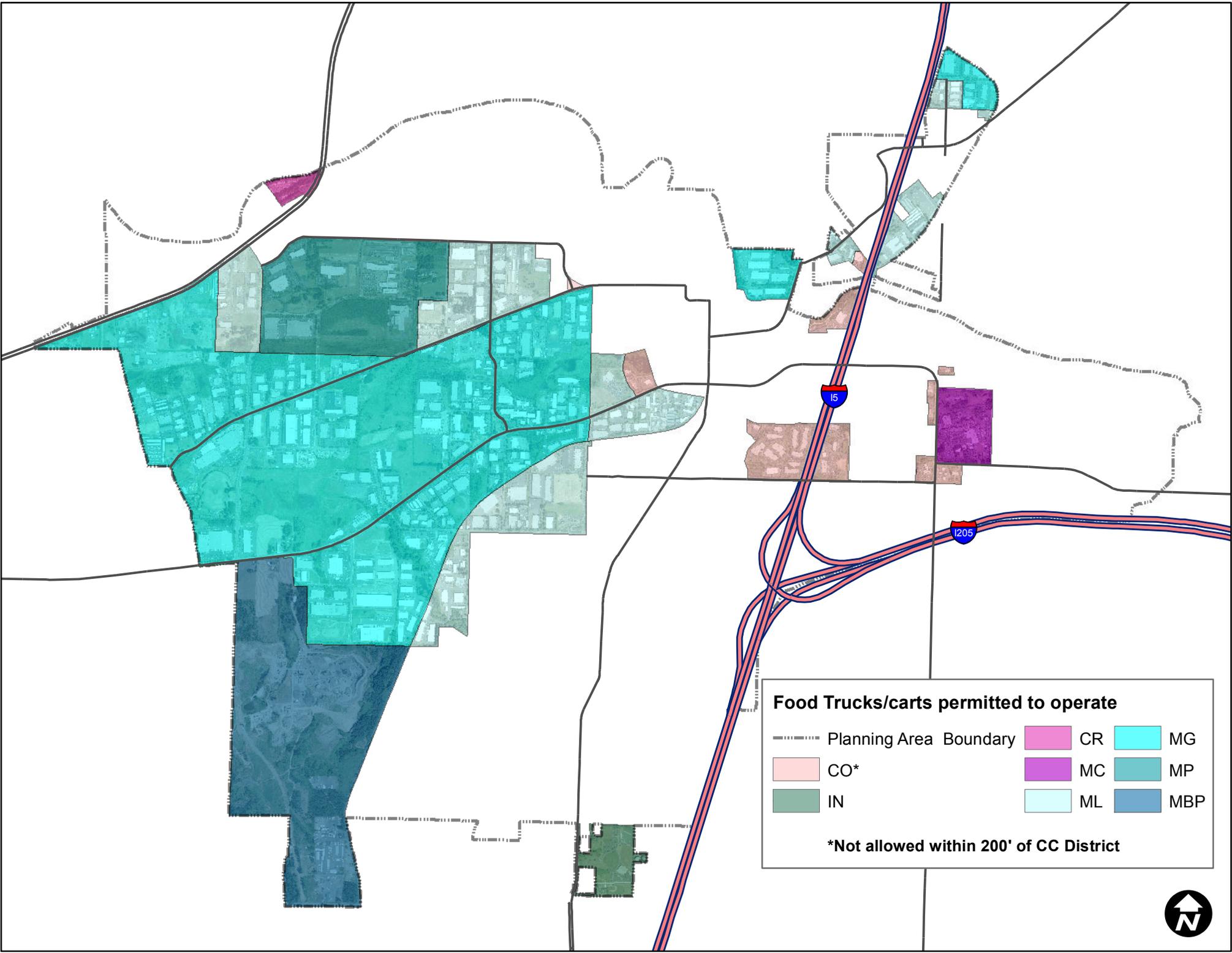
The same standards found in 9-9-050 Pushcarts from the previous draft ordinance.

9-9-080 Joint and Several Liability.

No changes proposed.

9-9-090 Violations.

This section includes additional information regarding circumstances that could result in the revocation of a mobile food unit permit.

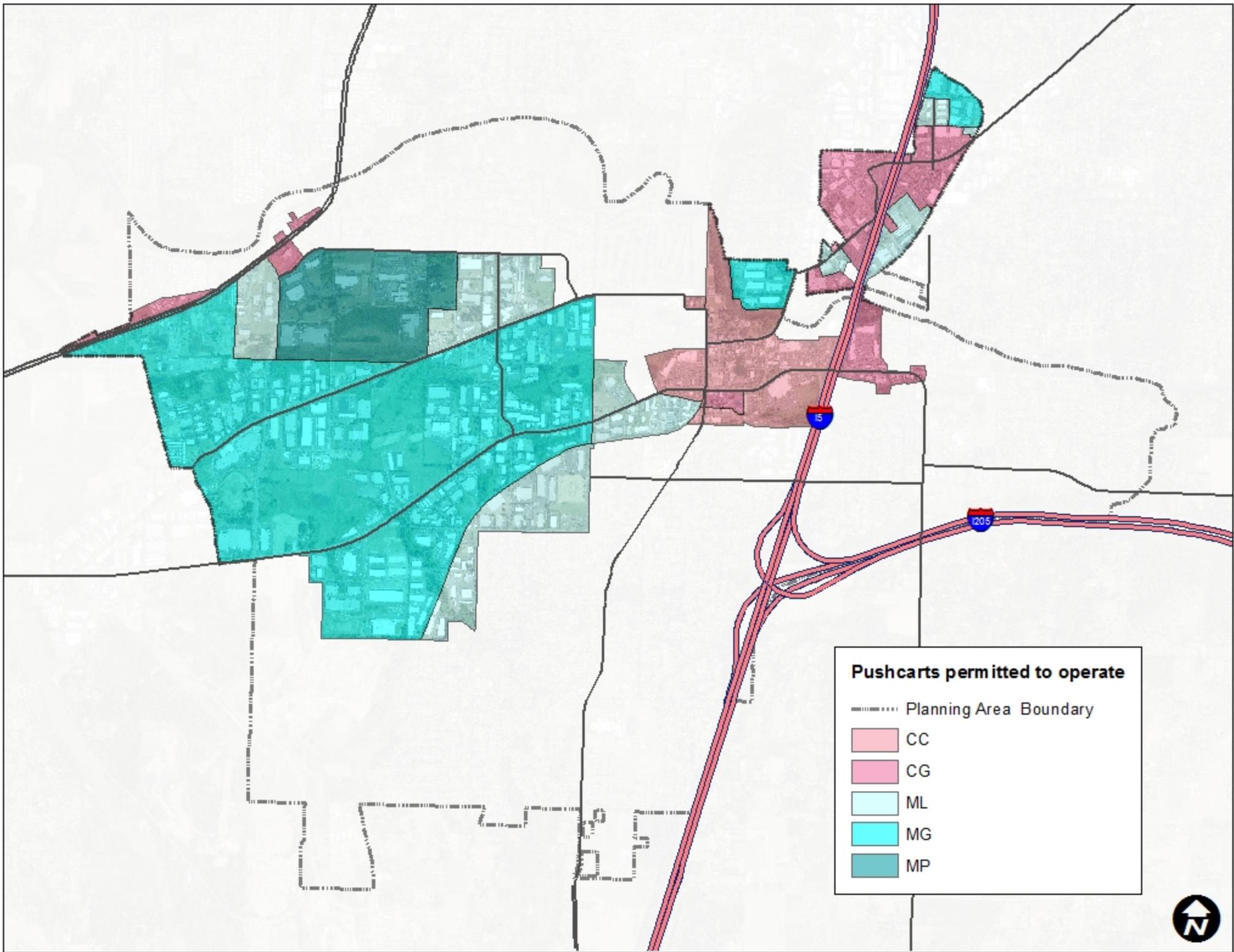


Food Trucks/carts permitted to operate

----- Planning Area Boundary	CR	MG
CO*	MC	MP
IN	ML	MBP

***Not allowed within 200' of CC District**





REVISED DRAFT – JULY 20, 2017

MOBILE FOOD UNITS

9-9-010 Purpose and Applicability.

(1) The purpose of this Chapter is to permit mobile food units to operate within the City on private property and establish regulations to protect the health, safety, and welfare of the public.

(2) The requirements of this Chapter do not apply to a mobile food unit that operates:

- (a) as a vendor under an approved City event permit;
- (b) under a street closure permit granted by the City;
- (c) on private property authorized by a Special Event Permit issued under TMC 5-5;
- (d) on private property authorized by a Special Assembly permit issued under TMC 6-2;
- (e) under the authority of any other permit issued by the City where the City indicates approval of a mobile food unit; and
- (f) at private catering events where the sale or distribution of food is not open to the public.

9-9-020 Definitions.

“Mobile Food Unit” means a vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway, or water on which food is prepared, processed, or converted, or which is used in selling and dispensing food to the public. Mobile Food Units include, but are not limited to, food trucks, food carts, and pushcarts.

“Person” means individuals, corporations, associations, firms, partnerships, limited liability companies, and joint stock companies.

“Pushcart” means a non-motorized cart designed to be pushed or pulled by a person.

“Site” means a lot or parcel of property on which a mobile food unit is permitted to operate.

9-9-030 Mobile Food Unit Permit Required.

- (1) Any person wanting to operate a mobile food unit must obtain a City of Tualatin Mobile Food Unit Permit prior to operating a mobile food unit within the City.
- (2) An applicant for a Mobile Food Unit Permit must provide the following information:
 - (a) The name and contact information of the mobile food unit owner;
 - (b) The name and contact information of the mobile food unit operator;
 - (c) The specific location of where the mobile food unit intends to operate and the intended duration of operation;
 - (d) The name, contact information, and proof of consent from the owner of the property where the mobile food unit intends to operate;
 - (e) Proof of a City of Tualatin business license; and
 - (f) Proof that establishes the person has obtained all required health and sanitary licenses from the State of Oregon and Washington or Clackamas Counties, as applicable.
- (3) If the applicant shows proof satisfactory to the City that the application criteria have been met, the City will grant the Mobile Food Unit Permit.
- (4) If the City denies the Mobile Food Unit Permit, the City will notify the applicant in writing of the reasons for the denial. An applicant may correct the deficiency or appeal the denial.
- (5) An applicant may appeal a denial of a Mobile Food Unit Permit to the City Manager by filing a request for review. The request for review must contain a copy of the denial notice, a request for a hearing or request for written review without a hearing, and a statement setting forth the reason(s) that the denial of the Mobile Food Permit was in error. The City Manager, or designee, will set the matter for a hearing and allow the applicant to present evidence and argument to support the applicant's position. The City Manager must make a written decision within 30 days of the conclusion of the hearing. The City Manager's decision is final on the matter.
- (6) A person granted a Mobile Food Unit Permit must notify the City of any changes in the information provided in the Mobile Food Unit application within 30 days of the change, and update such information annually.

9-9-040 Operating Requirements.

- (1) A person operating a mobile food unit must comply with all applicable policies and regulations set forth by the Tualatin Municipal Code and the Tualatin Development Code, including but not limited to all traffic laws and parking regulations.
- (2) A person operating a mobile food unit must comply with all health, safety, and environmental laws, including but not limited to proper disposal of cooking waste and wastewater.
- (3) A mobile food unit must have wheels and the wheels must not be removed.

9-90-050 Location Standards.

- (1) Mobile food units are allowed to operate in the following planning districts:
 - (a) CO – Commercial Office – except a mobile food unit cannot operate in the CO planning district if the location is within 200 feet of the Central Commercial (CC) planning district;
 - (b) CR - Recreational Commercial;
 - (c) MC - Medical Center;
 - (d) ML - Light Manufacturing;
 - (e) MG - General Manufacturing;
 - (f) MP - Manufacturing Park;
 - (g) MBP - Manufacturing Business Park; and
 - (h) IN – Institutional
- (2) Mobile food units are prohibited to operate within 100 feet of a gas station.

9-9-060 Site Standards.

- (1) Mobile food units, including all items associated with the operation, must not obstruct pedestrian pathways, driveways, drive aisles, sidewalks, streets, or public rights of way, or otherwise create a traffic or safety hazard.
- (2) Mobile food unit operators must provide garbage and recycling for patrons.
- (3) Mobile food units must have self-contained water, sewer, and electrical systems, as applicable.
- (4) Mobile food units are prohibited from connecting to public or private water, sewer, and electrical utilities.

(5) Mobile food units must operate and park only within an existing paved parking lot or other hard-surfaced area.

(6) Only one mobile food unit is allowed to be present at a site at any one time.

9-9-070 Pushcarts.

(1) Pushcarts are allowed to operate in the following planning districts:

- (a) CC- Central Commercial;
- (b) GC - General Commercial;
- (c) ML - Light Manufacturing;
- (d) MG - General Manufacturing; and
- (e) MP - Manufacturing Park.

(2) Pushcarts must comply with the following standards:

- (a) Be no larger than six feet in length;
- (b) Not locate within 200 feet of a restaurant or fruit and vegetable market without written consent from the proprietor of the restaurant or market;
- (c) Not conduct business on public sidewalks without obtaining a permit from the City;
- (d) Not operate on a private sidewalk, except by permission of the property owner; and
- (e) Comply with the Site Standards in TMC 9-9-060.

9-9-080 Joint and Several Liability. Any person who owns a mobile food unit will be held jointly and severally liable with any person that operates the mobile food unit for any violation of this Chapter.

9-9-090 Violations.

(1) Any person who violates any provision of this Chapter commits a civil infraction and is subject to a fine of up to \$1,000. Each violation, and each day that a violation continues, is a separate civil infraction.

(2) The civil infraction procedures in TMC Chapter 7-01 apply to the prosecution of any violation of this Chapter.

(3) In addition to prosecution for a civil infraction, a person found in violation of any provision of this Chapter may have a Mobile Food Unit Permit revoked.

(a) Prior to revocation, the City Manager, or designee, must provide the person with written notice of the alleged violation and an opportunity to rebut the allegations.

(b) The City Manager, or designee, will set the matter for a hearing and allow the applicant to present evidence and argument.

(c) Upon conclusion of the hearing, the City Manager, or designee, must make a written decision within 30 days of the conclusion of the hearing. The City Manager's, or designee's, decision is final on the matter.

DRAFT

FIRST DRAFT – JUNE 7, 2017

MOBILE FOOD UNITS

9-9-010 Purpose and Applicability.

The purpose of this Chapter is to permit mobile food units to operate within the City on private property and establish regulations to protect the health, safety, and welfare of the public. The standards of this Chapter do not apply to mobile food units that operate as a vendor under an approved City event permit, or under a street closure permit granted by the City. The standards of this Chapter also do not apply to private catering events.

9-9-020 Definitions.

“Mobile Food Unit” means a vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway, or water on which food is prepared, processed, or converted, or which is used in selling and dispensing food to the public. Mobile Food Units include, but are not limited to, food trucks, food carts, and pushcarts.

“Person” means individuals, corporations, associations, firms, partnerships, limited liability companies, and joint stock companies.

“Pushcart” means a non-motorized cart designed to be pushed or pulled by a person.

“Site” means a lot or parcel of property on which a mobile food unit is permitted to operate.

9-9-030 Business Licenses and Regulatory Requirements.

(1) Any person wanting to operate a mobile food unit must obtain a City of Tualatin business license prior to operating a mobile food unit within the City.

(2) In addition to a business license, a person wanting to operate a mobile food unit must submit documentation to the City that establishes the person has obtained all required health and sanitary licenses from the State of Oregon and Washington or Clackamas Counties, as applicable.

(3) A person operating a mobile food unit must comply with all applicable policies and regulations set forth by the Tualatin Municipal Code and the Tualatin Development Code, including but not limited to all traffic laws and parking regulations.

(4) A person operating a mobile food units must comply with all health, safety, and environmental laws, including but not limited to proper disposal of cooking waste and wastewater.

(5) Mobile food units must have wheels and the wheels must not be removed.

9-90-040 Location Standards.

(1) Mobile food units are allowed to operate in the following planning districts:

- (a) CR - Recreational Commercial
- (b) MC - Medical Center
- (c) ML - Light Manufacturing
- (d) MG - General Manufacturing
- (e) MP - Manufacturing Park
- (f) MBP - Manufacturing Business Park
- (g) IN - Institutional

(2) Mobile food units are permitted to operate for a limited duration in the following planning districts, subject to a Mobile Food Unit Special Location Permit, as provided in TMC 9-9-060.

- (a) CG –General Commercial.

(3) Mobile food units are prohibited to operate within 100 feet of a gas station.

9-9-050 Pushcarts.

(1) Pushcarts are allowed to operate in the following planning districts:

- (a) CC - Central Commercial;
- (b) CG - General Commercial;
- (c) ML - Light Manufacturing;
- (d) MG - General Manufacturing; and
- (e) MP - Manufacturing Park (MP)

(2) Pushcarts must comply with the following standards:

- (a) Be no larger than six feet in length;
- (b) Not locate within 200 feet of a restaurant or fruit and vegetable market without written consent from the proprietor of the restaurant or market;
- (c) Not conduct business on public sidewalks without obtaining a permit from the City;
- (d) Not operate on a private sidewalk, except by permission of the property owner; and

(e) Comply with the Site Standards in TMC 9-9-070.

9-9-060 Mobile Food Unit Special Location Permit.

(1) A person may operate a mobile food unit under a Mobile Food Unit Special Location Permit granted by the City, as provided in this section.

(2) Each Mobile Food Unit Special Location Permit granted authorizes the person specified on the permit to operate a mobile food unit at the location(s) specified on the permit for a period of time not to exceed 90 days from the date stated on the permit. Each Mobile Food Unit operating under a Mobile Food Unit Special Location Permit must comply with the Site Standards in TMC 9-9-070.

(3) An applicant for a Mobile Food Unit Special Location Permit, must provide the following information:

- (a) The name and contact information of the mobile food unit operator;
- (b) The specific location of where the mobile food unit intends to operate and the intended duration of operation;
- (c) The name, contact information, and proof of consent from the owner of the property where the mobile food unit intends to operate;
- (d) Proof of a City of Tualatin business license.
- (e) Proof that establishes the person has obtained all required health and sanitary licenses from the State of Oregon and Washington or Clackamas Counties, as applicable.

(4) If the applicant shows proof satisfactory to the City that the application criteria have been met, the City will grant the Mobile Food Unit Special Location Permit.

(5) If the City denies the Mobile Food Unit Special Location Permit, the City will notify the applicant in writing of the reasons for the denial. An applicant may correct the deficiency or appeal the denial.

(6) An applicant may appeal a denial of a Mobile Food Unit Special Location Permit to the City Manager by filing a request for review. The request for review must contain a copy of the denial notice, a request for a hearing or request for written review without a hearing, and a statement setting forth the reason(s) that the denial of the Mobile Food Unit Special Location Permit was in error. The City Manager, or designee, will set the matter for a hearing and allow the applicant to present evidence and argument to support the applicant's position. The City Manager must make a written decision within

30 days of the conclusion of the hearing. The City Manager's decision is final on the matter.

9-9-070 Site Standards.

(1) Mobile food units, including all items associated with the operation, must not obstruct pedestrian pathways, driveways, drive aisles, sidewalks, streets, or public rights of way, or otherwise create a traffic or safety hazard.

(2) Mobile food unit operators must provide garbage and recycling for its patrons.

(3) Mobile food units must have self-contained water, sewer, and electrical systems, as applicable.

(4) Mobile food units are prohibited from connecting to public or private water, sewer, and electrical utilities.

(5) Mobile food units must operate and park only within an existing paved parking lot or other hard-surfaced area.

(6) Only one mobile food unit is allowed to be present at a site at any one time, unless the site has been granted a Special Event Permit under TMC 5-05 or a Public Assembly Permit under TMC 6-02.

9-9-080 Joint and Several Liability. Any person who owns a mobile food unit will be held jointly and severally liable with any person that operates the mobile food unit for any violation of this Chapter.

9-9-090 Violations.

(1) Any person who violates any provision of this Chapter commits a civil infraction and is subject to a fine of up to \$1,000. Each violation, and each day that a violation continues, is a separate civil infraction.

(2) The civil infraction procedures in Tualatin Municipal Code Chapter 7-01 apply to the prosecution of any violation of this Chapter.

Tualatin Mobile Food Unit Ordinance

Public Comments

July 2017 to present

Date	Name	Comment
7/17/2017	Beth Sethi, Riverpark CIO1	Let City Council know what you think about food trucks (comment stream on NextDoor, full text and commentors below)
7/21/2017	Charlie Sitton, Century Hotel	<p>After all of this discussion on these food carts, I know of 4 restaurants around this lake that I have talk with that are not happy that the City decided to make their own rules and have food carts at the commons Friday nights for the concerts.</p> <p>City gets to make their own rules, I was told it was a special permit! This is not right for us business who contributed to the community here on the Lake of the Commons, a poor decision by someone at the city.</p> <p>I did talk with Sherilyn, I was told that is what the people wanted, still sucks for the business on the lake trying to pay their taxes.</p> <p>I was told when I built this place that there was going to be a community center where the grass is now on the commons also.</p>
7/26/2017	Kathy McCurtain	<p>Please bring food trucks into the downtown area of Tualatin. It is a shame, I have to go to Portland, to eat good food. And Portland Brick & wood restaurants have no problems with food carts/trucks all over the place.</p> <p>Please let them come-</p> <p>Even Happy Valley has a cluster of some</p>
7/27/2017	Rita Somerton	We eat out quite a lot and so far(8 years), are frequently disappointed in Tualatin 's restaurants. I won't bore you with the why's but more competition is a good thing in my experience! Food trucks in Portland draw consumers from all over city and surrounding communities and provide fast, fantastic food! And restaurants are forced to become better to compete. Please allow a free market decide on where to eat!
7/27/2017	Jennifer & Lyle Bosket	We want to weigh in on the food truck issue. Our family is for allowing them and even encouraging them. Food trucks are an asset to a bedroom community where many of the restaurants we have to choose from are chains. It's bad enough that Tualatin doesn't really have a vibrant downtown area with restaurants, bars, shops, all within close probity to each other.

