Planning Commission Meeting

7PM
Public Safety Building
401 E Third St
Hybrid: Instructions To Join Electronically At Www.Newbergoregon.Gov
Email Comments To: Fe.Bates@Newbergoregon.Gov
December 11, 2025

1. **CALL MEETING TO ORDER**

2. **ROLL CALL**

3. **PUBLIC COMMENTS**
   (5-minute maximum per person - for items not on the agenda)

4. **CONSENT CALENDAR**
   a. 11/13/2025 Planning Commission Meeting Minutes

5. **NEW BUSINESS**
   a. Presentation by City Recorder Rachel Thomas of the newly adopted City Council, Board, Commission & Committee Guidelines and outline their implications for the Planning Commission.
      i. MEMO-Review of New Council, Boards, Commission & Committee Guidlines.pdf
      ii. 2025 Council Rules Working Final Approved 2025-1020.pdf
      iii. PC Hearing Scripts(2025).pdf
      iv. Planning Commission Participation Guidelines(2022).pdf
      v. City Recorder Presentation.pdf

6. **ITEMS FROM STAFF**
   a. **Anticipated Schedule of Planning Commission Activities**
   b. **Staff Updates for Planning Commission**

7. **ITEMS FROM COMMISSIONERS**

8. **ADJOURNMENT**

ACCOMMODATION OF PHYSICAL IMPAIRMENTS:
In order to accommodate persons with physical impairments, please notify the Community Development Department Office Assistant II of any special physical or language accommodations you may need as far in advance of the meeting as possible as and no later than 48 business hours prior to the meeting. To request these arrangements, please contact the Office Assistant at (503) 537-1240. For TTY services please dial 711.

Planning Commission Meeting

November 13, 2025

CALL MEETING TO ORDER

Vice Chair Jose Villalpando called meeting to order at 7:00 p.m.

ROLL CALL

Commissioners Present: Jason Dale
Mathew Mansfield
Randy Rickert
Jose Villalpando (Vise Chair)
Kriss Wright
Kayla Maverick-Via Zoom

Commissioners Absent: Linda Newton-Curtis(Chair)

City Council Representative: Jeri Turgesen

Staff Present: Community Development Director: Scot Siegel
Associate Planner: Jeremiah Cromie
Associate Planner: James Dingwall
Associate Planner: Leanne Wagener
Administrative Assistant: Fé Bates

PUBLIC COMMENTS

There were no public comments.

CONSENT CALENDAR

7/10/2025 Planning Commission Meeting Minutes

Vice Chair Jose Villalpando asked if there were any comments on the Planning Commission meeting minutes from October 9, 2025. There were none.

Commissioner Dale moved to approve the planning commission meeting minutes as written for 10/9/25. Commissioner Wright seconded the motion.

The motion passed unanimously with all present members voting "Aye".

ITEMS FROM STAFF

Associate Planner Jeremiah Cromie presented information on the development pipeline, highlighting housing developments with more than 10 units throughout Newberg. He displayed a map showing developments across the city, including Collina at Springbrook Subdivision off Mountain View, Crestview Green on the east side, and the Nagomi at Springbrook. He noted that across all developments, there would be 1,041 dwelling units added, with most currently under construction or soon to begin construction.

When asked by commissioners about pricing, Associate Planner Cromie explained that most units were at market rate, with Collina smallest units (3-bed, 1-bath, approximately 1,000 square feet) being advertised at $469,900. He noted that cottage cluster units were being rented for between $2,100-2,300 monthly.

Associate Planner Cromie presented population estimates based on Portland State University data, projecting an addition of 9,646 people between 2020 and 2040, reflecting a 1.3% annual growth rate. The average number of people per household has decreased to 2.66 from previous higher figures. He calculated that if all planned development is built out, it would add approximately 2,706 people to Newberg, which represents about a 2% annual growth rate over five years.

Associate Planner Leanne Wagener then discussed the Housing Capacity Analysis. The city successfully applied for and was awarded a $100,000 grant from DLCD to conduct this analysis, which is the first of two steps required by the state. The city will be paired with a DLCD-provided consultant for this work. Wagener explained that the analysis would examine demographics, household sizes, affordability, and income levels, with findings that will ultimately be incorporated into the comprehensive plan.