Date	Name	Comment
7/27/2017	Jennifer & Lyle Bosket (cont.)	Bringing in food trucks could help provide that "central gathering spot" feel - at least during the summer months. If the council votes to ban food trucks, that will just be one more disappointing reason for living in the suburbs vs a more urban setting.
7/27/2017	Cathy Holland, CCIO	<p>Commercial General appears to be gone!</p> <p>We suggested a city wide permit system, not dropping Commercial General.</p> <p>We believe Commercial General with 200 foot buffer to Central Commercial to be allowed to have food carts using the same permit system as the rest of the city. In previous drafts they were in their own section. Can we just add them to the other permitted areas?</p> <p>The attached 7-20-17 draft doesn't include that category.</p> <p>Also - the county permit should be wider than Washington and Clackamas County. Can we add Multnomah, and Marion? Or can it just say headquarter county inspection?</p>
7/28/2017	Wes Tanac	<p>I am in favor of allowing food carts within the downtown areas. If a business allows a food truck on their property to sell meals that business should be able to do that. Food truck would need permits from city to operate and follow health regulations etc. if they are paying rent to a business for space they should be able to operate and sell food.</p> <p>I am not in favor of allowing food trucks to be in the side of the road. I am assuming that there are property owners that would like extra income.</p> <p>As to the report by stakeholders you forgot a major group food truck owners and general public. Having restaurant owners being the majority seems to favor one opinion .</p> <p>I see having food trucks would help many restaurants. More people in the area then they may try out not only the food truck but the box store restaurant. Think of the Starbucks on every corner. Not many go out of business.</p> <p>It is not an easy decision and I hope you find a better balance than this ordinance.</p>
8/3/2017	Joseph Hall, PuPu Shack	My name is Joseph Hall. My kids operate The Pupu Shack on the corner of Boones Ferry Road and Nyberg. They have been in operation for over four years, and were instrumental in the

Date	Name	Comment
8/3/2017	Joseph Hall, PuPu Shack (cont.)	<p data-bbox="667 233 1427 296">passage of the temporary ordinance governing the operation of food carts in Tualatin.</p> <p data-bbox="667 342 1427 867">As you are likely aware of, when it was first brought into question whether it was within City policy to operate a food cart a few years ago, Ammon (and Tanner) involved themselves in the TRANSPARENT process of getting the currently-operating policy discussed and passed with the City Council. Following the meeting where the ordinance was passed (and given that they were the only mobile food truck operating at a fixed location), I was approached by staff from the City's planning office and asked if the boys and I would consider being part of the committee put together to draft a more permanent ordinance. I indicated to her that we would be happy to, and discussed how I thought it would be beneficial to have fair and objective opinions contributed to the process. She assured me that it would take some time, but that she would make sure that we were involved.</p> <p data-bbox="667 913 1427 1150">I never heard from her. In fact, having messages left inquiring about the timing of the start of these meetings were never replied to. The mayor had indicated that the temporary policy would continue to 'roll over' until a more permanent version of it was passed. So I didn't give it much thought. Until a few weeks ago when I read the article in The Times outlining the currently proposed ordinance.</p> <p data-bbox="667 1197 1427 1402">I find it curious that the ONLY operating food truck in the Downtown Tualatin area was never given consideration to be involved. I find it curious--even it was an 'oversight'--that at some point during these meetings that SOMEONE hadn't noticed that the only mobile food truck operator in Downtown Tualatin was not sitting at the table.</p> <p data-bbox="667 1449 1427 1791">To that end, I have some concerns regarding the proposed ordinance that I would like to bring to light, and hopefully have the opportunity to discuss in person with this committee. I believe that the ordinance itself is biased. Many people (including a few news media outlets who have caught onto this story) who have contacted me since the article was published (and who have subsequently read the proposed ordinance themselves) would even say that it is targeting the kids and their truck specifically, to the degree that it will drive them out of business.</p> <p data-bbox="667 1837 1427 1892">9-9-010 2 The requirements of this Chapter do NOT apply to a mobile food unit that operates:</p>

Date	Name	Comment
8/3/2017	Joseph Hall, PuPu Shack (cont.)	<p>that it would take some time, but that she would make sure that we were involved.</p> <p>I never heard from her. In fact, having messages left inquiring about the timing of the start of these meetings were never replied to. The mayor had indicated that the temporary policy would continue to 'roll over' until a more permanent version of it was passed. So I didn't give it much thought. Until a few weeks ago when I read the article in The Times outlining the currently proposed ordinance.</p> <p>I find it curious that the ONLY operating food truck in the Downtown Tualatin area was never given consideration to be involved. I find it curious--even it was an 'oversight'--that at some point during these meetings that SOMEONE hadn't noticed that the only mobile food truck operator in Downtown Tualatin was not sitting at the table.</p> <p>To that end, I have some concerns regarding the proposed ordinance that I would like to bring to light, and hopefully have the opportunity to discuss in person with this committee. I believe that the ordinance itself is biased. Many people (including a few news media outlets who have caught onto this story) who have contacted me since the article was published (and who have subsequently read the proposed ordinance themselves) would even say that it is targeting the kids and their truck specifically, to the degree that it will drive them out of business.</p> <p>9-9-010 2 The requirements of this Chapter do NOT apply to a mobile food unit that operates: (e) under the authority of any other permit issued by the City where the City indicates approval of a mobile food unit; Does this offer 'exceptions' to operation in the CC zone? If so, it may leave some hope for the kids to operate under an exception, but at what point does the exception become the rule and all vendors are then barred.</p> <p>9-9-040 The prohibition of mobile food carts in the CC. This is new. It would be interesting to see where those that sit on the committee (or those they are vicariously representing) operate their own personal businesses as it relates to the CC zone. I re-iterate, the ONLY food cart currently (or nearly ever) operating in this zone is The Pupu Shack. As a matter of fact, once the temporary ordinance was passed, Barrington Properties (the landlord the kids lease space from and pay electricity to) placed ads for TWO MONTHS in an attempt to</p>

Date	Name	Comment
8/3/2017	Joseph Hall, PuPu Shack (cont.)	<p>see what interest there was in having another truck or two on the empty lot. They got exactly ONE RESPONSE. That conversation lasted less than five minutes and they never called back. And they didn't call back because there is not foot traffic in that area--something necessary to make such a venture and location profitable.</p> <p>And after all of that--you are going to allow pushcarts to operate in the CC area. Again, this smacks in the face of singling out a specific business in an attempt to make it nearly impossible for them to operate in the good faith manner they have for four years.</p> <p>Informationally--Both Beaverton and Hillsboro have just recently opened up their downtown business district to food trucks to nothing less than a stellar response. Beaverton has opened it up all week; Hillsboro now had Food Truck Fridays in their downtown business district. When we initially discussed the ordinance with the City Council, Mayor Ogden noted both of those communities (Beaverton in particular) as cities that should be considered to model the more permanent ordinance after. It appears that this proposed draft is going in the opposite direction.</p> <p>9-9-060 Site Standards</p> <p>(3) Mobile food units must have self-contained water, sewer, and electrical systems, as applicable. These are all required by Washington County in order to have the truck licensed and legal to operate. The kids operating The Pupu Shack have never failed an inspection. In fact (as they had their annual inspection just yesterday), the inspector told me as he was leaving that theirs has been the easiest truck to inspect for years because they have maintained it so well and kept it so clean.</p> <p>(4) Mobile food units are prohibited from connecting to public or PRIVATE water, sewer, and electrical utilities. I believe that this is a truck/business-specific jab at The Pupu Shack. And by the way, it makes no sense. For a committee that is apparently so concerned with the aesthetics of Downtown Tualatin (or wherever the trucks might be parked) and being environmentally sound, the alternative to plugging into (even private) utilities is a GENERATOR. Generators are not only loud, but they burn gas all day vs the utilization of a inconspicuous, commercial grade extension cord. I find this insert of the ordinance petty. I can imagine that it likely came from the same source that claimed for weeks that the kids</p>

Date	Name	Comment
8/3/2017	Joseph Hall, PuPu Shack (cont.)	<p>didn't have a business license, county permit, food handlers cards, or pay income or local taxes--all of which were not true and slanderous. If a private property owner wants to allow a mobile food truck to use THEIR electricity, where does it behoove a municipality to require them to do otherwise. This is personal and government overreach. At some point I believe that the private property owner should have some weighted input into this process. The Emami Family has been very supportive of the kids--even when they didn't need to be.</p> <p>Initially, the argument against any food carts fell into three arguments (oftentimes lauded by the same people):</p> <ol style="list-style-type: none"> 1. If we allow food carts in Downtown Tualatin, we will be overrun by them. Even when the temporary ordinance was passed that was the cry. History has now shown that to be untrue. Making the existing ordinance (at least in its framework) permanent is not going to change that. There is no interest. There is no food traffic. Thus, there is no business. The kids are able to operate because they cater to KIDS who know who they are from driving their mobile routes. 2. If we allow food carts we won't be able to compete because they don't have the overhead other businesses in the area do. Firstly, shave ice isn't a competitive commodity in Tualatin. Secondly, the largest overhead expense is wages. The kids pay out nearly everything they make in employee wages and taxes (in all honesty, it COSTS my wife and I to help cover their overhead in this regard). As a side note--because of the kids' business attempts, they have helped TuHS graduates pay for college and missions post-HS graduation. 3. If we allow food carts we won't be able to compete because they don't have the county health oversight and regulations that other food establishments do. This is not true in the least bit. They are under the same county rules and regulations as any other restaurant is. They are oftentimes inspected by the same inspectors (depending on workloads). <p>I would implore you to consider my concerns and involve us in the process. If your committee, the city council, and the city manager's office want the public to trust that their processes are transparent and fair, the least that can be done is to involve those in the process that are actually participating in the daily operations of conducting such a business.</p>

NextDoor Discussion below began on 07/17/2017:



Beth Sethi, Riverpark CIO1 



Let City Council know what you think about food trucks

Tualatin City Council is on the verge of banning food trucks from central Tualatin (downtown core area). I've been hoping Tualatin would bring in food trucks to the core for a long time, so this is disappointing to me. My family often drives into Portland to eat at food trucks. We'd love to support more local options if we had some in town.

The ordinance under consideration would allow food trucks in the manufacturing and business districts further out but not downtown such as the commons area. It seems the council's decision is driven in large part by the restaurant industry. I would like to see the council make its decision based on what residents, the voters, think. Regardless of whether you are for or against such an ordinance, I encourage residents of the city to contact city council to let them know what you think. It's fine if you'd like to post your opinions in response to my post, but the best route is to email city council directly at council@tualatin.gov.

Times article: <http://www.pamplinmedia.com/ttt/89-news/366002-246492-draft-ordinance-would-keep-food-trucks-out-of-downtown-tualatin>

New Edited 1d ago · 12 neighborhoods in General



Thank



Reply 

5 Thanks · 11 Replies



Taylor Sarman, Riverpark CIO1 · 1d ago **New**



Thank you for posting this, Beth!



Thank



Lynda Boatwright, Riverpark CIO1 · 22h ago **New**



I sent in my thoughts ☐ thank you Beth...I too appreciate glorious food trucks!



Thank 2 Thanks



Deb Freedman, CIO District 4 · 22h ago **New**



Does that mean we would lose the shave ice truck?!



Thank



Beth Sethi, Riverpark CIO1 · 22h ago **New**



Deb I believe we would. They are operating under a temporary agreement but this new ordinance would override that. There would be no food trucks allowed in the downtown area including the commons. The Times article I attached above has a map showing where food trucks could and could not operate.

Thank



Lynda Boatwright, Riverpark CIO1 · 21h ago **New**



Deb, woman bite your tongue! ☐

Thank



Paul Bartos, Riverpark CIO1 · 18h ago **New**



If they are in the industrial area, they are closer than down town. Also we don't have the high rise office buildings to support that many trucks (variety).

Thank 1 Thank



Cathy Holland, Riverpark CIO1 · 7h ago **New**



Heads up! I have researched the proposed rules. They do not regulate food trucks on public property (such as the Commons, Community Park, or public parking lots). That type of use requires a special permit from the City but is not addressed by the proposed language. The proposed language only regulates mobile food trucks and mobile food carts operating on private property. They also do not regulate private events using a catering truck or cart. Also, the language is technical and tied to areas with restricted available parking. Much of Tualatin is open for these businesses if they have the permission of the property owner and complied with the City rules. Thought you would like to know.

Thank 3 Thanks



Beth Sethi, Riverpark CIO1 · 7h ago **New**



Thanks Cathy but most food trucks around the Portland metro area are on private property. The city does not currently allow food trucks in public spaces like parks so private property would be the only option.

Thank



Beth Sethi, Riverpark CIO1 · 6h ago **New**



Paul, you're right the industrial area would be closer to those of us in Riverpark so if food trucks come there, that'd be great. But in general shouldn't the market decide where food trucks would thrive and not the city council? If we don't end up having the sales to maintain food trucks in other parts of the city like downtown then they won't come and that's fine, but I'd rather the demand drive that, not a restriction from the city. I think a handful of food trucks could do well in Tualatin's downtown, especially in the summer when people are out and about, but we don't know if we put laws in place that don't allow them to try.



Thank



Jennifer Bosket, Ibach CIO · 4h ago **New**



I'm on this and will share!



Thank 1 Thank



George-Linda Fenton, Riverpark CIO1 · 4h ago **New**



My understanding is that most employees in the industrial park only gets 30 minutes or less for lunch, so it would make sense for the food trucks to be there.



Thank 1 Thank



Toni & Len Carrasco, Riverpark CIO1 · 16 Aug



Yes, great in industrial area, but tough on ou' local restaurant's businesses that have made huge financial commitments paying huge overhead and staying open long hours to accommodate us.



Thank 1 Thank



JM Mor, Pony Ridge · 16 Aug



I think the food trucks in the manufacturing areas is good. At this one place I worked at, there was no cafeteria or restaurants, and the food truck was very welcome to have.



Thank 1 Thank



Kathy McCurtain, Riverpark CIO1 · 16 Aug



Yes, the city of Tualatin needs food carts/trucks. At the Cook park concert last night- (Tuesday- Aug 15), each had a line going for 2 hours- Yes it was good food.



Thank



James Folk, Ibach CIO · 17 Aug



Toni & Len: I may be wrong but I don't think that argument worked in Portland as brick and mortar restaurants seem to coexist pretty well. Perhaps rotating food trucks throughout the week with an unspecified total on any given day? I guess I like these trucks for the cuisines they offer and having them locally would be a positive.



Thank



Angela DeMeo, CIO3 – Midwest · 17 Aug



Hi all, I realize this is very short notice but tonight at the Planning Commission meeting, the commission will be hearing a report from city staff regarding the July 2017 revisions to the Draft Mobile Food Unit Ordinance. The meeting starts at 6:30pm at the Juanita Pohl Center (8513 SW Tualatin Rd). These meetings are always open to the public and public input is welcome (limited to 3 minutes).

<https://www.tualatinoregon.gov/planning/tualatin-planning-commission-tpc-meeting>



Thank 1 Thank



Beth Sethi, Riverpark CIO1 · 17 Aug



That's great! Unfortunately I can't go tonight. Hopefully city concil members read nextdoor to have a sense for the various perspectives?



Thank



Renee Dubarko, Pony Ridge · 3d ago



They should turn the old Haggens into a food truck food court!!!!



Thank 2 Thanks



Beth Sethi, Riverpark CIO1 · 3d ago



That would be amazing Renee! I highly doubt anything like that will happen given the resistance to food trucks, but hopefully they will at least be allowed at some point in the near future!



Thank



Lynda Boatwright, Riverpark CIO1 · 3d ago



Renee...now I am hungry!! 😊love that idea...little destination groovy food cart spot..talk about supporting local!



Thank 1 Thank



Ed Casey, Ibach CIO · 2d ago



And of course, the city had the Koi Fusion Food Truck at the Concert on the Commons! Either they like them, or they don't - not sure if they even know.



Thank 3 Thanks



Cathy Holland, Riverpark CIO1 · 1d ago



Ed -We have looked into these proposed rules. This new ordinance does not restrict food trucks on City property such as the Commons or any of the parks. Food trucks on public property are allowed with a permit from the City of Tualatin.



Thank 2 Thanks

Add a reply...



City of Tualatin

www.tualatinoregon.gov

UNOFFICIAL

TUALATIN PLANNING COMMISSION -

MINUTES OF August 17, 2017

TPC MEMBERS PRESENT:

Kenneth Ball
Angela DeMeo
Travis Stout
Mona St. Clair

STAFF PRESENT

Aquilla Hurd-Ravich
Charles H. Benson III
Lynette Sanford

TPC MEMBER ABSENT: Bill Beers, Alan Aplin, Janelle Thompson

GUESTS:

1. CALL TO ORDER AND ROLL CALL:

Kenneth Ball, Vice Chair, called the meeting to order at 6:32 pm and reviewed the agenda. Roll call was taken.

2. APPROVAL OF MINUTES:

Mr. Ball asked for review and approval of the June 15, 2017 TPC minutes. MOTION by DeMeo SECONDED by St. Clair to approve the minutes as written. MOTION PASSED 4-0.

3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):

None

4. ACTION ITEMS:

None

5. COMMUNICATION FROM CITY STAFF:

A. July 2017 Revisions to Draft Mobile Food Unit Ordinance

Aquilla Hurd-Ravich, Planning Manager, and Charles H. Benson III, Associate Planner, provided an update on the proposed food cart ordinance which included a PowerPoint presentation. Ms. Hurd-Ravich stated that City staff went to Council in July with a draft ordinance. The City Council discussed the draft ordinance at length, highlighted by whether food trucks/carts should be allowed to operate in the

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

Commercial Office (CO) planning district, further clarification on the regulatory powers and the applicability of proposed licenses and permits, and whether food trucks/carts should be allowed to operate on construction sites. Council directed staff to return to the Tualatin Food Cart Work Group for clarification on their position regarding food trucks/carts in the CO planning district and the permitting processes. Ms. Hurd-Ravich noted that there are additional comments that were received and not included in the packet – which were distributed to the Commission members.

Ms. Hurd-Ravich stated that the Commission's next action is to approve the draft and give a recommendation to City Council regarding the development code revisions.

Mr. Benson reviewed the timeline summary which includes the project framing, task force meetings, and revisions to the ordinance based on the feedback received. Mr. Benson noted that the current temporary ordinance expires in December 2017

Mr. Benson stated the key revisions to the proposed draft ordinance include:

- Modifications to the "Purpose and Applicability" section to further refine situations where the proposed ordinance would apply;
- Creation of a new mobile food unit permit;
- Food trucks would be allowed to operate in the CO planning district, but not within 200 feet of the Central Commercial (CC) planning district;
- Food trucks would not be allowed to operate in the General Commercial (CG) planning district without an approved Special Event or Public Assembly permit; and
- Only one mobile food unit would be allowed on any given site at one time with without an approved Special Event or Public Assembly permit.

Mr. Benson noted that the only public comments received on these proposed changes to the draft ordinance were from Charlie Sitton from the Century Hotel, who is primarily concerned about food trucks operating at the Lake of the Commons, and Joseph Hall, whose sons operate the PuPu Shack, who is concerned that the proposed ordinance will prohibit the PuPu Shack from operating at its current location. Mr. Benson noted that after the agenda packet was published, additional comments were received that are included in the handout.

Mr. Benson mentioned that the on-line survey on our website had overwhelming support (89 percent) for food trucks in Tualatin although the local businesses were opposed. Ms. Hurd-Ravich added that the survey asked the public if they would want a food truck on their site the support was around 57 percent.

Ms. Hurd-Ravich stated that after the Council work session, City staff made the revisions and emailed the changes to the people on the interested parties list, CCIO's, Chamber of Commerce, and the work group asking for comments. The comments received are in the handout.

Mr. Ball opened the meeting for public comment:

Joseph Hall, Pu Pu Shack Owner

Joseph Hall, owner of the PuPu Shack, stated that his children have operated the food cart for the five years. Mr. Hall stated that in the fall of 2015 they were in violation, which started this whole issue. Mr. Hall noted that he was not aware of the subsequent meetings and was caught off guard when he read about the revised ordinance in the paper.

Mr. Hall stated that he rents the space from David Emami, employ 8-9 kids from the high school, pays payroll taxes, and has a business license. Mr. Hall was under the impression the revised ordinance would be similar to the temporary one in place. He believes these revisions are not even close to the initial ordinance. Mr. Hall added that he believes this revised ordinance is excluding the only operating food truck in Tualatin. After the temporary ordinance passed, Mr. Emami placed an ad for additional food trucks and received only one response. The one person who responded never called back due to lack of foot traffic in the area.

Mr. Hall added that the PuPu Shack survives because they have been operating for many years and have repeat customers. Mr. Hall believes the concern is from the business owners who fear that Tualatin will be overrun with food carts, which is not the reality.

Mr. Hall noted that he was not aware of the other hearings, or he would have been in attendance. Mr. Hall would like to have the ordinance revisited to revise the 200 foot radius of the Central Commercial (CC) planning district exclusion. Mr. Hall added that the PuPu Shack is not in competition with the other businesses in the area since they serve shaved ice, which the other businesses do not.

Ms. DeMeo asked why they chose their current location and are not closer to the high school. Mr. Hall responded that he did not want to impede on other businesses, such as the Plaid Pantry. Ms. DeMeo asked if the Halls have spoken to the Emamis about the lack of interest in other food trucks. Mr. Hall responded that there is very little foot traffic in downtown Tualatin, which is problematic for food trucks. Mr. Hall added that Mr. Emami does not believe a food cart pod situation would work either.

Ms. St. Clair inquired about the possibility of food carts at subdivision construction sites and if a special permit would be required. Ms. Hurd-Ravich replied that the City will not regulate food carts in residential areas since they will more than likely be on a public right of way, which will not require a permit.

Ms. DeMeo wanted clarification about the private property definition and why the restriction on services such as electricity. Mr. Benson responded that the feedback from City Council was that the food trucks should be as temporary as possible. Ms. DeMeo asked if there is a limit on how long they can be in one location. Mr. Benson

said there is no limit. Mr. Ball added that temporary means six months or less and that the food truck will have to move at least a few feet. Ms. DeMeo stated that the code should be more consistent regarding time limits and service restrictions.

Mr. Hall reiterated that he does not approve of the 200 foot buffer requirement and that the citizens of the City of Tualatin overwhelmingly approve the food cart concept. Ms. St. Clair asked how many responses we received on the online survey. Mr. Benson responded that we received over 300. Mr. Ball asked if there are other cities that require a 200 foot buffer requirement. Mr. Benson replied that Happy Valley, Beaverton, Hillsboro, Milwaukie, and Gresham do not require the buffer. He is not aware of any other City that does.

Ms. Hurd-Ravich stated that all past presentations are on our web site along with the statistics from the survey and past research. Ms. DeMeo added that the community members and business owners need to come together with a compromise.

6. FUTURE ACTION ITEMS

Ms. Hurd-Ravich noted that future action items an action item to make transfer review authority of Conditional Use Permits from City Council to the Planning Commission. We will also hear on update from Rich Mueller, Parks and Recreation Manager, on the parks and Recreation Master Plan. Ms. Hurd-Ravich added that in October we may have a variance on a cell tower.

7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION

None

8. ADJOURNMENT

MOTION by DeMeo, SECONDED by St Clair, to adjourn the meeting at 7:38 pm.

_____ Lynette Sanford, Office Coordinator



**MOBILE FOOD UNIT (FOOD TRUCK/CART)
ORDINANCE UPDATE**

**CITY COUNCIL WORK SESSION
SEPTEMBER 11, 2017**



TONIGHT'S DISCUSSION OVERVIEW

- Provide update on proposed ordinance process and activities
- Present revisions to the most recent draft ordinance
- Discuss upcoming City Council actions



PROJECT TIMELINE SUMMARY

- Fall 2015: Downtown food truck found to be in violation of current TDC 34.013
- Spring 2016: Council approves project framing, enacts temporary ordinance; staff conducts research and outreach
- Fall 2016: Council authorizes task force, extends temporary ordinance
- Winter 2017: Task force meets, drafts objectives and goals
- Spring 2017: Staff incorporates task force recommendations into draft ordinance
- **Summer 2017: Updates to TPC and Council; revisions to ordinance based on feedback**



PUBLIC OUTREACH SUMMARY

CITY OF TUALATIN

- Mobile Food Unit FAQ page on City Website updated regularly since June 2016
- Interested parties list that is continuously updated as proposal moves forward
- SurveyMonkey survey in September 2016 to gauge public interest in food trucks/carts
- Tualatin Food Cart Work Group meeting and report in Winter 2017

TUALATIN COMMERCIAL CITIZEN INVOLVEMENT ORGANIZATION (CCIO)

- Key contributor throughout process per Council direction
- City staff attended CCIO meetings specifically related to food truck/cart ordinance

TUALATIN CHAMBER OF COMMERCE

- Key contributor throughout process per Council direction
- City staff attended Chamber meetings specifically related to food truck/cart ordinance



DRAFT ORDINANCE REVISIONS

PURPOSE AND APPLICABILITY

- Includes more detailed list of ordinance applicability.

MOBILE FOOD UNIT PERMIT REQUIRED

- New permit to be created.
- Subject to all regulatory and licensing requirements as defined in code.



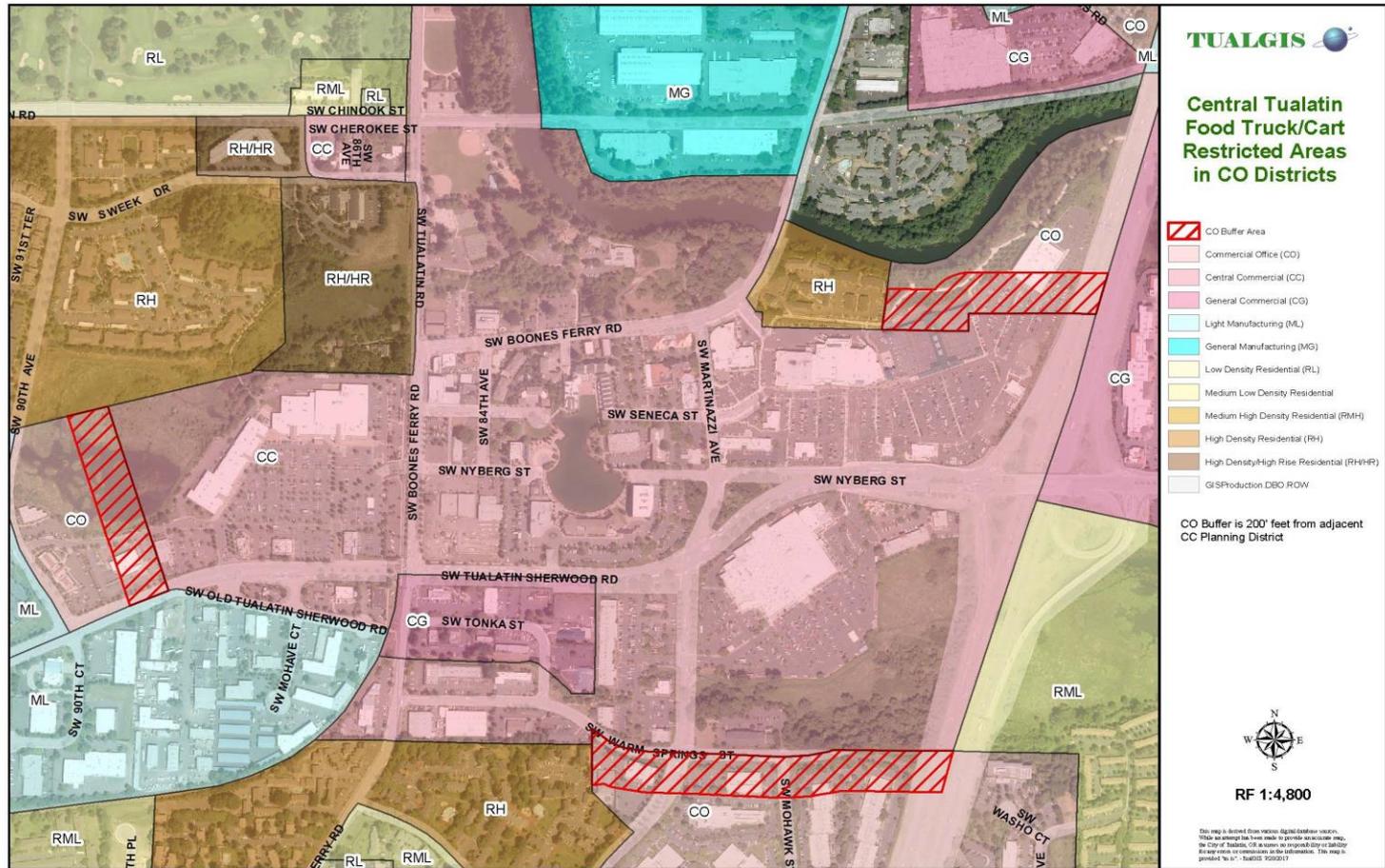
DRAFT ORDINANCE REVISIONS

LOCATION STANDARDS

- Food trucks/carts allowed in CO district but not with 200 feet of CC district.
- Food trucks/carts prohibited in CG district but allowed at farmer's markets and similar events per special event/assembly permits.
- Mobile food unit special location permit eliminated.

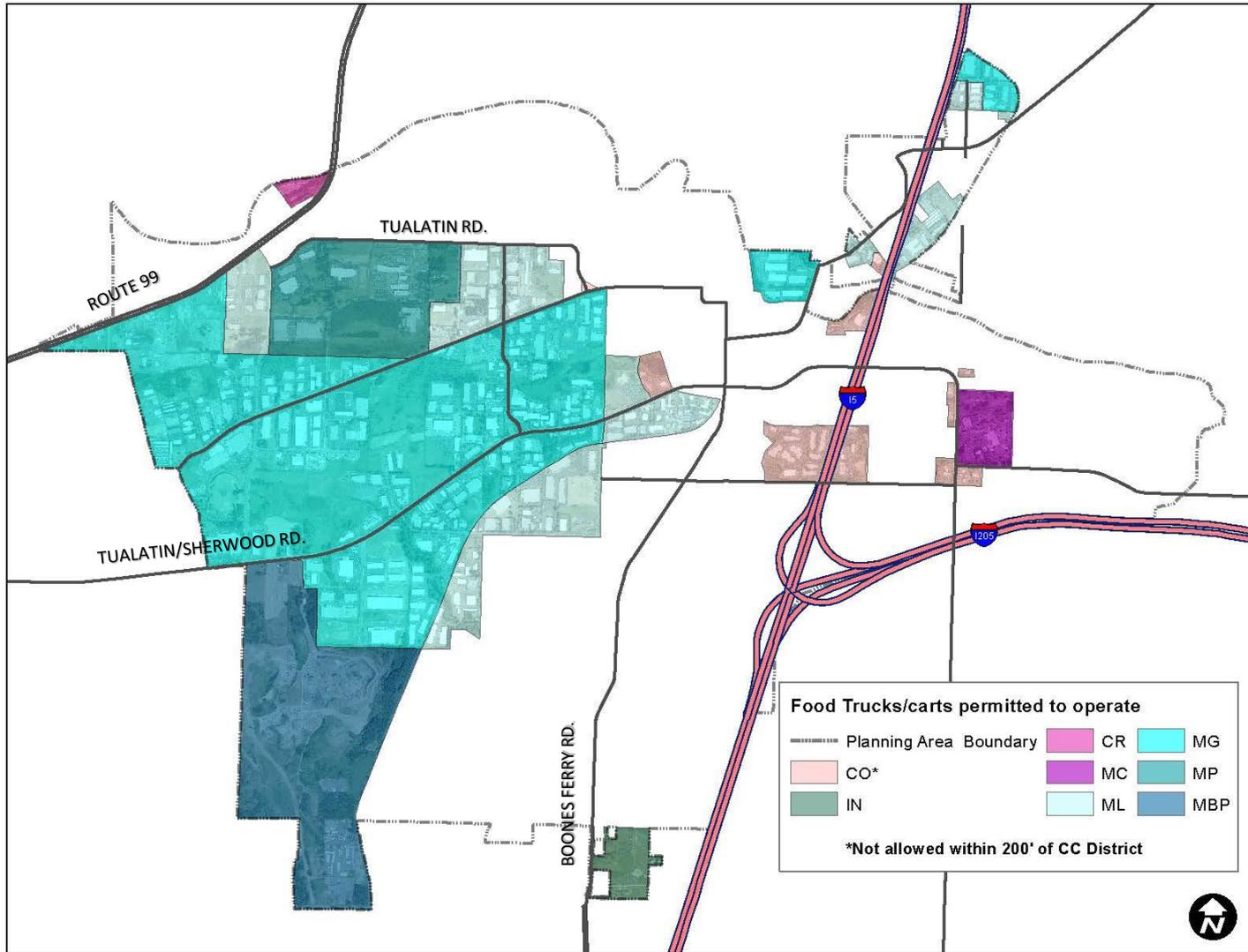


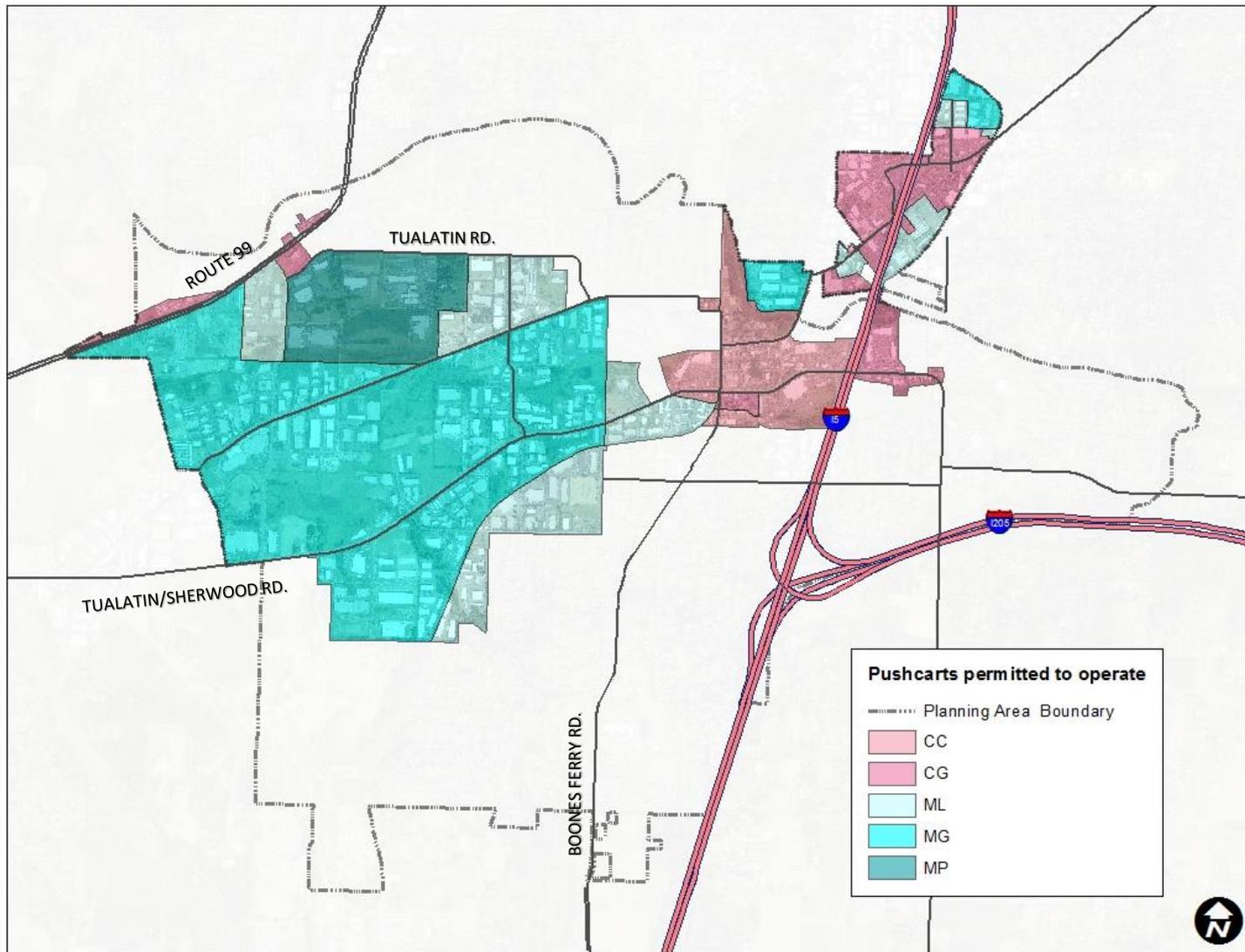
DRAFT ORDINANCE REVISIONS



MOBILE FOOD UNIT (FOOD TRUCK/CART)
ORDINANCE UPDATE

CITY COUNCIL WORK SESSION
SEPTEMBER 11, 2017







DRAFT ORDINANCE REVISIONS

SITE STANDARDS

- Only one vendor may operate on a site at a time.

VIOLATIONS

- Includes additional information pertaining to permit violations.



NEXT STEPS

- Incorporate Council and TPC recommendations
- Council Public Hearing on proposed ordinance to TMC
- Council Public Hearing on PTA



**MOBILE FOOD UNIT (FOOD TRUCK/CART)
ORDINANCE UPDATE**

**CITY COUNCIL WORK SESSION
SEPTEMBER 11, 2017**



STAFF REPORT

CITY OF TUALATIN

City Council Work Session

Meeting Date: 09/11/2017

Subject: Council Rules

Through: Sherilyn Lombos, Administration

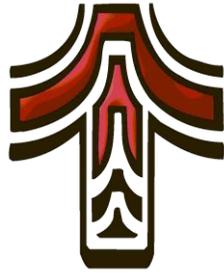
Draft Council Rules

Mayor Ogden Highlighted Draft Rules

Mayor Ogden Comments

Sample- Happy Valley Council Rules

Sample- Tigard Council Rules



CITY OF TUALATIN COUNCIL RULES

Adopted _____

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RULE 1

General Governance

A. Rules of Procedure.

1. Chapter IV of the Charter authorizes the Council to adopt rules of procedure for Council meetings.¹ Unless otherwise provided by the Charter, an ordinance, or these rules, the procedure for all Council meetings, and any subcommittee of the Council, will be guided by Robert's Rules of Order, 11th Edition.
2. Members of Council are encouraged to avoid invoking the finer points of parliamentary procedure found in Robert's Rules of Order when such points could obscure the issues before Council and confuse the public.
3. Whenever these rules and Robert's Rules of Order conflict, these rules govern.

B. Council. The members of Council are the Mayor and the Councilors.² There are six Councilor positions.³

1. Council Position 1 – the term ends December 31, 2018 and every four years thereafter.
2. Council Position 2 – the term ends December 31, 2020 and every four years thereafter.
3. Council Position 3 – the term ends December 31, 2018 and every four years thereafter.
4. Council Position 4 – the term ends December 31, 2020 and every four years thereafter.
5. Council Position 5 – the term ends December 31, 2018 and every four years thereafter.
6. Council Position 6 – the term ends December 31, 2020 and every four years thereafter.

C. Quorum.

1. A quorum is required to conduct official City business. A quorum consists of three (3) Councilors plus the Mayor or Mayor pro tem.⁴
2. In the event a quorum is not present, the members of Council present may choose to hear comments from the public and receive reports, provided however no votes or official

¹ Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings”).

² Charter Sections 7 (Council); 8 (Councilors); 8a(Assignment of Council Positions); 9 (Mayor) (describing Council, Mayor, and powers).

³ Charter Section 8a (Assignment of Council positions).

⁴ Charter Section 14, (“Three Councilors and the Mayor or Mayor pro tem shall constitute a quorum for its business, but a small number may meet and compel the attendance of absent members in a manner provided by ordinance.”).

Council actions will be taken.

D. Presiding Officer.

1. The Mayor is the Presiding Officer and presides over all meetings.⁵
2. In the Mayor's absence the President of the Council, as Mayor Pro-Tem, serves as the Presiding Officer and presides over the meeting.⁶
3. If both the Mayor and the President of the Council are absent from the meeting, the following procedure must be utilized to determine the Presiding Officer for the meeting:⁷
 - a. The City Recorder, or designee, must call the Council to order and call the roll of the members of Council.
 - b. Those members of Council present must elect a temporary Presiding Officer, as Mayor Pro Tem, for the meeting. A Councilor must receive the majority vote of the incumbent members on the Council to become the Presiding Officer for the meeting.
4. Should either the Mayor or the President of the Council arrive at the meeting after it begins, the temporary Presiding Officer must relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

E. Other Officers.

1. **City Recorder, or designee.** The City Recorder, or designee, must keep the official minutes of the Council in compliance with Oregon Public Meetings laws.
2. **City Manager.** The City Manager, or designee, is required to attend all meetings of the Council and is permitted to participate in any discussion; however, the City Manager has no authority to cast a vote in any decision rendered by the Council.⁸

⁵ Charter Section 17 (Mayor's Functions at Council Meetings) ("The Mayor shall be chair of the Council and preside over its deliberations.").

⁶ Charter Section 18 (President of the Council) ("In the Mayor's absence from a Council meeting, the president shall preside over it as Mayor pro tem.").

⁷ Charter Section 33 (Filling of Vacancies) (authorizes the Council to fill temporary vacancies by majority vote of the "incumbent members.") The term "incumbent members" in the Charter means the entire Council minus any permanently vacant seats (e.g., resignation, death, permanent incapacity). For instance, if the Mayor and Council President are absent, but 5 Councilors are present at the meeting, a Councilor must receive at least 4 votes to become the Presiding Officer because there are 7 "incumbent members" of the Council. However, if two seats on Council are permanently vacant seats, then in the same scenario above, the Councilor must receive 3 votes to be the Presiding Officer because there are 5 "incumbent members." The term "incumbent members" does not mean a majority of those Councilors actually attending the meeting.

⁸ Charter Sections 20a (City Manager) ("attend all meetings of the Council, unless excused therefrom"); Section 22 (Recorder). The person appointed as City Manager is also the same person appointed as the Recorder.

3. **City Attorney.** The City Attorney serves as the parliamentarian of the Council and will advise the Council on any questions of order. The City Attorney may attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

F. Agendas.⁹

1. The City Manager must prepare an agenda for every meeting, including regular, special, and executive session meetings.
2. Agendas and informational material for meetings will generally be distributed to the Council at least seven (7) days preceding the meeting. However, in certain circumstances less time may be provided.
3. The agenda for a meeting does not require Council approval.
4. The City Manager may place routine items and items referred by staff on the agenda without Council approval or action.
5. The City Manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The Presiding Officer must announce such removal under announcements.
6. A member of Council who wishes to have an item placed on the agenda must bring the matter before the Council for consideration of adding the matter to the agenda and to determine the meeting date on which the agenda item is to be placed, if at all. Adding a matter to the agenda requires a majority vote of the member of Council present at the meeting.
7. As a guiding matter, the Council will not add an item to the agenda on the same night as the item was first submitted by a member of Council for consideration by the full Council. The exception to this general rule is for emergency purposes and only with the unanimous consent of all members of Council present.

G. Order of Business.

1. The order of business for all regular meetings will be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by a majority vote:¹⁰
 - a. **Call to Order.** The Presiding Officer announces the opening of the meeting and designates the person to lead the pledge of allegiance;

⁹ An agenda is required by ORS 192.640 (Oregon Public Meetings Law) (public notice of a meeting must include “[a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.]”)

¹⁰ Charter Section 17 (Mayor’s Functions at Council Meetings) (the Mayor is to “determine the order of business under the rules of the Council.”)

- b. **Announcements.** Brief announcements relating to the community, including upcoming events and proclamations;
- c. **Citizen Comments.** Public comments received concerning matters not on the agenda for the meeting;
- d. **Consent Agenda.** Routine items to be adopted by one motion of the Council;
- e. **Special Reports.** Reports of City Boards and Commissions, proclamations, special presentations, or reports.
- f. **Public Hearings (Legislative and Other).** Public hearings on legislative land use matters;
- g. **Public Hearings (Quasi-Judicial).** Public hearings on quasi-judicial land use matters.
- h. **General Business.** Consideration of ordinances, resolutions, contracts, policy statements, and other items. General Business items may also include public hearings on those matters.
- i. **Items Removed from Consent Agenda.** Any item removed from the Consent Agenda will be discussed and voted on at this time;
- j. **Communications from Councilors.** Announcements and information provided by members of Council; and
- k. **Adjournment.** The conclusion of the meeting. Adjournment of the meeting is by majority vote of the members of Council present at the meeting.

H. Reports of Boards, Commissions, Committees, Elected Officials and City Employees.

1. When necessary, reports can be given to the Council by boards, commissions committees, elected officials and/or City employees.
2. When appropriate, reports to the Council should include written materials which are provided to the Council at least seven (7) days in advance of the meeting.
3. Oral reports to the Council should generally not exceed five (5) minutes in length.
4. The Council may ask questions of the presenter upon conclusion of the report being given.

I. Public Comment.

1. One (1) period for public comment will be reserved for every regular meeting of the Council.
2. Persons wishing to speak during public comment must sign the "Speaker Request Form" and provide the person's name and place of residence, as well as the topic upon which the person wishes to speak. The Council may request that groups with like comments choose a spokesperson to present joint remarks.

3. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker must wait until that public hearing portion of the meeting. Public comment must not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
4. Speakers are limited to three (3) minutes. At the discretion of the Presiding Officer, spokespersons for a group of people may be given additional time beyond three (3) minutes to speak on the matter.
5. Generally, speakers will be called upon in the order in which they have signed the "Speaker Request Form." Before providing any public comment, speakers must announce the person's name and place of residence to the Council. The Presiding Officer may allow additional persons to speak even if the speaker has not signed the "Speaker Request Form."
6. Members of Council may, after obtaining the floor, ask questions of speakers during public comment. In general, members of Council will not respond to comments made during the public comment agenda time, except to ask clarifying questions. Any public requests for Council action will be referred to staff for review before placing it on a future agenda. Any member of Council may intervene if the Mayor or a Councilor is violating the spirit of this guideline.
7. Speakers may play electronic audio or visual material during the time permitted for comment and may use available City-provided audio or visual equipment located in the Council chambers.

J. Consent Agenda.

1. In order to expedite the Council's business, the approval of minutes and other routine agenda items will be placed on the consent agenda.
2. All items on the consent agenda must be approved by a single motion, unless an item is removed for separate consideration.
3. Any item on the consent agenda may be removed for separate consideration by any member of Council by stating which item is to be removed and the reason for removal.
4. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of Council must declare a conflict of interest.

K. Ordinances and Resolutions – See RULE 3

L. Public Hearings Generally.

1. A public hearing may be held on any matter upon majority vote of the Council. Public

hearings may be held to consider legislative, quasi-judicial, or administrative matters.

2. Persons wishing to speak must sign the "Speaker Request Form" with the person's name and place of residence prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer will announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The Presiding Officer will then declare the hearing open.
4. Prior to giving testimony, each person must state the person's name and their place of residence. All remarks must be addressed to the Council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three (3) minutes.
6. Members of Council may, after recognition by the Presiding Officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed testifying. Questions posed by members of Council should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Members of Council must use restraint and be considerate of the meeting time of the Council when exercising this option. Any member of Council may intervene if another member of Council is violating the spirit of this guideline.
7. Members of Council may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by a member of Council should be to provide clarification or additional information on testimony provided.
8. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial matters. The Presiding Officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The Presiding Officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the Presiding Officer must announce any such restrictions prior to the commencement of the testimony.
9. At the end of public testimony and questions of staff, the Council must do one of the following:
 - a. Initiate deliberations by introducing a motion on the matter;
 - b. Continue the hearing; or
 - c. Keep the record open for additional written testimony.
10. During deliberations, each member of Council must have the opportunity to comment on or discuss testimony given during the public hearing.

11. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, must be submitted to the City Recorder, or designee, prior to the conclusion of the hearing, unless the record is held open.
12. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed, unless exempt under Oregon law, if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the City Recorder, or designee, pursuant to ORS 192.455(1).

M. Conduct of Hearings on Land Use Matters – See RULE 4

RULE 2

Meeting Time, Location, and Frequency

A. Regular meetings. The Council will hold regular meetings at 7:00 p.m. on the second and fourth Monday of each and every month, excluding the fourth Monday in December. If a second or fourth Monday falls on a City-recognized holiday, the meeting will be held on the following business day.¹¹

B. Special meetings. Special meetings may be called by the Mayor, three members of Council, or by the City Manager.¹²

1. The City Manager will provide notice of the special meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of special meetings.
2. The notice of the special meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Special meetings must be noticed in accordance with Oregon's public meetings law, and, at a minimum, must be noticed at least 48 hours prior to the meeting taking place.

C. Emergency meetings. Emergency meetings may be called by the Mayor, three members of Council, or by the City Manager.¹³

1. The City Manager will provide notice of the emergency meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of emergency meetings.
2. The notice of the emergency meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Emergency meetings are those meetings called with less than 48 hours' notice and the Council must identify why the meeting could not be delayed 48 hours immediately after calling the meeting to order.
4. The minutes for any emergency meeting must specifically identify why the meeting constituted an emergency and was necessary.