Director Scott Siegel noted that this work updates a previous housing needs analysis that wasn't formally adopted into the comprehensive plan. The new study will use 2024 population forecasts and an updated buildable lands inventory. Associate Planner Wagener mentioned that both the Planning Commission and the Affordable Housing Commission would serve as advisory bodies during this process, with several touchpoints planned throughout the study.

Associate Planner James Dingwall discussed Urban Growth Boundary (UGB) amendments. He explained that the Economic Opportunities Analysis has been officially adopted by the City Council and demonstrates a need for approximately 152 acres of employment land. This could serve as the foundation for a UGB amendment for employment lands. Dingwall noted that depending on Council's direction, the city could pursue either a standalone UGB amendment for employment land or a combined employment and residential amendment once the housing capacity analysis is complete.

Associate Planner Dingwall then outlined the Senate Bill 1537 program, which allows cities to expand their UGB by up to 100 acres specifically for affordable housing through an owner-driven process. Property owners would submit proposals in response to a city solicitation, with at least 30% of residential units subject to affordability requirements for 60 years. To be eligible, the city must demonstrate a need for affordable housing (Newberg's extremely rent-burdened households are at approximately 28%), and previously added UGB land must be either developed or have financing plans. The city is currently working with DLCD to confirm eligibility before proceeding with a solicitation.

Director Siegel clarified that the planning commission's role in UGB amendments differs from other planning processes, as UGB amendments are handled by the Newberg Urban Area Management Commission (NUAMC) before being sent to City Council and the Yamhill County Board of Commissioners.

Director Siegel informed the commission that the City Council has scheduled a public hearing on the code maintenance amendments that the commission had previously reviewed and recommended. The hearing is set for Monday, November 17.

Senior Planner Dingwall provided an update on the vacation rental regulations that the Planning Commission had previously worked on. He noted that the city is currently in a grace period while applications for planning permits, business licenses, and TLT registrations are being processed. After December, the city will move into a monitoring phase, but they are seeing people apply and get registered.

ITEMS FROM COMMISSIONERS

Commissioner Mansfield asked about the status of discussions regarding curb and sidewalk designs that had been reviewed in a joint work session with the City Council. Director Siegel responded that there was no further direction at this time, but the consultant team from Keller is reviewing the feedback and will present alternatives to the City Council when ready. Siegel noted that if there is a proposal to amend the Transportation System Plan to add new street sections, it would be properly vetted by the Planning Commission.

Commissioner Wright mentioned that she is the alternate for the Newberg Urban Area Management Commission (NUAMC), with her term running through 2026. Director Siegel and Associate Planner Dingwall clarified that Commissioner Dale's term on NUAMC extends to 2027, and that there are currently three vacancies across the county and city positions.

Fe Bates reminded commissioners whose terms are ending that they have until the end of the month to reapply if they wish to continue serving.

ADJOURNMENT

Vice Chair Jose Villalpando adjourned the meeting at: 7:56 p.m.

Attest:

Linda Newton-Curtis, Planning Commission Chair	Fé Bates, Office Assistant

MEMORANDUM

TO: Newberg Planning Commission
FROM: Fe Bates, Community Development Administrative Assistant
Scot Siegel, Community Development Director
SUBJECT: New City Council, Board, Committee & Commission Guidelines
DATE: December 3, 2025

The City Council adopted new Council, Board, Committee & Commission (CBCC) Guidelines on October 20, 2025. These guidelines establish standardized rules for the City Council as well as all boards, committees, and commissions. As a result, they supersede the Planning Commission Participation Guidelines (PCPG) adopted on April 14, 2022. At the December 11 Planning Commission meeting, Rachel Thomas, City Recorder, and Fe Bates of Community Development will review the CBCC with you.

This memo summarizes the sections where the CBCC Guidelines override or replace the existing PCPG, as well as sections where the PCPG remains applicable. The Planning Commission may choose to retain portions of the PCPG that are not addressed in the new CBCC Guidelines and when they complement the new standing rules. The Commission may also maintain its own public hearing "script" as recommended by staff, provided the script complies with state land use and public meeting laws.

Following the presentation by the City Recorder the Commission should consider whether to direct staff to amend, replace or abandon the PCPG.

Chapter 1-General Governance

Chapter 1 adds detail to and supersedes portions of PCPG (Section 2-General Rules 2.1-2.6 & Section 4-Presiding Officer-4.1 to 4.3)

Comment: The procedures that are unique to the Planning Commission and do not conflict with the CBCC are to be followed as written in the PCPG.

CBCC (1.- V.A.B.E.F.) Agendas - provides additional detail and supersedes portion of **PCPG (6.1-6.7) Agendas & Additional Items for Consideration**

Comment: The procedures that are unique to the Planning Commission and do not conflict with the CBCC are to be followed as written in the PCPG.

Below are the items from the CBCC that take precedence over PCPG:

- CBCC (1.V.B)Agendas: (Supersedes)Agendas and informational material for meetings shall be distributed to the council at least 7 days preceding the meeting. Supplemental

items will be distributed at least 2 days prior to the meeting. Agendas and informational materials for standing committees should be distributed at least 7 days prior to the meeting and are required to be distributed more than 48 hours in advance of the meeting.

- PCPG(6.5)Agenda Availability**:** Planning commission agendas and the accompanying documents are available at the city planning division office and are posted on the city website normally eight days prior to the planning commission meeting. Interested persons are encouraged to read the agenda along with supporting material, and address questions to the community development director or city staff prior to the meeting. The community development director and planning commission value public input. In order to efficiently conduct city business, those who have concerns are encouraged to address these issues prior to the planning commission meeting

- CBCC (1.V.E) Adds timeline to action: (Supersede 6.1) - A member of a standing committee who wishes to have an item placed on the agenda shall advise their staff liaison and get the approval of the chair at least 10 days prior to the meeting.

- CBCC (1.V.F.): (Supersedes 6.2) -If a request to include an agenda item is denied, written explanation shall be provided by the presiding officer to the requesting council member at least seven days prior to the meeting. If denied, the requesting council member may request, during the meeting and in open session, that the item be placed on the agenda. If the requesting council member obtains the support of at least one other council member, the item will be included on the agenda.

- PCPG (6.1) Preparation of Agenda**:** The community development director with the advice and consent of the chair will prepare the agenda along with appropriate documentation for planning commission meetings. Any member of the planning commission may request, through the chair, for a matter to be placed upon the agenda. Such request is subject to the advice of the community development director. Each meeting agenda's format will be prepared as prescribed in the rules. If there is no item to be considered under a section of the agenda, that section will be omitted from the agenda and the agenda will be renumbered accordingly. The final authority on the agenda matters is the planning commission.

- PCPG (6.2) Non-Agenda Items: Prior to the meeting, the community development director may send out additions to the agenda with the appropriate documentation. The planning commission may consider the items which are not listed on the published agenda. The planning commission must, by a majority, place the item on the agenda. Action may then be taken on the item

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Chapter 2 - Meeting Time, Location & Frequency

CBCC (2. II. Board, Commission, & Committee Meetings) gives a general outline; PCPG (Section 5-Planning Commission Meetings) Comment: These provisions are to be followed as they are unique to the Planning Commission and does not conflict with the CBCC guidelines.

Chapter 3 - Ordinances & Resolutions

CBCC (3-II. Resolutions)

Comment: This section provides detail to Passing a Resolution that is not captured in PCPG Rules.

Chapter 4- Land Use Hearings

CBCC (4. I.A-I.) General Conduct of Hearings

Comment: This section adds requirements and provides additional guidance to the requirements of written testimony and evidence presented at a hearing, expediting hearings and conducting testimony.

Below are the items that take precedence over and provide additional guidance to the PCPG:

- CBCC (Chapter 4-I. B.): copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the city recorder at the time the party makes his or her presentation. The party must also bring 10 copies of the written testimony for the council/commission and staff.