¹¹ Charter Section 13 (Meetings) ("The Council shall hold a regular meeting at least once a month in the City at a time and a place which is designated."); Tualatin Municipal Code 1-04 (setting forth specific times of meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹² Charter Section 13 (Meetings) ("The Mayor upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council then in the City, call a special meeting of the Council in accordance with procedures prescribed by the state law and general ordinance. Special meetings of the Council may also be held by the common consent of all the members of the Council in accordance with procedures prescribed by state law and general ordinance."); Tualatin Municipal Code 1-04 (48 hours' notice requirement for Special Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹³ Charter Section 13 (Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

D. Executive Sessions. Executive sessions may be called by the Presiding Officer, by the request of three members of Council, by the City Manager, or by the City Attorney.¹⁴

1. Executive Sessions may be called for any purpose authorized by ORS 192.660, including but not limited to the following reasons:
 - a. Consider employment of a public officer, employee, or agent pursuant to regularized procedures for hiring adopted by the public body in meetings open to the public in which there has been opportunity for public comment. (ORS 192.660(2)(a)).
 - b. Consider discipline of a public officer, employee, or agent. (ORS 192.660(2)(b)).
 - c. Conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d)). Conduct deliberations with persons designated to negotiate real estate transactions (ORS 192.660(2)(e)).
 - d. Consider information or records exempt by law from public inspection. (ORS 192.660(2)(f)).
 - e. Consult with legal counsel concerning litigation or litigation likely to be filed. (ORS 192.660(2)(h)).
 - f. Review and evaluate the employment-related performance of the chief executive officer pursuant to standards, criteria, and policy directives adopted by the governing body. (ORS 192.660(2)(i)).
2. Only members of Council, the City Manager, and persons specifically invited by the City Manager or the Council are allowed to attend executive sessions.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.
4. No final decision can be made in executive session. All final decisions must be made in open session at a regular meeting.

E. Work Sessions. Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.¹⁵

1. Work sessions are generally scheduled, as needed, between 5:00 and 7:00 p.m., immediately preceding each regular meeting.

¹⁴ Charter Section 13 (Meetings); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹⁵ Charter Section 13 (Meetings); TMC 1-4-020 (“A work session of the City Council will be held from 5:00 p.m. to 7:00 p.m., as needed, before each regular meeting.”); see also ORS 192.610 to 192.690 (Oregon Public Meetings Law).

2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
4. Work sessions are to be scheduled by the City Manager.
5. The City Manager may invite any relevant staff to work sessions so that the sessions are as productive as possible.

F. Location of Meetings.¹⁶

1. Council meetings must be held at City Hall.
2. In the event City hall is not available for a meeting, the Council must meet at a venue open to the public and which is located within the jurisdictional limits of the City.
3. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.
4. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings must be located within the jurisdictional boundaries of the other government entity.
5. No Council meeting must be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, gender, sexual orientation, source of income, or disability is practiced.

G. Notice of Meetings. The City Recorder, or designee, must provide notice of all meetings in accordance with Oregon's public meeting law and City codes.¹⁷

H. Attendance at Meetings.

1. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.¹⁸
2. Members of the Council must advise the City Manager if the member of Council will be unable to attend any regular, special, emergency, or work session meetings, or any assigned committees.

¹⁶ This section sets forth the requirements for public meetings locations as contained in ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹⁷ Tualatin Municipal Code Chapter 1-04 (48 hours' notice for meetings); ORS 192.610 to 192.690 (Oregon Public Meetings Law).

¹⁸ Charter Section 32 (What Creates Vacancy) (vacancy created "upon absence from the City for 30 days without the consent of the Council or upon absence from meetings of the Council for 60 days without like consent, and upon a declaration by the Council of the vacancy.")

3. Attendance at meetings must be in person, by telephone, or other electronic means where the person's voice may be heard.¹⁹ The preference of the Council is for all members of Council to attend in person.
4. A member of Council may not attend by telephone, or other electronic means where the person's voice may be heard, more than two consecutive meetings. A member of Council appearing by telephone, or other electronic means where the person's voice may be heard, must remain present for the entire meeting, unless it is the result of a malfunction or technical issue out of the control of the Councilor.
5. The City Manager must track each member of Council's attendance at regular, special, emergency, and work session meetings, and assigned committee meetings. The City Manager must present to the Council a quarterly report of each member of Council's attendance.

¹⁹ ORS 192.610 to 192.690 (Oregon Public Meetings Law) requires the public to have the opportunity to hear the proceedings of a meeting.

Rule 3 Ordinances and Resolutions

A. Ordinances. An ordinance is a law passed by the Council in its legislative capacity. All ordinances considered by and voted upon by the Council must adhere to the rules outlined herein.

1. **Numbering.** The City Recorder, or designee, must number all ordinances with a consecutive identification number during each calendar year, in the order of their introduction. Each number must be followed by the last two digits of the year in which the ordinance was introduced.
2. **Preparation.**
 - a. The enacting clause of each ordinance must be “The City of Tualatin ordains as follows.”²⁰
 - b. All ordinances must, before presentation to the Council, have been approved by the City Attorney, or the City Attorney’s designee.
 - c. No ordinance can relate to more than one subject, which must be clearly expressed in its title, and no ordinance, or section thereof, can be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.
3. **Introduction.**
 - a. An ordinance is introduced for consideration by the Presiding Officer for presentation for first reading.
 - b. After introduction, the Council may direct by majority vote of the members present any of the following:²¹
 1. A public hearing on the ordinance be held;
 2. Refer the ordinance to committee for review and recommendation;
 3. Refer the ordinance to the City Manager for further revision;
 4. Pass the ordinance to a second reading; or
 5. Reject the ordinance in whole or in part.
4. **Readings and Final Action.**
 - a. Every ordinance of the Council must, before final passage, be read fully and

²⁰ Charter Section 34 (Enacting Clause).

²¹ Charter Section 19 (Vote Required) Charter Section 35 (Mode of Enactment).

distinctly in an open Council meeting on two different days.²²

- b. However, an ordinance may be enacted at a single meeting, if the Council approves the ordinance by the unanimous vote of all Council members present. In such cases, the ordinance must be read first in full and then by title.²³
- c. Any of the readings may be by title only, instead of a full reading, if:²⁴
 1. No Council member present at the meeting requests to have the ordinance read in full; or
 2. A copy of the ordinance is provided for each Council member, and a copy is available for public inspection in the office of the City Recorder, or designee, not later than five days before the first reading of the ordinance and notice of its availability is given forthwith upon the filing, by: (i) written notice posted at the City Center; or (ii) advertisement in a newspaper of general circulation in the City.
- d. An ordinance enacted after being read by title alone has no legal effect if it differs substantially from its original terms, unless, prior to being approved by the Council, each substantial difference is read fully and distinctly at the meeting as finally amended.²⁵
- e. The City Recorder, or designee, must take a “roll call” vote of each Councilor upon the final vote on an ordinance and the ayes and nays and abstentions of the members of Council must be recorded in the meeting minutes.²⁶
- f. Upon the enactment of an ordinance, the City Recorder, or designee, must sign it with the date of its passage, the City Recorder, or designee’s name and title of office, and within three days thereafter the Mayor must sign with the Mayor’s name, and the title of office.²⁷

B. Resolutions. A resolution is an action by the Council to adopt a policy, order, rule, or expression of opinion. All resolutions considered and voted upon by the Council must adhere to the rules outlined herein.

²² Charter Section 35 (Mode of Enactment).

²³ Charter Section 35 (Mode of Enactment).

²⁴ Charter Section 35 (Mode of Enactment).

²⁵ Charter Section 35 (Mode of Enactment).

²⁶ Charter Section 35 (Mode of Enactment) (“Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); Charter Section 15 (Journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

²⁷ Charter Section 35 (Mode of Enactment).

1. **Numbering.** The City Recorder, or designee, must number all resolutions with a consecutive identification number during each calendar year, in the order of their introduction. Each number must be followed by the last two digits of the year in which the resolution was introduced.
2. **Preparation.**
 - a. The resolving clause of each resolution must be “Be it resolved by the City Council of the City of Tualatin that:”
 - b. All resolutions must, before presentation to the Council, have been approved by the City Attorney, or the City Attorney’s designee.
3. **Introduction.**
 - a. Resolutions must be introduced by the Presiding Officer.
 - b. After introduction of the resolution, the Council may direct that:
 1. A public hearing be held on the resolution;
 2. Pass the resolution; or
 3. Reject the resolution in whole or in part.
4. **Readings and Final Action.**
 - a. Resolutions do not need to be read in full or by title at a Council meeting prior to adoption.
 - b. An affirmative vote of a majority of the Council members present is necessary to pass a resolution.²⁸
 - c. Resolutions may be placed on the Consent Agenda and may be considered as a group under the Consent Agenda.
 - d. Resolutions may also be placed on the agenda as a General Business item.
 - e. For resolutions placed on General Business, the City Recorder, or designee, must take a “roll call” vote of each Councilor upon the final vote on the resolution and the ayes and nays and abstentions of the members must be recorded in the meeting minutes.²⁹

²⁸ Charter Section 19 (Vote Required) (“ Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

²⁹ Charter Section 15 (Journal) (“Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.”); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of

RULE 4 Land Use Hearings

A. General Conduct of Hearings.³⁰

1. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized Citizen Involvement Organization (CIO) present the party's case.
2. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing must be submitted to the City Recorder, or designee, at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City Recorder, or designee, it must not be included in the record for the proceeding.
3. Except as otherwise provided by these rules, no person may speak more than once without obtaining permission from the Presiding Officer.
4. Upon being recognized by the Presiding Officer, any member of Council, may question any person who testifies.
5. Testimony must be directed towards the applicable standards and criteria which apply to the proposal before the Council.
6. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the Presiding Officer may call for those in favor and those in opposition to rise, and the City Recorder, or designee, must note the numbers of such persons for the record in the minutes.

B. Quasi-Judicial Land Use Matters.

1. **Scope of Review.** All appeals and Council-initiated review in quasi-judicial land use proceedings are new (de novo) and must be held on the record.
2. **Conflicts of Interest.**
 - a. A member of Council must not participate in a discussion or vote in a quasi-judicial land use proceeding if:
 1. The member of Council has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter; or
 2. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name").

³⁰ State law governs this process. ORS Chapter 197 (Comprehensive Land Use Planning; ORS Chapter 227 (City Planning and Zoning).

3. **Ex Parte Contact.**

- a. Ex parte contacts are any contacts with any party outside of the hearing process. Specific questions about whether a contact is considered ex parte should be discussed with the City Attorney before the meeting begins.
- b. Members of the Council must reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. See, ORS 227.180. If such contact impairs the member's impartiality, the member must state this fact and abstain from participation on the matter.

4. **Burden of Proof.**

- a. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
- b. The decision of the Council must be based on the applicable standards and criteria set forth in the Tualatin Development Code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
- c. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

5. **Hearing Procedures.** The order of hearings in quasi-judicial land use matters is:

- a. Land Use Hearing Disclosure Statement. The Presiding Officer must read the land use hearing disclose statement, which must include:
 1. A list of the applicable criteria;
 2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
 3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
 4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
- b. Call for ex parte contacts. The Presiding Officer must inquire whether any member of Council had ex parte contacts. Any member of Council announcing an ex parte contact must state for the record the nature and content of the contact.

- c. Call for abstentions. The Presiding Officer must inquire whether any member of Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of Council announcing a conflict of interest must or bias must state the nature of the conflict or bias, and must not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member must not participate in any discussion or debate on the issue of which the conflict arises.
- d. Staff summary. Planning staff will present a summary and recommendation concerning the proposal.
- e. Presentation of the Case. The presentation of the case will be as follows:
 1. Proponent's case.
 2. Persons in favor.
 3. Persons opposed.
 4. Other interested persons.
 5. Rebuttal. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
- f. Close of hearing. Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however Council may ask specific questions of staff. If the response by staff to any such questions requires the introduction of additional factual evidence, all parties must be afforded an opportunity for rebuttal.
- g. Deliberations. Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

6. **Findings and Order.** The Council may approve or reject the proposal. The Council must adopt a resolution or order containing findings to support its decision. The Council may incorporate findings proposed by the proponent, the opponent, or staff in its decision.

7. **Continuances.** Only one continuance is available by right. However, nothing in this section restricts the Council, in its discretion, from granting additional continuances. Any continuance must result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

C. Legislative Land Use Matters.

1. **Hearings Procedures.** The order of procedures for hearings on legislative land use matters must be:

- a. **Call for abstentions.** Inquire whether any member of Council wishes to abstain from participation in the hearing. Any member announcing an abstention must identify the reason therefore and must not participate in the proceedings.

- b. **Staff summary.** Staff must present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
- c. **Presentation of the Case.** The presentation of the case will be as follows:
1. Proponent's case.
 2. Persons in favor.
 3. Persons opposed.
 4. Other interested persons.
- d. **Close of hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however, Council may ask questions of staff.
- e. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
- f. **Reopening hearing.** Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements must be met for the reopened hearing as were required for the original hearing.

RULE 5

Motions, Debate, Public Comment, and Voting

A. Motions. The following rules apply to motions:

1. All motions must be distinctly worded.
2. The Presiding Officer must repeat the motion prior to a vote.
3. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. If a motion does not receive a second, it dies.
5. A motion that receives a tie vote fails.³¹
6. A motion to amend can be made to a motion that is on the floor and has been seconded.
7. Amendments are voted on first, then the main motion is voted on, as amended.
8. A member of Council may have a motion which contains several elements divided, but the mover has the right to designate which element will be voted on first.
9. A motion may be withdrawn by the mover at any time without the consent of the Council.
10. No motion will be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
11. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
12. A call for the question fails without a majority vote.
13. Debate on the main subject resumes if the motion to call for the question fails.
14. A motion to adjourn cannot be amended.

³¹ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

B. Motion to Reconsider.

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. A motion to reconsider can be made only once and must be made before the final adjournment of the meeting when the item goes out of possession of the Council.

C. Debate. The following rules govern the debate of any item being discussed by the Council:

1. Every member of Council wishing to speak on the matter must address the Presiding Officer, and, upon recognition by the Presiding Officer, confine remarks to the question under debate, at all times acting and speaking in a respectful manner.
2. Once the member of Council is recognized by the Presiding Officer, the other members of Council must not interrupt, unless it is a call to order.
3. The member of Council moving the adoption of any ordinance or resolution will have the privilege of closing the debate.

D. Public Comment.

1. The public is entitled to comment on all matters before the Council that require a vote.
2. Public comment will occur after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.
3. Each member of the public is entitled to comment on the matter before the Council for three (3) minutes.
4. Public comment is a time for comment; it is not a time for debate. Any questions from members of the public to Council or City staff will be referred to City staff for a response to be provided a later time.
5. Prior to giving comment, each person must state the person's name and their place of residence. This information will be used to insure the minutes of the meeting properly reflect those persons who provided public comment.
6. All remarks must be addressed to the Council as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting. Applause, boos or other public demonstrations by those attending the Council meeting are considered inappropriate behavior.

E. Voting. The following rules apply to voting on matters before the Council, unless amended in the manner outlined in Rule 3 of these Rules.

1. **Reports.** A majority of a quorum is required to approve or accept a report. However, no vote is required if the report is only for informational purposes.³²

³² Charter Section 19 (Vote Required) ("Except as this Charter otherwise provides, the concurrence of
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2. **Consent Agenda.** The unanimous vote of all members of Council present is required to approve the matters on a consent agenda.
3. **Ordinances.** An ordinance requires a majority of a quorum to pass.³³
4. **Emergency Ordinances.** An emergency ordinance requires the unanimous vote of all Council members present.³⁴
5. **Resolutions.** A majority of a quorum is required to pass a resolution.³⁵
6. **Budget.** The budget requires a majority of a quorum to pass.³⁶
7. **Franchise Agreements.** A majority of a quorum is required to pass an ordinance granting a franchise.³⁷
8. **Suspension of Rules.** A unanimous vote of all members of Council present is required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the Charter may not be suspended or rescinded.³⁸

a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³³ Charter Section 35 (Mode of Enactment); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁴ Charter Section 35 (Mode of Enactment) (“an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council member present...”); Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

³⁵ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁶ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁷ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

³⁸ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

F. Votes. All votes must be recorded in the minutes.³⁹

G. Tie Votes. Tie votes indicate a denial of the motion or proposal.⁴⁰

H. Effective Date.

1. Ordinances take effect 30 days from the date of passage, unless a later date is indicated in the ordinance, in which case it takes effect on that date. However, the following ordinances take effect immediately upon passage:⁴¹
 - a. Ordinances making appropriations and the annual tax levy;
 - b. Ordinances relative to local improvements and assessments; and
 - c. Emergency ordinances.
2. A resolution becomes effective upon adoption unless otherwise stated in the resolution.
3. The filing of a referendum petition suspends the effective date of an ordinance.

³⁹ Charter Section 15 (Journal); Charter Section 35 (Mode of Enactment) (“Upon the final vote of an ordinance, the ayes and nays of the member shall be taken and recorded in the journal); ORS 192.650(1)(c)(Oregon Public Meetings Law) (require the meeting minutes to include “[t]he results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name”).

⁴⁰ Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”)

⁴¹ Charter Section 36 (When Ordinances Shall Take Effect) (“An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately.”)

RULE 6 Minutes

A. Generally.⁴²

1. All minutes must be in written form, with an electronic copy of the meeting maintained by the City Recorder, or designee, in accordance with the appropriate record retention schedule.
2. The minutes must contain the following information:
 - a. The date, time and place of the meeting;
 - b. The members of the Council present;
 - c. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 - d. The results of all votes and the vote of each member by name;
 - e. The substance of any discussion on any matter; and
 - f. A reference to any document discussed at the meeting.

B. Approval. The Council must approve all minutes of any meeting.

1. All minutes must be approved within ninety days of the meeting having occurred.
2. The draft minutes must be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
3. Any member of Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

⁴² Charter Section 15 (Journal) ("The Council shall cause a journal of its proceedings to be kept. Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal."); Charter Section 13 (Meetings); Charter Section 22 (Recorder); see also, ORS 192.610 to 192.690 (Oregon Public Meetings Law).

RULE 7 Appointments

A. Appointments of City Staff. The Council appoints and can remove those positions identified in the City's charter. All appointments require a majority vote of the entire Council.^{43 44}

B. City Manager/Recorder. The City Manager (who also serves the role of Recorder under the Charter) is appointed by the Council.⁴⁵

1. **Reviews.** The City Manager is subject to a review by the Council to be conducted in even numbered years before the last Council meeting in December.

2. **Removals.** The City Manager may be removed by a majority vote of the entire Council.⁴⁶

C. Municipal Judge. The Council appoints and may remove the Municipal Judge, including pro tem judges.⁴⁷

⁴³ Charter Section 20a (City Manager); Charter Section 21 (Municipal Judge); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.")

⁴⁴ The City Manager has the power to appoint and remove all other City officers under Charter Section 20a (City Manager) (City Manager's power to "appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them....")

⁴⁵ Charter Section 20a (City Manager) ("The Manager shall be chosen by the Council...."); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.")

⁴⁶ Charter Section 20a (City Manager) ("The Manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council."); Charter Section 22 (Recorder); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.")

⁴⁷ Charter Section 21 (Municipal Judge) ("The Council may, in addition to appointing the Municipal Judge, appoint such pro tem judges as it considers necessary, to hold office at the pleasure of the Council."); Charter Section 10 (Other Officers) ("Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council

1. **Reviews.** Any judge appointed by the Council is subject to an annual review by the Council.
2. **Removals.** All appointed judges may be removed by a majority vote of the entire Council.⁴⁸
3. **Interference.** If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance may the Council interfere with the judge's exercise of judicial authority or discretion.⁴⁹

D. Council Subcommittees. Council subcommittees may be created, and dissolved, by a majority vote of the members of Council present at a meeting.⁵⁰

1. Under Section 20 of the Charter, the Mayor appoints Councilors to all Council subcommittees.⁵¹
2. Council subcommittees may be standing committees or other committees created under the rules of the Council.
3. The following are current Council subcommittees that have been previously created or are created by these rules. These may be dissolved by majority vote of the members of Council present at a meeting:
 - a. Council Committee on Advisory Appointments. The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees.
 - b. Governance Committee. The purpose of the Governance Subcommittee is review

may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”).

⁴⁸ Charter Section 21 (Municipal Judge) (“The Council may, in addition to appointing the Municipal Judge, appoint such pro tem judges as it considers necessary, to hold office at the pleasure of the Council.”); Charter Section 10 (Other Officers) (“Additional officers of the City shall be a Municipal Judge, a Recorder, and such other officer as the Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the Council. The Council may combine any two or more appointive City offices. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of judicial functions.”).

⁴⁹ Charter Section 21(Municipal Judge); Charter Section 10 (Other Officers).

⁵⁰ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

⁵¹ Charter Section 20 (Mayor) (“The Mayor shall appoint the committees provided by the rules of the Council and sign all approved records of proceedings of the Council.”)

the Council Rules and recommend amendments and changes to the full Council.

E. Appointments of Citizen Members to Boards, Commissions and/or Committees.

1. **Council Committee on Advisory Appointments.** The Council Committee on Advisory Appointments (CCAA) is a standing subcommittee of the Council. The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees through the following general process:
 - a. The CCAA will conduct interviews of all candidates for appointment, including candidates wishing to renew their appointments.
 - b. After reviewing the candidates, the CCAA will vote on all recommendations and forward those recommendations to the full Council for consideration.
 - c. Upon receiving the recommendation from the CCAA, the Council will place the names for consideration on the regular meeting agenda as a General Business item.
 - d. The Council may consider the candidates submitted as a group or may consider each candidate individually.
 - e. The Council may accept, reject, or appoint any candidate, including those not considered by the CCAA.
 - f. All appointments must be by majority vote of the members of Council present.

RULE 8

Ethics, Decorum, Outside Statements, and Social Media

A. Ethics.⁵²

1. All members of Council must review and observe the requirements of state ethics laws.
2. In addition to complying with state ethics law, all members of Council must refrain from:
 - a. Disclosing confidential information.
 - b. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
 - c. Expressing an opinion contrary to the official position of the Council without so saying.
 - d. Conducting themselves in a manner so as to bring discredit upon the government of the City.
 - e. Not profiting from their position on Council in violation of state law.
3. All ethics complaints received about a Councilor will be forwarded to the Oregon Government Ethics Commission (OGEC).

B. Decorum.

1. The Presiding Officer will preserve decorum during meetings and decide all points of order, subject to appeal of the Council.
2. Members of the Council will preserve decorum during meetings, and must not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules.
3. City staff and all other persons attending meetings must observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.
4. All audience members must abide by the rules of decorum contained in these Rules. No audience member may disrupt the conduct of the meeting, clap, cheer, hoot, holler, gesture, whistle, guffaw, jeer, boo, hiss, make remarks out of turn, use profanity, or the like. Any audience member who does so will be deemed out of order and the Presiding Officer may have the person removed from the Council chambers immediately, and the person will not be permitted to attend the remainder of that Council meeting.

C. Statements to the Media and Other Organizations

1. Representing City. If a member of Council, to include the Mayor, appears as a representative of the City before another governmental agency, the media or an organization to give a statement on an issue, the member of Council may only state the

⁵² ORS Chapter 244 (Government Ethics).

official position of the City, as approved by a majority of the Council.

2. Personal Opinions. If a member of Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member of Council must state they are expressing their own opinion and not that of the City or of any other Councilor, unless they receive the express permission of that Councilor, before giving their statement.