- CBCC (Chapter 4-I.C): If a party desires to make its testimony or evidence available as part of the meeting's agenda packet, it must be submitted to the city recorder or designated staff by noon the Friday before the meeting for council meetings, or 2 days ahead for all other meetings. If the testimony or evidence is not submitted to the city recorder or designated staff by this deadline, it still may be submitted to the city recorder or designated staff at the time of the hearing and included in the record, but it shall not be included in the meeting's agenda packet.

CBCC (4. II.A-E & III.A.1-7.) Quasi-Judicial Land Use Matters & Legislative Land Use Matters

Comment: These sections outline the Hearing Procedures process and provides more detail and direction to PCPG (7.1-7.9) Procedures at meetings.

Below are the items that take precedence over and provide additional guidance to the PCPG:

- **CBCC (4-II.B.2) Ex parte Recusal- for a Quasi-Judicial hearing City wide ethics rules take priority; PCPG(7.14) Voting and Abstaining from Voting ethics still apply as supplemental** (PC rules can be stricter than CBCC)

  Comment: It is not a legal requirement that persons leave the room, but it is best practice to maintain public trust and an impartial hearing body, Planning Commission can choose to continue to follow:

  PCPC(7.14): Commissioners who abstain from participating in a matter due to a conflict of interest shall retire to the lobby during the time the matter is under consideration. A commissioner in the lobby will continue to be counted in the quorum. Commissioners may not provide testimony before the commission on any matter from which they abstain, but may designate a representative to speak to their interests.

- **CBCC (4 -II.D.4) Presentation of the Case** gives more detail and Supersedes **PCPG(7.7) Time Limits for testimony:**
  - CBCC (Chapter 4-II.D.4): *(Supersedes)*

    4. Presentation of the Case

    a. Proponent's case. Twenty minutes total.
    b. Persons in favor. Five minutes per person.
    c. Persons opposed. Five minutes per person.
    d. Other interested persons. Five minutes per person.
    e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

  - PCPG (7.7) Time Limits for Testimony

    The principal applicant for a proposal will be allotted 15 minutes for an initial presentation. Prior to the meeting the applicant may petition the community development director for additional time for the initial presentation, not to exceed 30 minutes.
    A principal opponent, if any, will be allotted time in the same manner as the principal applicant.
    All other speakers will be given the opportunity to speak for up to five minutes.
    Speakers may share their time at the discretion of the chair.
    The chair has the discretion to extend these time limits.

Chapter 5 Motions, Debate, Public Comment and Voting

CDCC (5. I-IV.) Outlines in detail the process for all motions, debates and Public comments and supersedes **PCPG (7.10 – 7.16).**

Below are the items that take precedence over and provide additional guidance to the PCPG:

- CBCC (5-I.A.2.) Motions: *(Supersedes)* If a motion does not receive a second, it dies.

- PCPG(7.13) Motions, Seconds, and Decisions by Unanimous Consent: Generally, no motion will be considered unless it has been seconded. However, routine motions that have the general consent of the planning commission do not require a second, unless requested by any member of the planning commission. Motions brought forth by the chair, which receive no seconds, but also no objections, will be passed by unanimous consent

- CBCC (5-III.A.1.)Public Comment (Adds clarification of non-Agenda Item Comments): Because of the limited role, purpose, and authority of standing committees and ad hoc committees, and in order to promote efficiency and maintain order, standing committees will only receive public comment related to the subject of the committee or topics at that meeting, while ad hoc committees will receive public comment only to the extent it is specifically included in their directives.

  CBCC (5-III.E.3.)Written Materials: *(Supersedes)* *Written comments will not be read into the record* (Reading written comments out loud at meetings will no longer be done unless an ADA accommodation is specifically requested.)

- PCPG(7.8) Written Testimony: In order to be considered at a hearing, written testimony must be received at the Community Development Department by noon on the third Business day (typically Monday) prior to any meeting. Written testimony received after that date will be read out loud at the meeting, subject to time limits for speakers, and will be included in the record if there are future proceedings

Chapter 6- Minutes

CBCC Chapter 6
Comment: Provides uniform minute-taking standards not outlined in PCPG.

Reviewing & Approving of Minutes

Comment: Many of city commission/committees no longer review and approve past minutes due to the fact that both minutes and a recording are available. The Commission may consider whether it wishes to discontinue formal approval of minutes, as some committees already do.

Chapter 7 - Appointments

CBCC (7. II.): Appointments of Members to Boards, Commissions and Committees

Comment: Provides appointment procedures not covered in PCPG Rules.

Chapter 8 - Ethics, Decorum, Outside Statements

CBCC Chapter 8

Comment: Provides clearer standards on commissioner conduct, decorum, and external statements.; ***(Supersedes)*** PCPG (2.7).

Chapter 9- Interactions with Staff & City Attorney

CBCC Chapter 9

Comment: Provides guidelines and expectations not addressed in the PCPG rules.

Chapter 10 - Censure

CBCC Chapter 10

Comment: Outlines procedures for addressing rule violations—content not included in PCPG

Chapter 11 - Amendment & Repeal

CBCC Chapter 11

Comment: Provides guidelines on how amend and repeal the rules outlined in the 2025 City Council, Board, Committee & Commission Guidelines.

ORDER OF BUSINESS

The order of business for all regular Planning Commission meetings shall 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 at the Chair's discretion.

1. **CALL MEETING TO ORDER**
   Presiding officer shall call all meetings of the Planning Commission to order.

2. **ROLL CALL**
   Staff liaison shall conduct a roll call to determine which members of the body are present and which are absent and determine if a Quorum is present. The attendance shall be properly reflected in the minutes.

3. **ELECTION OF CHAIR & VICE CHAIR (Yearly)**
   At the first meeting of each year, or upon vacancy of the current chair or vice chair, the commission shall elect a chair and vice chair for the remainder of the calendar year. The commission's policy is to rotate the positions by seniority in such a fashion that each member has the opportunity to serve first as vice-chair, and then the following year as chair

4. **PUBLIC COMMENTS**
   Persons speaking to the planning commission concerning items not on the agenda or items that are on the consent calendar would speak under the public comment period. Those persons will be given the opportunity to speak for up to five minutes. Speakers may share their time at the discretion of the chair. The maximum time allowed for public comment, including all speakers, is 30 minutes

5. **CONSENT CALENDAR**
   To expedite the Commissions business, routine agenda items shall be placed on the consent agenda.

   1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.
   2. Any item on the consent agenda may be removed for separate consideration by any member.

   3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the request for Commission action, 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 must declare a conflict of interest.

6. **PUBLIC HEARINGS**
   a. **Quasi-judicial Public Hearings**
      The planning commission's quasi-judicial authority is usually exercised by adoption of an Order when the commission is the final decision maker, and by adoption of a Resolution when the commission is a recommending body only.
   b. **Legislative Public Hearings**
      The planning commission's legislative authority is usually exercised by the adoption of a Resolution

7. CONTINUED BUSINESS

This section of the agenda will include items that are being returned to council after Previous introduction, work session, or consideration at a recent meeting.

8. NEW BUSINESS

This section of the agenda will include items that are being considered for the first time that is not a Public Hearing.

9. ITEMS FROM STAFF

The Community Development Director will give an update on Community Development related projects ranging from current projects and long-range projects. The commission may ask questions from the Community Development Director upon conclusion of the information being given. The Community Development Director may call upon staff to assist in answering questions.

***10.* ITEMS FROM COMMISSIONERS**

Commissioners are invited to bring up Community Development related concerns and requests of staff during this section of the agenda.

11. ADJOURNMENT

Meetings will be adjourned by the Presiding Officer

Newberg City Council, Board, Committee & Commission Guidelines 2025

Contents

CHAPTER 1 – General Governance

I. Rules of Procedure

A. These rules are intended to govern City Council and all boards, committees, and commissions (hereafter referred to as standing committees) of the city.

B. Unless otherwise provided by charter or ordinance, Council meetings, and the meetings of any board, commission, or committee of city council, shall be guided by Robert's Rules of Order for Small Boards.[1] These rules are adopted according to NMC, Charter, Ch III, Section 11.