D. Use of Social Media.

1. Members of Council are encouraged to exercise caution when commenting on municipal affairs on social media platforms. While using social media, members of Council are subject to applicable Oregon Laws as they pertain to public meetings and public records retention schedules.
2. Under ORS 192.610, a public meeting occurs when a quorum is required in order to make a decision or to deliberate toward a decision on a matter. Under Oregon Law, certain telephone and electronic communications may be considered a public meeting. Certain uses of social media may constitute a public meeting, and accordingly, Councilors should use appropriate caution to avoid public meeting violations.⁵³
3. A public record created through a member of Council's social media footprint must be retained by the elected official in accordance with any state laws and local retention schedules. A "public record" encompasses any information that is prepared, owned, used or retained by the city; relates to an activity, transaction or function of the city; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the city. Councilors should forward social media posts to the City Manager or seek other assistance from the City for retention if the member of Council does not wish to be individually responsible for retaining the public record.⁵⁴
4. The digital decorum of elected and appointed officials will be governed by Council Rules. Consistent with these Rules, members of Council must conduct themselves so as to bring credit upon the City government. Councilors must abide by Rule 8 (C)(Statements to the Media and Other Organizations) above in all social medial activities.
5. City Council members will refrain from posting comments that:
 - a. Express a Council or Committee position prior to a Council or Committee determination of a position or on a matter that would otherwise require Council or Committee authorization prior to the conveyance of a position; or
 - b. Express an opinion in a manner contrary to Rule 8 (C) (Statements to the Media and Other Organizations) above.

⁵³ ORS 192.610 to 192.690 (Oregon Public Meetings Law).

⁵⁴ ORS 192.410 to 192.505 (Oregon Public Records Law).

RULE 9 Interactions with City Staff

A. City Staff. All members of Council must respect the separation between the Council's role and the City's Manager's responsibility by:

1. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.⁵⁵
2. Refraining from actions that would undermine the authority of the City Manager or a Department Head.
3. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature must be directed to the City Manager. Questions sent to staff must be copied to the City Manager.
4. Members of the Council must normally share any information obtained from staff with the entire Council. This section is not intended to apply to questions by members of Council acting in their individual capacities rather than as members of Council, nor to questions regarding conflict of interest or similar issues particular to a member of Council.

B. City Attorney. Members of the Council may contact the City Attorney directly without contacting the City Manager in the following circumstances:

1. When the issue involves allegations of misconduct by the City Manager;
2. To discuss parliamentary procedures of these Rules; or
3. To discuss substantive legal issues involving pending City business if the legal issue does not require more than two (2) hours of the City Attorney's time.

⁵⁵ Charter Section 20a (City Manager) (“(c) Powers and Duties. The Manager shall: (1) Devote his or her entire time to the discharge of official duties, attend all meetings of the Council unless excused therefrom by the Council or the Mayor, keep Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the City. (2) See that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the City are observed. (3) Appoint and may remove appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. The Manager shall supervise the departments to the end of obtaining the utmost efficiency in each of them but shall have no control over the judicial activities of the Municipal Judge. (4) Be responsible for preparing and submitting to the Budget Committee the annual budget estimates and such reports as the body requests. (5) Supervise the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.”).

RULE 10

Enforcement and Consequences

A. Enforcement. The Council may enforce these rules and ensure compliance with City ordinances, charter, and state laws applicable to governing bodies.⁵⁶ If a member of Council violates these rules, City ordinances, the City charter, or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City charter.⁵⁷

B. Investigations and Hearings.

1. A majority of the Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter, or state laws applicable to governing bodies has occurred.⁵⁸
2. Before the Council may publicly reprimand or remove a member of Council, the Council must the member of Council notice of the alleged violations and an opportunity to be heard on, and rebut, the allegations. Sufficient notice must be given to the affected member of Council to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).⁵⁹
3. No final action or decision can be made in executive session, as provided by ORS 192.660(6).⁶⁰

⁵⁶ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

⁵⁷ Other than for the reasons stated in Charter Section 32 (What Creates Vacancy), an elected official cannot be removed from office absent a recall vote by the electorate in accordance with the Oregon Constitution Article II, section 18, and ORS 249.865.

⁵⁸ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”).

⁵⁹ ORS 192.610 to 192.690 (Oregon Public Meetings Law) (process for executive session).

⁶⁰ ORS 192.610 to 192.690 (Oregon Public Meetings Law) (process for executive session).

RULE 11 Amendment and Repeal of Council Rules

A. Amendment. These Rules are subject to amendment by the Council.⁶¹

1. Any proposed amendment to these rules must be noted on an agenda for a regular meeting, wherein the same will be discussed, and open for comment by the public.
2. All amendments to these rules require approval by a majority of Council.
3. Amended rules do not go into effect until the meeting after the rule was approved.

B. Repeal. These Rules are subject to repeal and replacement by the Council. .⁶²

1. Any proposed repeal of these rules must be accompanied by a proposed replacement rule.
2. Any proposed repeal and replacement of these rules must be noted on an agenda for a regular meeting, wherein the same will be discussed, and open for comment by the public.
3. Any repeal and replacement of these rules requires approval by a majority of Council.
4. Any repeal and replacement of these rules does not go into effect until 30 days after the replacement rule was approved.

⁶¹ Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

⁶² Charter Section 6 (Where Powers Vested) (“Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.”); Charter Section 19 (Vote Required) (“Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.”); Charter Section 13 (Meetings) (“[the Council] shall adopt rules for the government of its members and proceedings.”).

RULE 12 Finances and Travel Policy

A. Financial Statements. Pursuant to ORS 244.050, members of Council are required to file annual Statements of Economic Interest (SEI) by April 15 of each year. For more information, see the Oregon Government Ethics Commission (OGEC) website on how to file.⁶³

B. Health Insurance. Pursuant to Resolution No. 3837-01, members of Council are entitled to receive the following health insurance benefits:

1. The Mayor may receive City health insurance benefits at the family level or a stipend equal to the cost of those benefits, not to exceed the level offered to City department managers.
2. Councilors may each receive City health insurance benefits at the single employee level or a stipend equal to the cost of those benefits, not to exceed the level offered to City department managers. Councilors may obtain family level coverage by paying the difference in the cost of the family policy and the single employee policy.
3. The health insurance benefits provided are subject to the rules for enrollment and contractual conditions of the health insurance provider.

C. Technology Stipend. Pursuant to Resolution No. 5128-13, each member of Council is entitled to a technology stipend of \$750.00 to be received at the beginning of their terms of office.

D. Water Bill. Pursuant to Resolution No. 3216-96, each member of Council receives a \$20.00 monthly credit on their water bill.

E. Travel Policy.

1. **Adoption of Reimbursement Rates.** The recent rates established by the U.S. General Services Administration (GSA) are the maximum allowed by destination for reimbursement of per diem rates for meals and lodging, and the maximum allowed for privately owned vehicles for mileage reimbursement. The website to obtain the current per diem rates is www.gsa.gov/perdiem.
2. **Registration Fees for Conferences and Trainings.** Members of Council are encouraged to take advantage of early registration to obtain discounted rates.
3. **Transportation.**
 - a. **Airfare.** The City will pay for roundtrip, coach airfare. Members of Council are expected to look for the least expensive fare available within the appropriate arrival/ departure times. If the member of Council makes first-class or business- class travel reservations, the member of Council must pay the difference between those rates and the coach rate.
 - b. **Vehicle Rental.** Vehicle rental is a reimbursable expense at the compact rate.

⁶³ ORS Chapter 244 (Government Ethics).

- c. **Ground Transportation.** Ground transportation (e.g., taxis, buses, mass transit, and shuttles) is a reimbursable expense.
- d. **Individual Vehicles.** Members of Council will be reimbursed for City-related travel in their individual vehicles for the actual miles traveled at the GSA rate.

4. **Parking.**

- a. Parking fees are reimbursable for business purposes or attending training.
- b. Long-term economy parking at airports is expected to be used for airport travel of more than one day in duration.

5. **Lodging.**

- a. Reimbursement for lodging is authorized when the member of Council's travel requires an overnight accommodation.
- b. Reimbursement will be at the cost of a single standard room at the per diem rate established by the GSA, or at the conference/training rate.
- c. The final itemized lodging bill is required when submitting for reimbursement of the expenditure.
- d. Any additional room charges room service, movies, personal phone calls, laundry service, etc. are the responsibility of the member of Council. If cell phone coverage is unavailable, business calls will be reimbursed. If in-room internet is necessary to conduct City business, the expense is reimbursable.

6. **Meals.**

- a. The City will pay the GSA per diem rate for meals.
- b. Members of Council have the choice of an advance or a reimbursement for the total authorized per diem amount.
- c. When meals are provided as part of the conference or training, no reimbursement will be given for that meal. Conference "continental" is not considered a meal.
- d. Alcoholic beverages are not authorized for reimbursement.
- e. For a single day trip:
 - 1. Breakfast – Reimbursed when travel begins before 7:00 a.m. and the one-way trip is at least 75 miles.
 - 2. Lunch – Reimbursed when travel begins before 9:00 a.m., lunch is not provided in the training/ conference cost, and the one-way trip is at least 75 miles.
 - 3. Dinner – Reimbursed when travel ends after 7:00 pm and the one-way trip is

at least 75 miles.

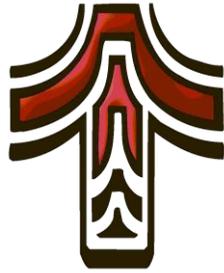
- f. For trips involving an overnight stay, meals will be reimbursed based on the time of departure and return:
 - 1. Breakfast – Reimbursed when departure time is before 7:00 a.m. and return time is after 9:00 a.m.
 - 2. Lunch – Reimbursed when departure time is before 9:00 a.m. and return time is after 3:00 p.m.
 - 3. Dinner – Reimbursed when departure time is before 4:00 p.m. and return time is after 7:00 p.m.
- g. A member of Council may meet with and purchase a meal for others, including persons of other government jurisdictions and professional institutions from which an exchange of information is obtained that may aid the City in improving its efficiency, service, or governance.

7. Travel Advances and Reimbursements.

- a. Members of Council may choose to be reimbursed for expenses or receive an advance.
- b. For travel and training cash/check advances, members of Council should submit a check request to the City Manager at least two-weeks in advance of the expected travel or training date, when possible.
- c. If a member of Council chooses to be reimbursed instead of an advance, the member of Council must submit the following:
 - 1. A receipt is provided; or
 - 2. The expense report states the amount spent, who was present, and the specific topic or project of discussion.
- d. Personal items and expenses of family members traveling with the member of Council are not authorized expenses.

F. Council Report Required for Expenses over \$250.00.

- 1. Any member of Council requesting reimbursement for an amount, or series of connected amounts, that exceeds \$250.00, but less than \$1,500.00, is required to give an oral or written documentation for the expenditure to the Council. The written documentation may be placed on the consent agenda for consideration by the Council.
- 2. Any member of Council requesting reimbursement for an amount, or series of connected amounts, that exceeds \$1,500.00 must provide an oral or written report to the Council. The report cannot be placed on the consent agenda, but must be placed separately on the agenda for consideration by the Council.



CITY OF TUALATIN COUNCIL RULES

Adopted _____

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RULE 1

General Governance

A. Rules of Procedure.

1. Chapter IV of the Charter authorizes the Council to adopt rules for the governance of its members and proceedings. Unless otherwise provided by the Charter, an ordinance, or these rules, the procedure for all Council meetings, and any subcommittee of the Council, will be guided by **Robert's Rules of Order**, 11th Edition.
2. Members of Council are encouraged to avoid invoking the finer points of parliamentary procedure found in Robert's Rules of Order when such points could obscure the issues before Council and confuse the public.
3. Whenever these rules and Robert's Rules of Order conflict, these rules govern.

B. Council. The members of Council are the Mayor and the Councilors. There are six Councilor positions:

1. Council Position 1 – the term ends December 31, 2018 and every four years thereafter.
2. Council Position 2 – the term ends December 31, 2020 and every four years thereafter.
3. Council Position 3 – the term ends December 31, 2018 and every four years thereafter.
4. Council Position 4 – the term ends December 31, 2020 and every four years thereafter.
5. Council Position 5 – the term ends December 31, 2018 and every four years thereafter.
6. Council Position 6 – the term ends December 31, 2020 and every four years thereafter.

C. Quorum.

1. A quorum is required to conduct official City business. A quorum consists of three (3) Councilors plus the Mayor or Mayor pro tem.¹
2. In the event a quorum is not present, the members of Council present may choose to hear comments from the public and receive reports, provided however no votes or official Council actions will be taken.

D. Presiding Officer.

1. The Mayor is the Presiding Officer and presides over all meetings.
2. In the Mayor's absence the President of the Council, as Mayor Pro-Tem, serves as the

¹ Charter Chapter IV, ("Three Councilors and the Mayor or Mayor pro tem shall constitute a quorum for its business, but a small number may meet and **compel the attendance of absent members in a manner provided by ordinance.**"). See, Rule 1(D)(3) of these rules.

Presiding Officer and presides over the meeting.

3. If both the Mayor and the President of the Council are absent from the meeting, the following procedure **must** be utilized to determine the Presiding Officer for the meeting:²
 - a. The City Recorder, or designee, must call the Council to order and call the roll of the members of Council.
 - b. Those members of Council present must elect a temporary Presiding Officer, as Mayor Pro Tem, for the meeting. A Councilor must receive the majority vote of the **incumbent members** on the Council to become the Presiding Officer for the meeting.³
4. Should either the Mayor or the President of the Council arrive at the meeting after it begins, the temporary Presiding Officer must relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

E. Other Officers.

1. **City Recorder, or designee.** The City Recorder, or designee, must keep the official minutes of the Council in compliance with Oregon Public Meetings laws.
2. **City Manager.** The **City Manager, or designee, is required to attend** all meetings of the Council and is permitted to participate in any discussion; however, the City Manager has no authority to cast a vote in any decision rendered by the Council.
3. **City Attorney.** The City Attorney serves as the parliamentarian of the Council and will advise the Council on any questions of order. The City Attorney may attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

F. Agendas.

1. The City Manager must prepare an agenda for every meeting, including regular, special, and executive session meetings.
2. Agendas and informational material for meetings will generally be distributed to the Council at least seven (7) days preceding the meeting. However, in certain circumstances less time may be provided.
3. The agenda for a meeting does not require Council approval.

² Charter Section 33 authorizes the Council to fill temporary vacancies by majority vote of the “incumbent members.”

³ The term “incumbent members” in the Charter means the entire Council minus any permanently vacant seats (e.g., resignation, death, permanent incapacity). For instance, if the Mayor and Council President are absent, but 5 Councilors are present at the meeting, a Councilor must receive at least 4 votes to become the Presiding Officer because there are 7 “incumbent members” of the Council. However, if two seats on Council are permanently vacant seats, then in the same scenario above, the Councilor must receive 3 votes to be the Presiding Officer because there are 5 “incumbent members.” The term “incumbent members” does not mean a majority of those Councilors actually attending the meeting.

4. The City Manager may place routine items and items referred by staff on the agenda without Council approval or action.
5. The City Manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The Presiding Officer must announce such removal under announcements.
6. A member of Council who wishes to have an item placed on the agenda must bring the matter before the Council for consideration of adding the matter to the agenda and to determine the meeting date on which the agenda item is to be placed, if at all. Adding a matter to the agenda requires a majority vote of the members of Council present at the meeting.
7. As a principle matter, the Council will not add an item to the agenda on the same night as the item was first submitted by a member of Council for consideration by the full Council. The exception to this general rule is for **emergency purposes and only with the unanimous consent of all members of Council present.**

G. Order of Business.

1. The order of business for all regular meetings will be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by a majority vote:⁴
 - a. **Call to Order.** The Presiding Officer announces the opening of the meeting and designates the person to lead the pledge of allegiance;
 - b. **Announcements.** Brief announcements relating to the community, including upcoming events and proclamations;
 - c. **Citizen Comments.** Public comments received concerning matters not on the agenda for the meeting;
 - d. **Consent Agenda.** Routine items to be adopted by one motion of the Council;
 - e. **Special Reports.** Reports of City Boards and Commissions, proclamations, special presentations, or reports.
 - f. **Public Hearings (Legislative and Other).** Public hearings on legislative land use matters;
 - g. **Public Hearings (Quasi-Judicial).** Public hearings on quasi-judicial land use matters.
 - h. **General Business.** Consideration of ordinances, resolutions, contracts, policy

⁴ Section 17 of the Charter provides the Mayor the authority to “determine the order of business under the rules of the Council.”

statements, and other items. General Business items may also include public hearings on those matters.

- i. **Items Removed from Consent Agenda.** Any item removed from the Consent Agenda will be discussed and voted on at this time;
- j. **Communications from Councilors.** Announcements and information provided by members of Council; and
- k. **Adjournment.** The conclusion of the meeting. Adjournment of the meeting is by majority vote of the members of Council present at the meeting.

H. Reports of Boards, Commissions, Committees, Elected Officials and City Employees.

1. When necessary, reports can be given to the Council by boards, commissions committees, elected officials and/or City employees.
2. **When appropriate**, reports to the Council should include written materials which are provided to the Council at least **seven (7)** days in advance of the meeting.
3. Oral reports to the Council should generally not exceed **five (5) minutes** in length.
4. The Council may ask questions of the presenter upon conclusion of the report being given.

I. Public Comment.

1. One (1) period for public comment will be reserved for every regular meeting of the Council.
2. Persons wishing to speak during public comment must sign the "Speaker Request Form" and provide the person's name and **place of residence**, as well as the topic upon which the person wishes to speak. The Council may request that groups with like comments choose a spokesperson to present joint remarks.
3. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker must wait until that public hearing portion of the meeting. Public comment must not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
4. Speakers are limited to three (3) minutes. At the discretion of the Presiding Officer, spokespersons for a group of people may be given additional time beyond three (3) minutes to speak on the matter.
5. Generally, speakers will be called upon in the **order in which they have signed** the "Speaker Request Form." Before providing any public comment, speakers must announce the person's name and **place of residence** to the Council. The Presiding Officer may allow additional persons to speak even if the speaker has not signed the "Speaker Request Form."

6. Members of Council may, after obtaining the floor, ask questions of speakers during public comment. In general, members of Council **will not respond to comments** made during the public comment agenda time, except to ask clarifying questions. Any public requests for Council action will be referred to staff for review before placing it on a future agenda. Any member of **Council may intervene** if the Mayor or a Councilor is violating the spirit of this guideline.
7. Speakers may play electronic audio or visual material during the time permitted for comment and may use available City-provided audio or visual equipment located in the Council chambers.

J. Consent Agenda.

1. In order to expedite the Council's business, the approval of minutes and other routine agenda items will be placed on the consent agenda.
2. All items on the consent agenda must be approved by a single motion, unless an item is removed for separate consideration.
3. Any item on the consent agenda may be removed for separate consideration by any member of Council by stating which item is to be removed and the reason for removal.
4. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of Council must declare a conflict of interest.
5. **Appointments to committees must not be** placed on the consent agenda.

K. Ordinances and Resolutions – See RULE 3

L. **Public Hearings Generally.**

1. A public hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial, or administrative matters.
2. Persons wishing to speak must sign the "Speaker Request Form" with the person's name and place of residence prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer will announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The Presiding Officer will then declare the hearing open.
4. Prior to giving testimony, each person must state the person's name and their place of residence. All remarks must be addressed to the Council as a body and not to any member thereof.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three **(3) minutes.**

6. Members of Council may, after recognition by the Presiding Officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed testifying. Questions posed by members of Council should be to provide clarification or additional information on testimony provided. **Questions should not be used as an attempt to lengthen or expand the testimony of the individual.** Members of Council must use restraint and be considerate of the meeting time of the Council when exercising this option. **Any member of Council may intervene** if another member of Council is violating the spirit of this guideline.
7. Members of Council may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by a member of Council should be to provide clarification or additional information on testimony provided.
8. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial matter. The Presiding Officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The Presiding Officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the Presiding Officer must announce any such restrictions prior to the commencement of the testimony.
9. At the end of public testimony and questions of staff, the Council must do one of the following:
 - a. Initiate deliberations by introducing a motion on the matter;
 - b. Continue the hearing; or
 - c. Keep the record open for additional written testimony.
10. During deliberations, each member of Council must have the opportunity to comment on or discuss testimony given during the public hearing.
11. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, must be submitted to the City Recorder, or designee, prior to the conclusion of the hearing, unless the record is held open.
- 12.** Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed, unless exempt under Oregon law, if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for non-disclosure to the City Recorder, or designee, pursuant to ORS 192.455(1).

M. Conduct of Hearings on Land Use Matters – See RULE 4

RULE 2

Meeting Time, Location, and Frequency

A. Regular meetings. The Council **will hold** regular meetings at 7:00 p.m. on the second and fourth Monday of each and every month, excluding the fourth Monday in December. If a second or fourth Monday falls on a City-recognized holiday, the meeting will be held on the following business day.

B. Special meetings. Special meetings may be called by the Mayor, three members of Council, or by the City Manager.

1. The City Manager will provide notice of the special meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of special meetings.
2. The notice of the special meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Special meetings must be noticed in accordance with Oregon's public meetings law, and, at a minimum, must be noticed at least 48 hours prior to the meeting taking place.

C. Emergency meetings. Emergency meetings may be called by the Mayor, three members of Council, or by the City Manager.

1. The City Manager will provide notice of the emergency meeting to each member of Council, each local newspaper, radio, and television station, and any other person or entity which has on file a written request for notice of emergency meetings.
2. The notice of the emergency meeting must be given to each Councilor via personal notice, telephone, email, or other electronic means sufficient to provide actual notice.
3. Emergency meetings are those meetings called with less than 48 hours' notice and the Council must identify why the meeting could not be delayed 48 hours immediately after calling the meeting to order.
4. The minutes for any emergency meeting must specifically identify why the meeting **constituted an emergency and was necessary.**

D. Executive Sessions. Executive sessions may be called by the Presiding Officer, by the request of three members of Council, by the City Manager, or by the City Attorney.

1. Executive Sessions may be called for any purpose authorized by ORS 192.660, including but not limited to the following reasons:
 - a. Consider employment of a public officer, employee, or agent pursuant to regularized procedures for hiring adopted by the public body in meetings open to the public in which there has been opportunity for public comment. (ORS 192.660(2)(a)).
 - b. Consider discipline of a public officer, employee, or agent. (ORS 192.660(2)(b)).

- c. Conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d)). Conduct deliberations with persons designated to negotiate real estate transactions (ORS 192.660(2)(e)).
 - d. Consider information or records exempt by law from public inspection. (ORS 192.660(2)(f)).
 - e. Consult with legal counsel concerning litigation or litigation likely to be filed. (ORS 192.660(2)(h)).
 - f. Review and evaluate the employment-related performance of the chief executive officer pursuant to standards, criteria, and policy directives adopted by the governing body. (ORS 192.660(2)(i)).
2. Only members of Council, the City Manager, and persons specifically invited by the City Manager or the Council are allowed to attend executive sessions.
 3. Representatives of recognized **news media** may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.
 4. No final decision can be made in executive session. All final decisions must be made in open session at a regular meeting.

E. Work Sessions. Work sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.

1. Work sessions are generally scheduled, as needed, between 5:00 and 7:00 p.m., immediately preceding each regular meeting.
2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a work session.
4. Work sessions are to be scheduled by the City Manager.
5. The City Manager may invite any relevant **staff** to work sessions so that the sessions are as productive as possible.

F. Location of Meetings.

1. Council meetings are expected to be held at City Hall, but a majority of a quorum may decide to hold a Council meeting at an alternate site, consistent with these rules.
2. In the event City hall is not available for a meeting, the Council must meet at a venue open to the public and which is located within the jurisdictional limits of the City.
3. Training sessions may be held outside of the City's jurisdictional limits, provided no

deliberations toward a decision are made.

4. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings must be located within the jurisdictional boundaries of the other government entity.
5. No Council meeting must be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, gender, sexual orientation, source of income, or disability is practiced.

G. Notice of Meetings. The City Recorder, or designee, **must** provide notice of all meetings in accordance with Oregon's public meeting law and City codes.

H. Attendance at Meetings.

1. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.
2. Members of the Council **must advise** the City Manager if the member of Council will be unable to attend any regular, special, emergency, or work session meetings, or any assigned committees.
3. Attendance at meetings must be in person, by telephone, or other electronic means where the person's voice may be heard. The preference of the Council is for all members of Council to attend in person.
4. A member of Council may not attend by telephone, or other electronic means where the person's voice may be heard, **more than two consecutive** meetings. A member of Council appearing by telephone, or other electronic means where the person's voice may be heard, **must remain present for the entire meeting**, unless it is the result of a malfunction or technical issue out of the control of the Councilor.
5. The City Manager must track each member of Council's attendance at regular, special, emergency, and work session meetings, and assigned committee meetings. The City Manager must present to the Council **a quarterly report** of each member of Council's attendance.

RULE 3

Ordinances and Resolutions

A. Ordinances. An ordinance is a law passed by the Council in its legislative capacity. All ordinances considered by and voted upon by the Council must adhere to the rules outlined herein.

1. **Numbering.** The City Recorder, or designee, must number all ordinances with a consecutive identification number during each calendar year, in the order of their introduction. Each number must be followed by the last two digits of the year in which the ordinance was introduced.
2. **Preparation.**
 - a. The enacting clause of each ordinance must be “The City of Tualatin ordains as follows:”
 - b. All ordinances must, before presentation to the Council, have been approved by the City Attorney, or the City Attorney’s designee.
 - c. No ordinance can relate to **more than one subject**, which must be clearly expressed in its title, and no ordinance, or section thereof, can be amended or repealed unless the **new ordinance** contains the title of the ordinance or section amended or repealed.
3. **Introduction.**
 - a. An ordinance is introduced for consideration by the Presiding Officer for presentation for first reading.
 - b. After introduction, the Council may direct by majority vote of the members present any of the following:
 1. A public hearing on the ordinance be held;
 2. Refer the ordinance to committee for review and recommendation;
 3. Refer the ordinance to the City Manager for further revision;
 4. Pass the ordinance to a second reading; or
 5. Reject the ordinance in whole or in part.
4. **Readings and Final Action.**⁵
 - a. Every ordinance of the Council must, before final passage, **be read fully** and distinctly in an open Council meeting on **two different days**.

⁵ This process is outlined in Charter Section 35.

- b. However, an ordinance may be enacted at a single meeting, if the Council approves the ordinance by the unanimous vote of all Council members present. In such cases, the ordinance **must be read first in full** and then by title.
- c. Any of the readings may be by title only, instead of a full reading, if:
 1. No Council member present at the meeting requests to have the ordinance read in full; or
 2. A copy of the ordinance is provided for each Council member, and a copy is available for public inspection in the office of the City Recorder, or designee, not **later than five days** before the first reading of the ordinance and notice of its availability is given forthwith upon the filing, by: (i) written notice posted at the City Center; or (ii) advertisement in a newspaper of general circulation in the City.
- d. An ordinance enacted after being read by title alone has no legal effect if it differs substantially from its original terms, unless, prior to being approved by the Council, each substantial difference is read fully and distinctly at the meeting as finally amended.
- e. The City Recorder, or designee, **must take a "roll call" vote** of each Councilor upon the final vote on an ordinance and the **ayes and nays and abstentions of the members of Council must be recorded in the meeting minutes**.
- f. Upon the enactment of an ordinance, the City Recorder, or designee, must sign it with the date of its passage, the City Recorder, or designee's name and title of office, and **within three days thereafter the Mayor must sign with the Mayor's name**, and the title of office.

B. Resolutions. A resolution is an action by the Council to adopt a policy, order, rule, or expression of opinion. All resolutions considered and voted upon by the Council must adhere to the rules outlined herein.

1. **Numbering.** The City Recorder, or designee, must number all resolutions with a consecutive identification number during each calendar year, in the order of their introduction. Each number must be followed by the last two digits of the year in which the resolution was introduced.
2. **Preparation.**
 - a. The resolving clause of each resolution must be "Be it resolved by the City Council of the City of Tualatin that:"
 - b. All resolutions must, before presentation to the Council, **have been approved** by the City Attorney, or the City Attorney's designee.
3. **Introduction.**
 - a. Resolutions must be introduced by the Presiding Officer.

- b. After introduction of the resolution, the Council may direct that:
 1. A public hearing be held on the resolution;
 2. Pass the resolution; or
 3. Reject the resolution in whole or in part.

4. Readings and Final Action.

- a. Resolutions do not need to be read in full or by title at a Council meeting prior to adoption.
- b. An affirmative vote of a majority of the Council members present is necessary to pass a resolution.
- c. Resolutions may be placed on the Consent Agenda and may be considered as a group under the Consent Agenda.
- d. Resolutions may also be placed on the agenda as a General Business item.
- e. For resolutions placed on General Business, the City Recorder, or designee, must take a "roll call" vote of each Councilor upon the final vote on the resolution and the ayes and nays and abstentions of the members must recorded in the meeting minutes.

RULE 4 Land Use Hearings

A. General Conduct of Hearings.

1. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized Citizen Involvement Organization (CIO) present the party's case.
2. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing must be submitted to the City Recorder, or designee, at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City Recorder, or designee, , **it must not be included in the record for the proceeding.**
3. Except as otherwise provided by these rules, no person **may speak more than once** without obtaining permission from the Presiding Officer.
4. Upon being recognized by the Presiding Officer, any member of Council, may question any person who testifies.
5. Testimony must be directed towards the applicable standards and criteria which apply to the proposal before the Council.
6. The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the Presiding Officer may call for those in favor and those in opposition **to rise,** and the City Recorder, or designee, **must note the numbers of such** persons for the record in the minutes.

B. **Quasi-Judicial Land Use Matters.**

1. **Scope of Review.** All appeals and Council-initiated review in quasi-judicial land use proceedings are new (de novo) and must be held on the record.
2. **Conflicts of Interest.**
 - a. A member of Council **must not participate** in a discussion or vote in a quasi-judicial land use proceeding if:
 1. The member of Council has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter; or
 2. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.
3. **Ex Parte Contact.**
 - a. Ex parte contacts are any contacts with any party outside of the hearing process. Specific questions about whether a contact is considered ex parte should be discussed with the City Attorney before the meeting begins.

- b. Members of the Council must reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. See, ORS 227.180. If such contact impairs the member's impartiality, the member must state this fact and abstain from participation on the matter.

4. Burden of Proof.

- a. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
- b. The decision of the Council must be based on the applicable standards and criteria set forth in the Tualatin Development Code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.
- c. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

5. Hearing Procedures. The order of hearings in quasi-judicial land use matters is:

- a. Land Use Hearing Disclosure Statement. The Presiding Officer must read the land use hearing disclose statement, which must include:
 - 1. A list of the applicable criteria;
 - 2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
 - 3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
 - 4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
- b. Call for ex parte contacts. The Presiding Officer must inquire whether any member of Council had ex parte contacts. Any member of Council announcing an ex parte contact must state for the record the nature and content of the contact.
- c. Call for abstentions. The Presiding Officer must inquire whether any member of Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of Council announcing a conflict of interest must or bias must state the nature of the conflict or bias, and must not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member must

not participate in any discussion or debate on the issue of which the conflict arises.

- d. **Staff summary.** Planning staff will present a summary and recommendation concerning the proposal.
- e. **Presentation of the Case.** The presentation of the case will be as follows:
 1. **Proponent's case.**
 2. **Persons in favor.**
 3. **Persons opposed.**
 4. **Other interested persons.**
 5. **Rebuttal.** Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
- f. **Close of hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however Council may ask specific questions of staff. If the response by staff to any such questions requires the introduction of additional factual evidence, all parties must be afforded an opportunity for rebuttal.
- g. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

6. Findings and Order. The Council may approve or reject the proposal. The Council must adopt a resolution or order containing findings to support its decision. The Council may incorporate findings proposed by the proponent, the opponent, or staff in its decision.

7. Continuances. Only one continuance is available by right. However, nothing in this section restricts the Council, in its discretion, from granting additional continuances. Any continuance must result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

C. Legislative Land Use Matters.

1. Hearings Procedures. The order of procedures for hearings on legislative land use matters must be:

- a. **Call for abstentions.** Inquire whether any member of Council wishes to abstain from participation in the hearing. Any member announcing an abstention must identify the reason therefore and must not participate in the proceedings.
- c. **Staff summary.** Staff must present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

- d. **Presentation of the Case.** The presentation of the case will be as follows:
1. Proponent's case.
 2. Persons in favor.
 3. Persons opposed.
 4. Other interested persons.
- e. **Close of hearing.** Unless the Council leaves the record open for a specified period of time, no further information will be received after the close of the hearing, provided however, Council may ask questions of staff.
- f. **Deliberations.** Deliberations will immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
- g. **Reopening hearing.** Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements must be met for the reopened hearing as were required for the original hearing.

RULE 5

Motions, Debate, Public Comment, and Voting

A. Motions. The following rules apply to motions:

1. All motions must be distinctly worded.
2. The **Presiding Officer must repeat the motion prior to a vote.**
3. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. If a motion does not receive a second, it dies.
5. A motion that receives a tie vote fails.
6. A motion to amend can be made to a motion that is on the floor and has been seconded.
7. Amendments are voted on first, then the main motion is voted on, as amended.
8. A member of Council may have a motion which contains several elements divided, but the mover has the right to designate which element will be voted on first.
9. A motion may be withdrawn by the mover at any time without the consent of the Council.
10. No motion will be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
11. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
12. A call for the question fails without a majority vote.
13. Debate on the main subject resumes if the motion to call for the question fails.
14. A motion to adjourn cannot be amended.

B. Motion to Reconsider.

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.

2. A motion to reconsider can be made only once and must be **made before the final adjournment of the meeting** when the item goes out of possession of the Council.

C. Debate. The following rules govern the debate of any item being discussed by the Council:

1. Every member of Council wishing to speak on the matter must address the Presiding Officer, and, upon recognition by the Presiding Officer, confine remarks to the question under debate, at all times acting and speaking in a respectful manner.
2. Once the member of Council is recognized by the Presiding Officer, the other members of Council must not interrupt, unless it is a call to order.
3. The member of Council moving the adoption of any ordinance or resolution **will have the privilege of closing the debate.**

D. Public Comment.

1. The public is entitled to comment on all matters before the Council that require a vote.
2. Public comment will occur after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.
3. Each member of the public is entitled to comment on the matter before the Council for three (3) minutes.
4. Public comment is a time for comment; it is not a time for debate. Any questions from members of the public to Council or City staff will be **referred to City staff for a response to be provided a later time.**
5. Prior to giving comment, each person must state the person's name and their place of residence. This information will be used to insure the minutes of the meeting properly reflect those persons who provided public comment.
6. All remarks must be addressed to the Council as a whole. Any person creating an actual disturbance, which includes, but is not limited to making personal, impertinent, or slanderous remarks, becoming boisterous, threatening, or personally abusive while addressing the Council, **or any applause, boos, or other public demonstrations by those attending the Council, may be requested to leave the meeting.**

E. Voting. The following rules apply to voting on matters before the Council, unless amended in the manner outlined in Rule 4 of these Rules.

F. Reports. A majority of a quorum is required to approve or accept a report. However, no vote is required if the report is only for **informational purposes.**

G. Consent Agenda. The **unanimous vote** of all members of Council present is required to approve the matters on a consent agenda.

H. Ordinances. An ordinance requires a majority of a quorum to pass.

I. Emergency Ordinances. An emergency ordinance requires the unanimous vote of all Council members present.

J. Resolutions. A majority of a quorum is required to pass a resolution.

K. Budget. The budget requires a majority of a quorum to pass.

L. Franchise Agreements. A majority of a quorum is required to pass an ordinance granting a franchise.

M. Suspension of Rules. A unanimous vote of all members of Council present is required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the Charter may not be suspended or rescinded.

N. Votes. All votes must be recorded in the minutes.

O. Tie Votes. Tie votes indicate a denial of the motion or proposal.

P. Effective Date.

1. Ordinances take effect 30 days from the date of passage, unless a later date is indicated in the ordinance, in which case it takes effect on that date. However, the following ordinances take effect immediately upon passage:
 - a. Ordinances making appropriations and the annual tax levy;
 - b. Ordinances relative to local improvements and assessments; and
 - c. Emergency ordinances.
2. A resolution becomes effective upon adoption unless otherwise stated in the resolution.
3. The filing of a referendum petition suspends the effective date of an ordinance.

RULE 6

Minutes

A. Generally.

1. All minutes must be in written form, with an electronic copy of the meeting maintained by the City Recorder, or designee, in accordance with the appropriate record retention schedule.
2. The minutes must contain the following information:
 - a. The date, time and place of the meeting;
 - b. The members of the Council present;
 - c. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 - d. The results of all votes and the vote of each member by name;
 - e. The substance of any discussion on any matter; and
 - f. A reference to any document discussed at the meeting.

B. Approval. The Council must approve all minutes of any meeting.

1. All minutes must be approved within **ninety days** of the meeting having occurred.
2. The draft minutes must be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
3. Any member of Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

RULE 7 Appointments

A. Appointments of City Staff. The Council appoints and can remove those positions identified in the City's charter. All appointments require a majority vote of the entire Council.

B. City Manager/Recorder. The City Manager (who also serves the role of Recorder under the Charter) is appointed by the Council.

1. **Reviews.** The City Manager is subject to a review by the Council to be conducted in even numbered years before the last Council meeting in December.
2. **Removals.** The City Manager may be removed by a majority vote of the entire Council.

C. Municipal Judge. The Council appoints and may remove the Municipal Judge, including pro tem judges.

1. **Reviews.** Any judge appointed by the Council is subject to an annual review by the Council.
2. **Removals.** All appointed judges may be removed by a majority vote of the entire Council.
3. **Interference.** If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance may the Council interfere with the judge's exercise of judicial authority or discretion.

D. Council Subcommittees. Council subcommittees may be created, and dissolved, by a majority vote of the members of Council present at a meeting.

1. Under Section 20 of the Charter, the Mayor appoints Councilors to all Council subcommittees.
2. Council subcommittees may be standing committees or other committees created under the rules of the Council.
3. The following are current Council subcommittees that have been previously created or are created by these rules. These may be dissolved by majority vote of the members of Council present at a meeting:
 - a. Council Committee on Advisory Appointments. The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees.
 - b. Governance Committee. The purpose of the Governance Subcommittee is review the Council Rules and recommend amendments and changes to the full Council, conduct performance reviews of the City Manager and Municipal Judge, investigate rules violations and disciplinary matters of members of Council, and recommend disciplinary sanctions of members of Council to the full Council. A member of Council can refer a rules violation or other claim of violation by any other member of Council to the Governance Committee.

E. Appointments of Citizen Members to Boards, Commissions and/or Committees.

1. **Council Committee on Advisory Appointments.** The Council Committee on Advisory Appointments (CCAA) is a standing subcommittee of the Council. The purpose of the CCAA is to screen and recommend citizens to be appointed City Boards, Commissions, and Committees through the following general process:
 - a. The CCAA will conduct interviews of all candidates for appointment, including candidates wishing to renew their appointments.
 - b. After reviewing the candidates, the CCAA will vote on all recommendations and forward those recommendations to the full Council for consideration.
 - c. Upon receiving the recommendation from the CCAA, the Council **will place the names for consideration on the regular meeting agenda as a General Business item.**
 - d. The Council may consider the candidates submitted as a group or may consider each candidate individually.
 - e. The Council may accept, reject, or appoint any candidate, including those not considered by the CCAA.
 - f. All appointments must be by majority vote of the members of Council present.

RULE 8

Ethics, Decorum, Outside Statements, and Social Media

A. Ethics.

1. All members of Council must review and observe the requirements of state ethics laws.
2. In addition to complying with state ethics law, all members of Council must refrain from:
 - a. Disclosing confidential information.
 - b. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
 - c. Expressing an opinion contrary to the official position of the Council without so saying.
 - d. Conducting themselves in a manner so as to bring discredit upon the government of the City.
 - e. Not profiting from their position on Council in violation of state law.
3. All ethics complaints received about a Councilor will be forwarded to the Oregon Government Ethics Commission (OGEC).

B. Decorum.

1. The Presiding Officer will preserve decorum during meetings and decide all points of order, subject to appeal of the Council.
2. Members of the Council will preserve decorum during meetings, and must not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules.
3. City staff and all other persons attending meetings must observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.
4. All audience members must abide by the rules of decorum contained in these Rules. No audience member may cause an actual disturbance, which includes, but is not limited to, disrupting the conduct of the meeting, clap, cheer, hoot, holler, gesture, whistle, guffaw, jeer, boo, hiss, make remarks out of turn, use profanity, or the like. Any audience member who creates an actual disturbance will be deemed out of order and the Presiding Officer may have the person removed from the Council chambers immediately, and the person will not be permitted to attend the remainder of that Council meeting.

C. Statements to the Media and Other Organizations

1. Representing City. If a member of Council, to include the Mayor, appears as a representative of the City before another governmental agency, the media or an organization to give a statement on an issue, the member of Council may only state the official position of the City, as approved by a majority of the Council.

2. Personal Opinions. If a member of Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member of Council must state they are expressing their own opinion and not that of the City or of any other Councilor, unless they receive the express permission of that Councilor, before giving their statement.

D. Use of Social Media.

1. Members of Council are encouraged to exercise caution when commenting on municipal affairs on social media platforms. While using social media, members of Council are subject to applicable Oregon Laws as they pertain to public meetings and public records retention schedules.
2. Under ORS 192.610, a public meeting occurs when a quorum is required in order to make a decision or to deliberate toward a decision on a matter. Under Oregon Law, certain telephone and electronic communications may be considered a public meeting. Certain uses of social media may constitute a public meeting, and accordingly, Councilors should use appropriate caution to avoid public meeting violations.
3. A public record created through a member of Council's social media footprint must be retained by the elected official in accordance with any state laws and local retention schedules. A "public record" encompasses any information that is prepared, owned, used or retained by the city; relates to an activity, transaction or function of the city; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the city. Councilors should forward social media posts to the City Manager or seek other assistance from the City for retention if the member of Council does not wish to be individually responsible for retaining the public record.
4. The digital decorum of elected and appointed officials will be governed by Council Rules. Consistent with these Rules, members of Council must conduct themselves so as to bring credit upon the City government. Councilors must abide by Rule 8 (C)(Statements to the Media and Other Organizations) above in all social medial activities.
5. City Council members will refrain from posting comments that:
 - a. Express a Council or Committee position prior to a Council or Committee determination of a position or on a matter that would otherwise require Council or Committee authorization prior to the conveyance of a position; or
 - b. **Express an opinion in a manner contrary to Rule 8** (C) (Statements to the Media and Other Organizations) above.

RULE 9

Interactions with City Staff

A. City Staff. All members of Council must respect the separation between the Council's role and the City's Manager's responsibility by:

1. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
2. Refraining from actions that would undermine the authority of the City Manager or a Department Head.
3. Limiting individual inquiries and requests for information from staff to those questions that may be **answered readily as part of staff's day-to-day responsibilities**. Questions of a more complex nature must be directed to the City Manager. Questions sent to staff must be copied to the City Manager.
4. Members of the Council **must normally share** any information obtained from staff with the entire Council. This section is not intended to apply to questions by members of Council acting in their **individual capacities rather than as members of Council**, nor to questions regarding conflict of interest or similar issues particular to a member of Council.

B. City Attorney. Members of the Council may contact the City Attorney directly without contacting the City Manager in the following circumstances:

1. When the issue involves allegations of misconduct by the City Manager;
2. To discuss parliamentary procedures of these Rules; or
3. To discuss **substantive legal issues involving pending City business if the legal issue does not require more than 2 hours of the City Attorney's time.**

RULE 10

Enforcement and Consequences

A. Enforcement. The Council may enforce these rules and ensure compliance with **City ordinances**, charter, and state laws applicable to governing bodies. If a member of Council violates these rules, City ordinances, the City charter, or state laws applicable to governing bodies, the **Council may take** action to protect the integrity of the Council and **discipline the member** with a **public reprimand** or removal as provided for in the City charter.⁶

B. Investigations and Hearings.

1. A majority of the Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a **violation of these rules, local ordinance**, the City charter, or state laws applicable to governing bodies has occurred.
2. Before the Council may publicly reprimand or **remove a member of Council**, the Council must to the member of Council notice of the alleged violations and an opportunity to be heard on, and rebut, the allegations. Sufficient notice must be given to the affected member of Council to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).
3. No final action or decision can be made in executive session, as provided by ORS 192.660(6).

⁶ Other than for the reasons stated in Charter Section 32, an elected official cannot be removed from office absent a recall vote by the electorate in accordance with the Oregon Constitution Article II, section 18, and ORS 249.865.

RULE 11 Amendment and Repeal of Council Rules

A. Amendment. These Rules are subject to amendment by the Council.

1. Any proposed amendment to these rules must be noted on an agenda for a regular meeting, wherein the same will be discussed, and open for comment by the public.
2. All amendments to these rules require approval by a majority of Council.
3. Amended rules do not go into effect until the meeting after the rule was approved.

B. Repeal. These Rules are subject to repeal and replacement by the Council.

1. Any proposed repeal of these rules must be accompanied by a proposed replacement rule.
2. Any proposed repeal and replacement of these rules must be noted on an agenda for a regular meeting, wherein the same will be discussed, and open for comment by the public.
3. Any repeal and replacement of these rules requires approval by a majority of Council.
4. Any repeal and replacement of these rules does not go into effect until 30 days after the replacement rule was approved.

RULE 12

Finances and Travel Policy

A. Financial Statements. Pursuant to ORS 244.050, members of Council are required to file annual Statements of Economic Interest (SEI) by April 15 of each year. For more information, see the Oregon Government Ethics Commission (OGEC) website on how to file.

B. Health Insurance. Pursuant to Resolution No. 3837-01, members of Council are entitled to receive the following health insurance benefits:

1. The Mayor may receive City health insurance benefits at the family level or a stipend equal to the cost of those benefits, not to exceed the level offered to City department managers.
2. Councilors may each receive City health insurance benefits at the single employee level or a stipend equal to the cost of those benefits, not to exceed the level offered to City department managers. Councilors may obtain family level coverage by paying the difference in the cost of the family policy and the single employee policy.
3. The health insurance benefits provided are subject to the rules for enrollment and contractual conditions of the health insurance provider.

C. Technology Stipend. Pursuant to Resolution No. 5128-13, each member of Council is entitled to a technology stipend of \$750.00 to be received at the beginning of their terms of office.

D. Water Bill. Pursuant to Resolution No. 3216-96, each member of Council receives a \$20.00 monthly credit on their water bill.

E. Travel Policy.

1. **Adoption of Reimbursement Rates.** The recent rates established by the U.S. General Services Administration (GSA) are the maximum allowed by destination for reimbursement of per diem rates for meals and lodging, and the maximum allowed for privately owned vehicles for mileage reimbursement. The website to obtain the current per diem rates is www.gsa.gov/perdiem.
2. **Registration Fees for Conferences and Trainings.** Members of Council are encouraged to take advantage of early registration to obtain discounted rates.
3. **Transportation.**
 - a. **Airfare.** The City will pay for roundtrip, coach airfare. Members of Council are expected to look for the least expensive fare available within the appropriate arrival/ departure times. If the member of Council makes first-class or business- class travel reservations, the member of Council must pay the difference between those rates and the coach rate.
 - b. **Vehicle Rental.** Vehicle rental is a reimbursable expense at the compact rate.
 - c. **Ground Transportation.** Ground transportation (e.g., taxis, buses, mass transit, and shuttles) is a reimbursable expense.

- d. **Individual Vehicles.** Members of Council will be reimbursed for City-related travel in their individual vehicles for the actual miles traveled at the GSA rate.

4. **Parking.**

- a. Parking fees are reimbursable for business purposes or attending training.
- b. Long-term economy parking at airports is expected to be used for **airport travel of more than one day in duration.**

5. **Lodging.**

- a. Reimbursement for lodging is authorized when the member of Council's business-related travel requires an overnight accommodation.
- b. Reimbursement will be at the cost of a single standard room at the per diem rate established by the GSA, **or at the conference/training rate.**
- c. The final itemized lodging bill is required when submitting for reimbursement of the expenditure.
- d. Any additional room charges room service, movies, **personal phone calls**, laundry service, etc. are the responsibility of the member of Council. If cell phone coverage is unavailable, business calls will be reimbursed. If **in-room internet is necessary to conduct City business**, the expense is reimbursable.

6. **Meals.**

- a. The City will pay the GSA **per diem rate for meals.**
- b. Members of Council have the choice of an advance or a reimbursement for the total authorized per diem amount.
- c. When meals are provided as part of the conference or training, no reimbursement will be given for that meal. **Conference "continental" is not considered a meal.**
- d. For a single day trip:
 - 1. Breakfast – Reimbursed when travel begins before 10:00 a.m. and the one-way trip is at least 75 miles.
 - 2. **Lunch** – Reimbursed when travel begins before 11:00 a.m., lunch is not provided in the training/ conference cost, **and the one-way trip is at least 75 miles.**
 - 3. Dinner – Reimbursed when travel ends after 4:00 pm and the one-way trip is at least 75 miles.
- e. For trips involving an overnight stay, meals will be reimbursed based on the time of departure:

1. Breakfast – Reimbursed when travel begins before 10:00 a.m.
 2. Lunch – Reimbursed when travel occurs between 11:00 a.m. and 2:00 p.m.
 3. Dinner – Reimbursed when travel occurs after 4:00 p.m.
- f. A member of Council may meet with and purchase a meal for others, including persons of other government jurisdictions and professional institutions from which an exchange of information is obtained that may aid the City in improving its efficiency, service, or governance.

F. Travel Advances and Reimbursements.

- a. Members of Council may choose to be reimbursed for expenses or receive an advance.
- b. For travel and training cash/check advances, members of Council should submit a check request to the City Manager at least two-weeks in advance of the expected travel or training date, when possible.
- c. If a member of Council chooses to be reimbursed instead of an advance, the member of Council must submit the following:
 - i. A receipt is provided; or
 - ii. The expense report states the amount spent, who was present, and the specific topic or project of discussion.
- d. Personal items and expenses of family members traveling with the member of Council are not authorized expenses.

A. Council Report Required for Expenses over \$250.00.

1. Any member of Council requesting reimbursement for an amount, or series of connected amounts, that exceeds \$250.00, but less than \$1,500.00, is required to give an oral or written documentation for the expenditure to the Council. The written documentation may be placed on the consent agenda for consideration by the Council.
2. Any member of Council requesting reimbursement for an amount, or series of connected amounts, that exceeds \$1,500.00 must provide an oral or written report to the Council. The report cannot be placed on the consent agenda, but must be placed separately on the agenda for consideration by the Council.

Charter Citations

Mayor appoints Recorder, Judge, and other officers as council deems, with consent of council

Council may assign any officer to supervise other officers except Municipal Judge in the exercise of judicial functions

Compensation of officers and employees shall be fixed by City Council

To be eligible for election a person must be a qualified elector and reside in City for 12 months at time of election and remain a resident during term of office

Council shall hold regular meetings at least monthly

It shall adopt rules for the government of its members and proceedings

The Mayor upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council then in the City, call a special meeting of the Council Three Councilors and the Mayor or Mayor pro tem shall constitute a quorum for its business, but a small number may meet and compel the attendance of absent members in a manner provided by ordinance.

The Council shall cause a journal of its proceedings to be kept. Upon request of any of its members, the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.

The Mayor shall be chair of the Council and preside over its deliberations. The Mayor shall have a vote on all questions before the Council and authority to preserve the order, enforce the rules of the Council, and determine the order of business under the rules of the Council

Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.

An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony, other offense pertaining to official duties or unlawful destruction of public records; resignation; recall from office; or ceasing to possess qualifications for the office; upon the failure of the person elected or appointed to the office to qualify therefore within 10 days after the term of office is to commence; or in the case of the mayor or councilor, upon absence from the City for 30 days without the consent of the Council or upon absence from meetings of the Council for 60 days without like consent, and upon a declaration by the Council of the vacancy

Vacancies in elective offices in the city shall be filled by appointment by a majority of the incumbent members of the Council. The appointee's term shall begin immediately upon appointment and shall continue until the beginning of the year following the next general biennial election and the successor for the unexpired term shall be chosen at the next general biennial election after said appointment. During the temporary disability of any officer or during the absence temporarily from the City for any cause, the office may be filled pro tem in any manner provided for filling vacancies in office permanently.

(a) Except as this section provides to the contrary, every ordinance of the Council shall, before being put upon its final passage, be read fully and distinctly in open Council meeting on two different days.

(b) Except as this section provides the contrary, an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council members present, upon being read first in full and then by title.

(c) Any of the readings may be by title only,

(1) if no Council member present at the meeting requests to have the ordinance read in full; or

(2) if a copy of the ordinance is provided for each Council member, and a copy is available for public inspection in the office of the City Recorder not later than five days before the first reading of the ordinance and notice of its availability is given forthwith upon the filing, by

- (i) written notice posted at the City Center; or
- (ii) advertisement in a newspaper of general circulation in the City

An ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and in case of an emergency, it may take effect immediately

City Manager is required to attend all meetings of the Council unless excused therefrom by the Council or the Mayor,

At Issue

Rule 1

A1 Roberts Rules

See Rewritten section below

F7 for emergency purposes and only with the unanimous consent of all members of Council present.

D3(b) If both the Mayor and the President of the Council are absent from the meeting consisting of a quorum of the council, a councilor may call the meeting to order at the appointed time and a majority of those present may elect a mayor pro tem for that meeting. If the mayor or council president joins the meeting, they shall then conduct the meeting.

Gi Items Removed from Consent Agenda. Any item removed from the Consent Agenda will be discussed and voted on at this time;

I5 Appointments to committees must not be placed on the consent agenda.

L,M Substitute with the language read for quasi-judicial hearings

Rule 2

H2 Members of the Council must advise the City Manager if the member of Council will be unable to attend any regular, special, emergency, or work session meetings, or any assigned committees.

H4 A member of Council may not attend by telephone, or other electronic means where the person's voice may be heard, more than two consecutive meetings. A member of Council appearing by telephone, or other electronic means where the person's voice may be heard, must remain present for the entire meeting, unless it is the result of a malfunction or technical issue out of the control of the Councilor.

H5 The City Manager must track each member of Council's attendance at regular, special, emergency, and work session meetings, and assigned committee meetings. The City Manager must present to the Council a quarterly report of each member of Council's attendance

Rule 3

A2c one subject for ordinance

A4 covered by Charter

B2b Resolutions approved by City Attorney

B4e Roll call vote.

Rule 4

A2 is not submitted to the City Recorder, or designee, it must not be included in the record for the proceeding

A3 no person may speak more than once without obtaining permission from the Presiding Officer.

A6 Presiding Officer may call for those in favor and those in opposition to rise, and the City Recorder, or designee, must note the numbers of such persons for the record in the minutes

B5c

Any member of Council announcing a conflict of interest must or bias must state the nature of the conflict or bias, and must not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member must not participate in any discussion or debate on the issue of which the conflict arises

Rule 5

C3 The member of Council moving the adoption of any ordinance or resolution will have the privilege of closing the debate

DG The unanimous vote of all members of Council present is required to approve the matters on a consent agenda

DI An emergency ordinance requires the unanimous vote of all Council members present

DM M. Suspension of Rules. A unanimous vote of all members of Council present is required to suspend or rescind a rule contained in these rules of procedure

Rule 7

B violate Charter. Manager appointed by Mayor with consent of Council

B1 The City Manager is subject to a review by the Council to be conducted in even numbered years before the last Council meeting in December.

C Same as B

C1 Annual Review of Judges

D3b No Governance Committee

Rule 8

C2. Councilors may state their personal opinion in their official office and must declare as such

D5b See C2

Rule 9

A3 Councilors should not contact city staff unless direct to do so by the City Manager

A4 Councilors need to share with council information germane to pertinent issues coming to council

B2, 3 See A3

Rule 10

A What city ordinances?

Rule 11

Rule 12

B1,2 No Stipend in lieu of insurance

C only one Technology Stipend for multiple terms

E1 GSA Per Diem may be inadequate

E5d,e delete

Not Addressed

Placing a Work Session Agenda Item

Placing Resolutions on the Agenda

Rewritten

Rule 1

1A Council meetings should be orderly and conversations should be respectful, thoughtful, and courteous. Discussion of action items should begin with a motion and a second of the motion. Without a second the motion dies and discussion does not begin. When recognized by the chair, discussion should be to the motion and directed to the chair, to avoid person to person debate. When the discussion is completed, the chair should ask for a vote on the motion. A majority of the council quorum present is required for the motion to pass. Any councilor may offer an amendment to the motion before the vote. If the maker of the motion and the second agree, a vote on the amendment is not required. When an amendment is approved, it will be voted upon prior to the motion on the action item.

L,M Substitute with the language read for quasi-judicial hearings

Deleted

EXHIBIT A

CITY OF HAPPY VALLEY CITY COUNCIL RULES

A. AUTHORITY

City Charter Section 10 requires the Council to by resolution adopt rules to govern its meetings. The Council will review its rules at its first meeting in January of even numbered years. Amendments will be made as necessary. The Council will have clear and simple procedures for considering agenda matters.

B. DEFINITIONS As used in these Rules, the following mean:

1. City Committees: All City committees, commissions, task forces, and advisory bodies.
2. Council and Council members: The Mayor, the Council President, and the Councilors.
3. Councilors: The Council President and the Councilors.
4. Mayor: The Mayor or in the absence of the Mayor the Council President or other Presiding Officer.

C. COUNCIL MEETINGS

1. Regular Meetings to conduct Council business will be held as needed.
2. Work Sessions to develop city policy will be held each month. Work sessions may be held in conjunction with Council business meetings. Work session agendas will be developed by the City Manager in consultation with the City Council.
3. Special Meetings may be called by the Mayor, Council President in the absence of the Mayor or by a majority of the Council.
4. Executive Sessions will be held in compliance with the Oregon Public Meetings law.
5. Minutes will be taken as provided by the Oregon Public Records law.
6. Telephonic/Electronic Meetings may be held in compliance with the Oregon Public Meetings law. Council members may participate and vote in Council

meetings via telephone, electronically, or by other means consistent with the Oregon Public Meetings Law.

7. Attendance at meetings is expected of Council members who should use their best efforts to attend all Council meetings.

D. AGENDA

1. The agenda headings for Council business meetings are generally as follows:
 - a. CALL TO ORDER
 - b. PLEDGE OF ALLEGIANCE
 - c. ROLL CALL
 - d. APPEARANCE OF INTERESTED CITIZENS
 - e. PRESENTATIONS & REPORTS
 - f. CONSENT AGENDA
 - g. PUBLIC HEARINGS
 - h. CITY MANAGER REPORT
 - i. COUNCIL CONCERNS & COMMENTS
 - j. ADJOURNMENT
2. The City Manager will prepare and schedule agenda items. Council members may request that items be placed on an agenda. Council members may make agenda suggestions at any Council meeting or by communication with the City Manager. Council members will make best efforts to reach consensus on agenda items and should obtain staff input before requesting an agenda item. Agendas will generally be set to allow meetings to end no later than 10:00 p.m. If the Council is still in session at 9:30 p.m., then the Council will decide whether to continue with the agenda or move items to a future agenda.

E. COUNCIL DISCUSSIONS AND DECORUM

1. Council members will conduct themselves so as to bring credit upon the city government, ensuring non-discriminatory delivery of public services, keeping informed about matters coming before the Council and abiding by Council decisions, whether or not the member voted on the prevailing side.
2. Councilors will assist the Mayor to preserve order and decorum during Council meetings and may not, by conversation or other action, delay or interrupt the proceedings or refuse to obey ruling of the Mayor or Council rules. When addressing staff or members of the public, Councilors will confine themselves to questions or issues under discussion and not engage in personal attacks, or impugn the motives of any speaker.

3. The following ground rules will be observed to maintain order and decorum during Council discussions:
 - a. Council members will gather necessary information and ask questions of city staff before meetings.
 - b. Council members will have an opportunity to speak once on any pending motion or agenda item, and will speak for themselves and not for other Council members.
 - c. Council members will not speak on behalf of the Council, unless they have been authorized by the Council to do so.
 - d. During public meetings, Council members will not attempt to edit or revise prepared ordinances. Amendments to proposed ordinances may be appropriate, but input from the City Manager or the City Attorney will be sought to accomplish the Council members' objectives.
 - e. Council members will be open, direct and candid in the Council forum. Members should be brief and succinct in stating their views and focus on a single issue or topic at any one time.
 - f. Council members will focus on city issues and avoid becoming involved in "extra-territorial" issues.
 - g. The Mayor will recognize Councilors wishing to speak in the order of their requests. The Mayor will provide a Council member with an opportunity to speak before recognizing another Council member. Council members will not interrupt another Council member who has the floor.
 - h. Council members will not disguise statements as questions or use repetitions as a way to convince others.
 - i. Council members will keep discussions moving and call for a "process check" if the Council becomes bogged down in discussions.
 - j. Council members will set and adhere to time limits on discussions.
 - k. Council members will refrain from criticizing or attacking each other, city staff or other persons.
 - l. If a Council member wishes to discuss a major policy issue, it will be scheduled on a future agenda and not raised during a current agenda.

4. Public Comment.

a. Citizen and community group sign-up forms will be available at each regular business meeting. At the time on the agenda designated for public comment and during any public hearing, any member of the public desiring to address the Council must first request to be recognized by the Mayor and then state their name and address for the record. The Council may set time limits for comments. The Council may request that groups with like comments choose a spokesperson to present joint remarks.

b. During public hearings, all public comment must relate to the matter under discussion and addressed to the Mayor.

c. In general, Council members will not respond to comments made during the public comment agenda time, except to ask clarifying questions. Any public requests for Council action will be referred to staff for review before placing on a future agenda.

F. COUNCIL MEETING DECORUM

1. The following conduct is disruptive and cause for removal of any person from a council meeting:

a. Loud or abusive language, noise or conduct that obstructs the conduct of the council meeting,

b. Violent or distracting actions,

c. Damage to personal or city property, or

d. Refusal to obey an instruction from the mayor or presiding officer or decision of the council.

2. The mayor or presiding officer must warn a person to cease the disruptive conduct before ordering removal of the person from the council meeting.

3. If a council meeting is disrupted by members of the audience, the mayor or presiding officer may order the council chambers cleared.

4. The mayor or presiding officer has the authority to preserve order at all council meetings, remove any person from any meeting for disorderly conduct, and enforce the council rules. The mayor or presiding officer may command the assistance of a police officer to restore order at any meeting.

5. After a motion has been made or after a public hearing has been closed, no public member may address the council without the permission of the council.

G. MOTIONS

1. General.
 - a. Council member motions will be clearly and concisely stated. The Mayor will state the name of the Councilor who made the motion and the Councilor who made the second.
 - b. The motion maker, Mayor, or City Recorder should repeat the motion prior to voting.
 - c. Most motions die if they do not receive a second. Motions for nominations, withdrawal of a motion, agenda order, roll call votes, and a point of order do not require a second. Any motion on which a second is not made but on which discussion begins is automatically seconded by the Council member beginning the discussion.
 - d. Discussion of a motion is open to all Council members who wish to address the motion. A Councilor must be recognized by the Mayor before speaking.
 - e. The Mayor will ask for a voice vote for all final decisions. All Council members are expected to vote on each motion unless they are disqualified for some reason. A Council member who does not vote must state the basis for any conflict of interest or other disqualification. The City Recorder will maintain a record of the votes. Any Council member may request a roll call vote on any motion.
 - f. At the conclusion of any vote, the Mayor will announce the results. Council members who wish to explain the reasons for their votes should do so briefly and succinctly.
2. Withdrawal. A motion may be withdrawn by the mover at any time without the consent of the Council.
3. Tie. A motion that receives a tie vote fails.
4. Table. A motion to table is not debatable and precludes all amendments or further debate. If the motion prevails, the item may be taken from the table only by adding it to a future agenda for continued discussion.

5. Postpone. A motion to postpone to a certain date is debatable and amendable. A motion to postpone indefinitely is a motion to reject without a direct vote and is debatable and not amendable.
6. Call for Question. A motion to call for the question ends debate on the item and is not debatable. Before a Council member calls for the question, each Council member wishing to speak on the item should have one opportunity to speak. A second is required for this motion. When the question is called, the Mayor will inquire whether any Council member objects. If there is an objection, the matter will be put to a vote, and it fails without a two-thirds' vote. Debate may continue if the motion fails.
7. Amendment. A motion to amend may be made to a previous motion that has been seconded but not voted on. Amendments will be voted on first, then the main motion as amended (or not amended). Motions to adjourn, agenda order, table, point of order, take from table, and reconsider may not be amended.
8. Reconsideration. When a motion has been decided, any Council member who voted with the majority may move for reconsideration. A motion for reconsideration may only be made at the meeting at which the motion on the ordinance, resolution, order or other decision was approved.

H. COUNCIL MEMBER CONDUCT

1. Representing City. If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must state:
 - a. Whether the statement reflects personal opinion or is the official position of the City; and
 - b. Whether the statement is supported by a majority of the Council.

If the Council member is representing the city, the Council member must support and advocate for the official city position on the issue rather than a personal viewpoint.
2. Censure.
 - a. The Council may make and enforce its own rules and ensure compliance with city and state laws applicable to governing bodies. If a Council member substantially violates these rules or state law, the Council may take action to protect Council integrity and discipline the Council member with a public reprimand.
 - b. The Council may investigate the actions of any Council member and meet in executive session to discuss any finding that reasonable grounds exist that a

substantial violation has occurred. Under ORS 192.660(1)(b), the Council member under investigation may request an open hearing.

I COUNCIL MEMBER USE OF SOCIAL MEDIA

1. On social media platforms, council members are encouraged to exercise caution when commenting on municipal affairs. While using social media, City Council members are subject to applicable Oregon Laws as they pertain to public meetings and public records retention schedules.
 - a. According to ORS 192.610, a public meeting occurs when a quorum is required in order to make a decision or to deliberate toward a decision on a matter. Under Oregon Law, certain telephone and electronic communications may be considered a public meeting. Certain uses of social media may constitute a public meeting, and accordingly, Councilors should use appropriate caution to avoid such situations.
 - b. A public record created through a Council member's social media footprint must be retained by the elected official in accordance with any state laws and local retention schedules. A "public record" encompasses any information that is prepared, owned, used or retained by the city; relates to an activity, transaction or function of the city; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the city. Councilors should forward social media posts to the City, or seek other assistance from the City for retention if the individual Councilor does not wish to do so himself or herself.
 - c. The digital decorum of elected and appointed officials will be governed by City Council Rules. Consistent with these rules, Council members will conduct themselves so as to bring credit upon the City government, ensuring non-discriminatory delivery of public services. Councilors shall abide by section S(3) in all social medial activities.
2. City Council members will refrain from posting comments that:
 - a. Express a council or committee position prior to a Council or committee determination of a position or on a matter that would otherwise require council or committee authorization prior to the conveyance of a position, or;
 - b. Express an opinion in a manner contrary to section S(3) of these rules.

J. CONFIDENTIALITY

1. Council members will keep all written materials provided to them on matters of confidentiality under law in complete confidence to insure that the City's position is

not compromised. No mention of the information read or heard should be made to anyone other than other Council members, the City Manager or City Attorney.

2. If the Council meets in executive session, members should attempt to provide direction or consensus to staff on proposed terms and conditions for negotiations. All contact with other parties must be left to the designated staff or representative(s) handling the negotiations or litigation. Council members may not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.
3. All public statements, information or press releases relating to a confidential matter will be handled by designated staff or a designated Council member.
4. Unless required by law, no Council member may make public the discussions or information obtained in executive session. Council may censure a member who discloses a confidential matter or otherwise violates these rules.

K. COMMUNICATION WITH STAFF

1. Council will respect the separation between policy making (Council function) and administration (City Manager function) by:
 - a. Working with the staff as a team with a spirit of mutual respect and support.
 - b. Except in a Council meeting, not attempting to influence a city employee or the City Manager concerning personnel matters, purchasing issues, the award of contracts or the selection of consultants, the processing of development applications or granting of city licenses and permits. However, the sharing of ideas on these matters is appropriate.
 - c. Limiting individual contacts with city staff to the City Manager so as not to influence staff decisions or recommendations, interfere with their work performance, undermine the City Manager authority or prevent the full Council from having benefit of any information received.
 - d. Respecting roles and responsibilities of staff when and if expressing criticism in a public meeting or through public electronic mail messages.
2. All written informational material requested by Council members will be submitted by staff to the entire Council with a notation stating who requested the information.
3. The Mayor will refer any comments or questions regarding city personnel or administration to the City Manager. The Mayor may redirect other questions to a Council member or the City Manager, as appropriate. Council members may also address questions directly to the City Manager, who may either answer the inquiry or ask a staff member to do so.

L. MINUTES

1. Minutes will be prepared with sufficient detail to meet their intended use. Verbatim minutes are not required. The minutes of meetings of the Council will comply with provisions of ORS 192.650 by containing the following information at a minimum:
 - a. The name of Council members and staff present;
 - b. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
 - c. The result of all votes, including ayes and nays and the names of the Council members who voted.
 - d. The substance of the discussion on any matter.
 - e. Reference to any document discussed at the meeting.
2. The Council may amend the minutes to more accurately reflect what transpired at the meeting. Upon receipt of the minutes in the Council agenda packet, Council members should read and submit any changes, additions or corrections to the City Recorder so that a corrected copy may be issued prior to the meeting for approval. Under no circumstances may the minutes be changed following approval by the Council, unless the Council authorizes such change.
3. The City Recorder or designee will make an audio recording of all meetings except for executive sessions. The City Recorder will maintain custody of all tapes, but a Council member may obtain a copy of any tape. A Council member may obtain a meeting transcript or partial transcript if it can be produced with nominal staff time. If a transcript would require a significant amount of staff time, the City Recorder may only produce the transcript with Council approval. The City Recorder is authorized to produce transcripts as required by law.

M. ADJOURNMENT

1. Upon motion and majority vote of the Council members present, any meeting of the Council may be continued or adjourned from day to day or for more than one day. No adjournment may be for a period longer than until the next regular meeting.
2. Upon the request of a Council member a short recess may be taken during a Council meeting.
3. A motion to adjourn will be in order at any time except as follows:
 - a. When made as an interruption of a member while speaking; or
 - b. While a vote is being taken.

N. BIAS AND DISQUALIFICATION

1. Any proponent, opponent or other party interested in a quasi-judicial matter to be heard by Council may challenge the qualification of any Council member to participate in such hearing and decision. Any challenge must state any fact(s) relied upon by the party relating to a Council member's bias, pre-judgment, personal interest or other factor from which the party has concluded the Council member should not participate and may not make an impartial decision. Such challenges must be made prior to the commencement of the public hearing. The Mayor will give the challenged member an opportunity to respond. A motion to accept or deny the challenge will be accepted and voted upon by the Council. Such challenges and the Council's decision will be incorporated into the record of the hearing.
2. In quasi-judicial matters, each Council member must disclose participation in a prior decision or action on the matter that is before the Council. Common examples include when a Planning Commission member is elected or appointed to the City Council or when a Council member testifies at a Planning Commission meeting. The Council member must state whether the member can participate in the hearing with no regard for the prior decision made. If the Council member is unable to be impartial, the member has a duty not to participate in proceedings and leave the Council table.
3. If the Council believes that the member is actually biased, it may disqualify the member by majority vote from participating in a decision on the matter. A Council member who has been disqualified from participating in a decision may participate in the proceeding as a private citizen.
4. Generally, conflicts of interest arise in situations where a Council member, as a public official deliberating in a quasi-judicial proceeding, has an actual or potential financial interest in the matter before the Council. Under state law, an actual conflict of interest is defined as one that would be to the private financial benefit of the Council member, a relative or a business with which the Council member or a relative is associated. A potential conflict of interest is one that could be to the private financial benefit of the Council member, a relative or a business with which the Council member or a relative is associated. A relative means the spouse, children, siblings or parents of the public official or public official's spouse. A Council member must publicly announce potential and actual conflicts of interest and, in the case of an actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue.

O. EX PARTE CONTACTS AND DISQUALIFICATION

1. For quasi-judicial hearings, Council members should refrain from having *ex parte* contacts relating to any issue of the hearing. *Ex parte* contacts are those contacts by a party on a fact in issue under circumstances that do not involve all parties to the proceeding. *Ex parte* contacts may be either oral statements when other interested

parties are not present, or written information that other interested parties do not receive.

2. If a Council member has *ex parte* contact prior to a hearing, the member must reveal the contact at the meeting and before the hearing. The Council member must describe the substance of the contact and the Mayor will announce the right of interested persons to rebut the substance of the communication. The Council member also will state whether such contact affects their impartiality or ability to vote in the matter. The Council member must state whether the member will participate or abstain.
3. For quasi-judicial hearings, a Council member who was absent during the presentation of evidence may not participate in any deliberations or decision regarding the matter, unless the Council member reviews all the evidence and testimony received.

P. GOVERNMENT STANDARDS AND PRACTICES COMMISSION REQUIREMENTS AND REPORTING

1. Council members must review and observe the requirements of the State Ethics Law (ORS 244.010 to ORS 244.390) dealing with use of public office for private financial gain.
2. Council members must give public notice of any conflict of interest or potential conflict of interest and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Council members will maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims and transactions coming before the Council.
3. In accordance with ORS 244.195, it is each Council member's responsibility to file annual statements of economic interest with the Government Standards and Practices Commission

Q. LEGAL ADVICE

Requests to the City Attorney for advice requiring legal research may not be made by a Council member without the concurrence of the Council. Before requesting research or other action by the City Attorney, the Council members are encouraged to consider consulting with the City Manager to determine if the request or action can be accomplished more cost-effectively. Outside a Council meeting, a Council member should make requests of the City Attorney through the City Manager. Exceptions to this are issues related to the performance of the City Manager and unique/sensitive personal, yet City business-related, requests.

R. ROBERT'S RULES

Robert's Rules of Order Revised will be used as the guideline for conduct of Council meetings, except where these Rules specifically apply.

S. COMMISSIONS, COMMITTEES, ORGANIZATIONS & MEDIA

1. Citizen Appointment and Removal.
 - a. The Mayor will appoint the City commissions and committees, with the consent of the Council. The Mayor may request assistance from Councilors in making recommendations.
 - b. Council members will encourage broad participation on City commissions and committees by generally limiting the number of terms a citizen may serve.
 - c. A citizen may not serve on more than two City commissions and committees simultaneously. Any citizen serving on two City commissions and committees may not be chairperson of both simultaneously. This limitation does not apply to service on the city budget committee.
 - d. With the consent of the Council, the Mayor may remove a citizen from a City committee prior to the expiration of the term of office.
2. Council Member Participation. Council members shall encourage City committee member participation.
3. Organizations, Media.
 - a. If the Mayor or a Council member represents the City before another governmental agency, a community organization, or the media, the Council member should first state the Council majority position. Personal opinions and comments should be expressed only if the Council member makes clear that it does not express the Council position.
 - b. Council members should obtain the appropriate permission before representing another Council member's view or position with the media.

T. MANAGER EVALUATION

1. Criteria. The standards, criteria, and policy directives used in the evaluation of the Manager will be adopted at a regular Council meeting in accordance with state law.
2. Process.
 - a. The Manager will prepare a written assessment identifying major accomplishments.
 - b. Council members may make written comments in response to the Manager assessment.

- c. Evaluation sessions will be scheduled in accordance with the employee's decision on whether to hold the evaluation in open or executive session.
 - d. At evaluation sessions, Council summary comments and individual Council member comments will be made. The Manager will have an opportunity to respond to all comments. The effect of the evaluation on the Manager's employment contract will be discussed. Sufficient time will be allotted for the evaluation discussion with the Manager.
 - e. Council members will then complete their individual evaluations and convene to discuss overall evaluation of the Manager and reach a consensus.
 - f. Council will then reconvene with the Manager to review final performance evaluation and discuss compensation.
3. Contract. The City Attorney will prepare any employment contract amendments to the Manager's contract. Contracts normally will be approved as a consent agenda item at the next regular Council meeting.

U. COUNCIL EXPENSES

1. Reimbursement. Council will follow the same rules and procedures for reimbursement as city employees.
2. Budget. Council will review and discuss its proposed annual budget as coordinated by the Mayor and Council President and as presented by city staff during a public meeting.

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 17-01**

A RESOLUTION AMENDING THE COUNCIL GROUNDRULES AND SUPERSEDING RESOLUTION NO. 15-02.

WHEREAS, the Council Groundrules were reviewed and updated on January 13, 2015, with the adoption of Resolution 15-02; and

WHEREAS, newly elected officials and mid-term elected officials reviewed the groundrules during a special council meeting held November 29, 2016; and

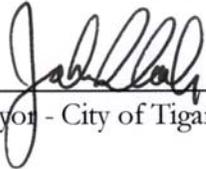
WHEREAS, the City Council determined at the November 29, 2016 meeting that updating of the groundrules was desired.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Council Groundrules as outlined in Exhibit A represent the agreement of the Mayor and City Councilors and is hereby adopted.

SECTION : This resolution is effective immediately upon passage.

PASSED: This 3rd day of January 2017.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

Tigard City Council Groundrules

The Tigard City Council hereby adopts the following rules for government of its members and proceedings. (Tigard City Charter, Chapter IV, Section 13). These rules will be reviewed and signed off on by each councilor annually.

1. **Mandates** are not discretionary. Any council or councilor who fails to abide by these is at risk of serious trouble and/or dysfunction.
2. **Processes and Procedures** are the rules the council sets to manage its own business.
3. **Mutual Expectations** reflect agreements and understandings among councilors to behave in certain ways. Once agreements are made, councilors who do not abide by them are likely to be mistrusted by their colleagues.
4. **General Guidelines for Effective, Respectful Councils** are basic rules of courtesy and respect that should guide any Council...or any other group for that matter.

1. Mandates

- In no case should councilors direct the work of staff. Take issues to the city manager first, giving as much information as possible to ensure a thorough response.
- Council members will not contact a board member to lobby on behalf of an individual, business or developer. Council members may contact the board member in order to clarify a position taken by the board. Council members may respond to inquiries from board members. Communications should be for information only.
- Board members do not report to individual council members. Individual councilors have no authority to remove board members.
- Be aware of the public nature of written notes, calendars, voicemail messages, and e-mail. All written or recorded materials including notes, voicemail, text messages and e-mail created as part of one's official capacity will be treated as potentially "public" communication.
- Respect the professional duties of city staff. Council members should refrain from disrupting staff from the conduct of their jobs; participating in administrative functions including directing staff assignments; attending staff meetings unless requested by staff; and impairing the ability of staff to implement policy decisions.
- ORS 244.025 prohibits any public official to solicit or receive any gift of \$50 or more from anyone reasonably known to have a legislative or administrative interest.
- ORS Chapter 244 governs conflicts of interest among Councilors and requires disclosure of all potential or actual conflicts of interest prior to that Councilor's participation in the matter. Councilors with actual conflicts of interest shall not participate in the decision except when allowed by law. Councilors with concerns or questions regarding conflicts of interest are encouraged to contact the Oregon Government Ethics Commission or city attorney.
- Protect confidential information concerning litigation, personnel, property, or other affairs of the city.
- Use public resources, such as staff time, equipment, supplies or facilities, only for city-related business.

- A council member may be censured by the other council members for misconduct, nonperformance of duty or failure to obey the laws of the federal, state, or local government.

2. Processes and Procedures

Ending Time for Council Meetings

- The chair or other members if the chair fails to remember may call for a point of order at or around 9 p.m. to review remaining agenda items. The council may reset or reschedule items, which it feels may not be reached prior to the regular time of adjournment.
- The council's goal is to adjourn prior to 9:30 p.m. unless extended by majority consent of council members present. If not continued by majority consent, the meeting shall be adjourned to the next scheduled meeting or the meeting shall be continued to another regular or special meeting at another date and time.

“Citizen Communication”

- The “Citizen Communication” portion of the agenda is a regular feature on the council business meetings. To manage the agendas to allow council time to consider the remaining agenda items scheduled for the business meeting, this agenda item will be allotted a maximum of 20 minutes. This item will be placed near the beginning of the council agenda to give citizens a chance to introduce a topic to the City Council. The mayor or the council president (if the mayor is absent) may ask speakers to keep their remarks to about two to five minutes. If a large number of speakers have signed up, the mayor might ask speakers to keep their comments closer to two minutes.
- At the conclusion of the Citizen Communication period, the mayor, a council member or staff member will comment what, if any, follow-up action will be taken to respond to each issue. At the beginning of Citizen Communication at the next business meeting, staff will update the council and community on the review of the issue(s), the action taken to address the issue, and a statement of what additional action is planned. Council may decide to refer an issue to staff and/or schedule the topic for a later council meeting.

Budget Decisions

- Budget cuts or increases are policy decisions. Budgets will not be cut “piece meal” or “across the board,” but rather should be made in service or program areas, giving staff full opportunity to provide data clearly defining the anticipated impact of the action.

Council Liaisons

- Council liaison assignments are determined by consensus of City Council. The goal is to have assignments evenly divided between council members. When making assignments consideration should be given to continuity and the background, experience and expertise of individual councilors. Should two or more Council members seek appointment to a position, preference of the longest serving Council member may be a consideration.
- The role of the council liaison is to periodically attend board meetings, listen to the board discussion, set context for the board regarding council decisions/goals/policies and city priorities, answer questions and carry concerns and information to report back to the full council. Council liaisons may attend board meetings more frequently if attendance is requested

by the board. Councilors should make their role clear to the board when attending a meeting as a council liaison.

- Council liaisons are not to direct the business or decision-making process of the board and do not vote of matters before the board.
- Council liaisons do not initiate, propose or advocate for their personal position on a matter before the board.
- Council liaisons at times may advocate council actions on behalf of their assigned board. Great care must be taken to avoid the appearance of unfairness, conflict of interest or circumstances where such possibilities may exist (e.g., Planning Commission quasi-judicial matters).
- Council liaisons are expected to represent the city positively and promote constructive relationships with community volunteers and city partners. Failure to maintain positive relationships can result in the removal of a Councilor from committee assignments.

City Council Compensation

Section 2.44.020 of the Tigard Municipal Code provides for compensation for attendance at Council meetings and meetings for an intergovernmental board, committee or agency. The amount of the compensation for Council members may be reviewed and set annually by resolution of the City Council as part of the budget cycle. As part of the annual review, Council may elect to enter into an agreement with the Mayor or one City Councilor to assume additional responsibilities for additional compensation. The additional duties shall relate to representing the city on regional, state or federal issues and committees or task forces. The responsibilities and compensation shall be set by agreement between the Mayor or Councilor and the Council members. (Mayor Cook will serve as provided in Resolution No. 10-36: “The annual stipend for the Mayor shall be no more than \$42,000. It is the expectation of the City Council that the assignments given to the Mayor, over and above usual and customary assignments... (Described in Section 6 of Res. 10-36... will require an average of twenty (20) hours each week during business hours.”)

3. Mutual Expectations

Communication among Councilors

- Information received by a council member that affects the council should be shared with the whole council. The city manager is to decide on “gray areas,” but too much information is preferable to too little.
- Councilors and the city manager agree to report and discuss any contact that might affect labor relations with the entire council in Executive Session.
- No surprises or ambushes.
- Bounce ideas off each other by phone or informal conversation, always mindful not to form a quorum.
- Share substantive information that is relevant to a matter under consideration from sources outside the public decision-making process with my fellow council members and staff.
- It is the council’s job to govern itself. If a discussion is going overly long or if a discussion becomes heated or tense, a council member may consider calling for a point of order to suggest taking a break or deferring the discussion to a future meeting.

- The presiding officer should invite each councilor to express his or her opinion.

Communication with Staff

- Councilors are encouraged to avoid substantive contact with staff below the department head to avoid possible disruption of work, confusion on priorities and limited scope of responses.
- City manager shares information equally with councilors.

Communication with Boards and Commissions

- Council members may attend any board meeting, which is open to any member of the public. However, council members should be sensitive to the way their participation could be viewed as unfairly affecting the process.

Communication with Other Public Agencies

- Council members will be clear about representing the city or personal interests. If a council member appears before another governmental agency or organization to give a statement on an issue, the council member must clearly state whether the statement reflects personal opinion or is the official position of the city.
- If a council member is representing the city on a board, committee or at a public meeting, that council member will consistently support and advocate the city's official position on an issue and cannot foster or further a personal viewpoint that is inconsistent with the official city position.

Communication on Behalf of the City or the Council

- Do not provide the official response to communications directed to the full council. The city manager or mayor will coordinate the response on behalf of the city. It is appropriate for councilors to acknowledge receipt of communication and thank the sender.
- It is the policy of the council that if councilors are contacted regarding labor relations during labor negotiations or conflict resolution proceedings, then councilors have no comment.
- Communication that represents the city's position on an issue should come through city hall and be provided by the city manager. Direct submittals or inquiries to the council or individual councilors should be referred to the city manager, or councilors may ask the city manager to look into an issue.
- Make no promises on behalf of the council in unofficial settings. Council members will frequently be asked to explain a council action or to give their opinion about an issue as they meet and talk with citizens. It is appropriate to give a brief overview. Overt or implicit promises of specific action or promises that city staff will take a specific action are to be avoided.

Use of Electronic Communications Devices During Council Meetings

- Councilors shall not use electronic communication devices to review or access information regarding matters not in consideration before the council during a council meeting.

4. General Guidelines for Effective, Respectful Councils

- Recognize that you are seen as a councilor at all times, no matter how you see yourself at any particular time. Thus, councilors are always treated by administration as council members.
-

- Whenever you put anything in writing, assume that everyone in the city is looking over your shoulder.
- If a communication is directed to an individual councilor, you may choose to respond as an individual or refer to the city manager.
- Councilors are encouraged to maintain open communications with the city manager, both as a group and individually.
- Councilors are encouraged to take issues to the city manager first, giving as much information as possible to ensure a thorough response. In the absence of the city manager, councilors are encouraged to contact the assistant city manager. In the absence of both the city manager and the assistant city manager, councilors are encouraged to contact the department head, realizing that the department head will discuss any such inquiries with the city manager.
- Communicate clearly, directly and respectfully. Focus on problems and solutions, not people.
- Our goal is mutual confidence and respect with staff. Compliment staff members when they make good presentations. Be friendly. Attend staff occasions when you can.
- Be courteous.
- Honestly share concerns and opinions with each other.
- Don't blurt it out on TV.
- If you hold back in a meeting, follow up later with fellow councilors or the city Manager.
- Spend some casual time together.
- Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of democratic governance. This does not allow, however, council members to make belligerent, personal, slanderous, threatening, abusive, or disparaging comments.
- Avoid personal comments that are intended to, or could reasonably be construed to, offend other members or citizens. If a council member is offended by the conduct or remarks of another member, the offended member is encouraged to address the matter early with the offending member.
- Continue respectful behavior in private. The same level of respect and consideration of differing points of view deemed appropriate for public discussion should be maintained in private conversations.
- Even private conversations can have a public presence. Council members should be aware that they are the focus of the public's attention. Even casual conversation about city business, other public officials or staff may draw attention and be repeated.
- Understand proper political involvement. Council members, as private citizens, may support political candidates or issues but such activities must be done separate from their role as a council member.
- Be welcoming to speakers and treat them with respect by giving them full attention demonstrated by eye contact and active listening; avoid interrupting them with questions or comments. For many citizens, speaking in front of the council is a new and difficult experience.
- Council members should commit full attention to the speaker. Comments, questions, and non-verbal expressions should be appropriate, respectful and professional.
- Be honest with fellow council members, the public and others.

- Credit others' contributions to moving our community's interests forward.
- Make independent, objective, fair and impartial judgments by avoiding relationships and transactions that give the appearance of compromising objectivity, independence, and honesty.
- Review materials provided in advance of the meeting.
- Make every effort to attend meetings.
- Be prepared to make difficult decisions when necessary.
- Contribute to a strong organization that exemplifies transparency.
- Make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the city.
- Promote meaningful public involvement in decision-making processes.
- Treat council members, board members, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the community.
- Conduct myself in a courteous and respectful manner at all times.
- Encourage participation of all persons and groups.



STAFF REPORT

CITY OF TUALATIN

City Council Work Session

Meeting Date: 09/11/2017

Subject: Proclamation Request

Through: Sherilyn Lombos, Administration

Request



CITY OF TUALATIN

APPLICATION TO REQUEST A PROCLAMATION
18880 SW MARTINAZZI AVE • TUALATIN, OR 97062
PHONE 503.691.3011

Requests for City Proclamations should be submitted four weeks prior to the requested Council Meeting date. The City Council meets the 2nd and 4th Monday of each month unless otherwise noted. For specific meeting dates, please visit the City of Tualatin website at www.tualatinoregon.gov.

Topic & Purpose of Proclamation:

Celebrate Constitution Week Sept 17-23

Individual, Agency, or Organization Sponsoring the Proclamation:

National State Society Daughters of the American Revolution Tualatin Chapter

Local Resident Attending Council Meeting to Receive Proclamation:

Catherine Rotunno 503 563-5981
Name Phone

Note: There is a limit of two proclamations per City Council meeting and selection is made in the order requests are received. Please indicate an alternative meeting date for the event the preferred date is unavailable. While the City does its best to recognize citizen needs, we retain the right to decide if the proclamation will be issued or not.

Preferred City Council Meeting Date Requested: Sept 11th

Alternate City Council Meeting Date: _____

Requested By: Catherine Rotunno 503 563-5981
Name Phone

10310 SW Gardner Ct. Tualatin
Address Email
cathyrotunno@yahoo.com

Please attach a draft copy of your one page proclamation to this application or check the box if the proclamation will be the same as the previous year. Wording will be the same as the previous year.

Return the completed form to: City of Tualatin, Attn: Deputy City Recorder, 18880 SW Martinazzi Ave, Tualatin OR, 97062 or via email to nmorris@ci.tualatin.or.us.

For Official Use Only:

Date Request Received	_____
Approved	_____
Not Approved	_____
Applicant Notified	_____
Date Proclaimed	_____

Sample Proclamations:

SAMPLE PROCLAMATIONS FOR CONSTITUTION WEEK

The following proclamations can be used as suggested or in combination with one another. Proclamations you have used in the past years can also be used as samples. Chapter may adjust the dates for the correct year and anniversary.

SAMPLE #1

WHEREAS: September 17, 2017, marks the two hundred thirtieth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, _____ by virtue of the authority vested in me as (Governor or Mayor) of the State or City) of _____ (in the City of) _____ do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the (State or City) to be affixed this _____ day of _____ of the year of our Lord two thousand ____.

Signed _____ SEAL Attest _____

SAMPLE #2

WHEREAS: It is the privilege and duty of the American people to commemorate the two hundred thirtieth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, _____ by virtue of the authority vested in me as (Governor or Mayor) of the State or City) of _____ (in the City of) _____ do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the (State or City) to be affixed this _____ day of _____ of the year of our Lord two thousand ____.

Signed _____ SEAL Attest _____



SAMPLE #3

WHEREAS: The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS: September 17, 2017, marks the two hundred thirtieth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, _____ by virtue of the authority vested in me as (Governor or Mayor) of the State or City) of _____ (in the City of) _____ do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the (State or City) to be affixed this _____ day of _____ of the year of our Lord two thousand _____.

Signed _____ SEAL Attest _____



PUBLIC RELATIONS

DAR National Headquarters

1776 D Street NW

Washington, DC 20006

www.dar.org

CONSTITUTION WEEK FACTS

What is a proclamation?

A proclamation is an official public announcement, usually issued by mayors, governors, etc.

Why does the DAR actively promote Constitution Week?

Constitution Week was initiated by the Daughters of the American Revolution. The DAR is a patriotic organization that encourages education and historic preservation in communities across America.

How did Constitution Week begin?

In 1955, the President General of the Daughters of the American Revolution, Gertrude S. Carraway, adopted a project to promote the observance of the U.S. Constitution with a memorial week beginning on the anniversary of the signing of this document, September 17. She asked DAR chapters, committees, and members to study, teach, and discuss the U.S. Constitution. Caraway also encouraged members to invite their governors and mayors to issue proclamations celebrating the Constitution.

When did the United States government begin to observe Constitution Week?

Constitution Week was officially declared by President Eisenhower on August 2, 1956. This was the culmination of a proposal the DAR sent through Senator William F. Knowland of California.

Is there a memorial honoring the Constitution?

Yes. DAR Constitution Hall in Washington, D.C. The inscription on the pediment reads, "Constitution Hall – a memorial to that immortal document, the Constitution of the United States, in which are incorporated the principles of freedom, equality and justice for which our forefathers strove." DAR Constitution Hall is the only structure dedicated to the U.S. Constitution.

How can I celebrate Constitution Week?

- Provide local media with the Constitution Week press release and FAQ sheet.
- Encourage your local government representatives to issue a proclamation about Constitution Week.
- Ask the school principals in your community to observe Constitution Week by issuing a school proclamation encouraging staff to teach the Constitution.
- Urge children to study the Constitution with their personal proclamation pledge.
- Contact your local DAR chapter and invite them to give a program on the Constitution.

Press contact:

FOR IMMEDIATE RELEASE (Name)

August 1, 2017 (Phone)

(Email)

**CELEBRATE THE FOUNDATION OF AMERICA
DAR Promotes Constitution Week**

There are two documents of paramount importance to American history: the Declaration of Independence, which forged our national identity, and the United States Constitution, which set forth the framework for the federal government that is still in use today. While Independence Day is a beloved national holiday, fewer people know about Constitution Week, an annual commemoration of the living document that upholds and protects the freedoms central to our American way of life. This year, the annual celebration begins September 17, 2017.

The Daughters of the American Revolution (DAR) initiated the observance in 1955, when the organization petitioned the U.S. Congress to dedicate September 17–23 of each year to the commemoration of Constitution Week. Congress adopted the resolution, and on August 2, 1956, President Dwight D. Eisenhower signed it into Public Law #915. The celebration’s goals are threefold: to encourage the study of the historical events that led to the framing of the Constitution in September 1787; to inform people that the Constitution is the basis of America’s great heritage and the foundation of our way of life; and to emphasize U.S. citizens’ responsibility to protect, defend and preserve the Constitution.

DAR has been the foremost advocate for the awareness, promotion and celebration of Constitution Week. This annual observance provides innumerable opportunities for educational initiatives and community outreach, two mission areas of crucial importance to the National Society’s work. By fostering knowledge of and appreciation for the Constitution and the inalienable rights it affords to all Americans, DAR helps to keep alive the memory of the men and women who secured our nation’s independence, whose bravery and sacrifice made possible the liberties we enjoy today.

“The framers created a Constitution that translated into law the ideals upon which our nation was built,” said DAR President General Ann Dillon. “Their vision was so forward thinking that their words still guide us today. No American history education can be complete without a thorough understanding of the impact the Constitution has had on the lives of American citizens past and present.”

One of the largest patriotic women’s organizations in the world, DAR has more than 185,000 members in approximately 3,000 chapters across the country and even in numerous foreign countries. DAR strives to promote historic preservation, education and patriotism via commemorative events, scholarships and educational initiatives, citizenship programs, service to veterans, meaningful community service, and more. For additional information about DAR and its programs, visit www.dar.org.