C. Members of the council or governing body are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the council and confuse members of the public.

D. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

II. Quorum

A. A quorum is required to conduct official city business.[2]

B. The members of the council are the city councilors and mayor. The members of a standing committee are as defined at their creation. Fifty percent plus one of the members of the council or a standing committee shall constitute a quorum. Vacancies in office do not count towards determining a quorum.

C. In the event a quorum is not present, the members of the governing body present shall adjourn the meeting, or a smaller number may meet and compel attendance of absent members as outlined in Rule II D.

D. When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, any member may move for a call of the house.

1. The motion will be put in the following form: "I move for a call of the house." That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two members present must concur for the call of the house motion to pass. If the motion is passed, then all unexcused absent members will be requested to attend or return to the meeting. The city manager will provide the administrative staff assistance necessary to compel the attendance of the unexcused absent members at the meeting. The presiding officer is authorized to recess the meeting to a

[1] Robert's Rules of Order Newly Revised, 12th edition, section 49:21.
[2] NMC Charter, CH 3, Section 13.

certain time while attendance is being compelled.

III. Presiding Officer

A. City Council:

1. The mayor shall preside over all meetings. The mayor shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.[3]
2. If the mayor is absent or otherwise unable to preside, the president of the council shall preside over the meeting. The president of the council shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.[4]
3. If both the mayor and the president of the council are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
    a. The city recorder shall call the council to order and call the roll of the members.
    b. Those members of council present shall elect, by majority vote, a temporary presiding officer for the meeting.
    c. Should either the mayor or the president of the council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
    d. The presiding officer shall retain all rights and privileges of a member of council when acting in this capacity.
    e. This process may be used to elect a presiding officer for a portion of a meeting if the mayor or council president is unable to preside over a single item.

B. Standing and Ad-Hoc Committees:

1. The chair shall preside over all meetings.
2. In the chair's absence the vice chair shall preside over the meeting.
3. If both the chair and vice chair are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
    a. The staff liaison shall call the meeting to order and call the roll of the

[3] (NMC, Charter, Ch III, Section 9)

[4] (NMC, Charter, Ch III, Section 10).

members.

b. Those members present shall elect, by majority vote, a temporary presiding officer for the meeting.

c. Should either the chair or vice chair arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

d. The presiding officer shall retain all rights and privileges of a member when acting in this capacity.

e. This process may be used to elect a presiding officer for a portion of a meeting if the chair or vice chair is unable to preside over a single item.

IV. Other Elected and Appointed Officers

A. City Manager. The city manager is required to attend all meetings of the council, unless excused by council, and is permitted to participate in any discussion; however, the city manager has no authority to cast a vote on any decision rendered by the council.[5]

B. City Attorney. The city attorney may attend any meeting of the council, and will, upon request, give an opinion on legal questions, either written or oral.

C. City Recorder. The city recorder or designee shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the city recorder shall keep the official minutes of the council.

V. Agendas

A. The city recorder or designee shall prepare an agenda for every regular meeting, and for every special meeting. Staff liaisons serve as the designee for all standing committee meetings.

B. Agendas and informational material for meetings shall be distributed to the council at least 7 days preceding the meeting. Supplemental items will be distributed at least 2 days prior to the meeting. Agendas and informational materials for standing committees should be distributed at least 7 days prior to the meeting and are required to be distributed more than 48 hours in advance of the meeting.[6]

C. The mayor's approval shall be required for the publication of an agenda of any council meeting.

D. With the consent of the mayor, the city manager may remove any items on the council agenda at any time prior to a meeting convening. The presiding officer

[5] (NMC, Charter, Ch VIII, Section 34, e, 1.)

[6] Note: Some actions taken by council and or standing committees may require even more notice. All legal requirements for notice shall be followed.

shall announce such removal under announcements/proclamations.

E. A member of the council who wishes to have an item placed on the agenda shall advise the city manager and get the approval of the mayor at least 10 days prior to the meeting. A member of a standing committee who wishes to have an item placed on the agenda shall advise their staff liaison and get the approval of the chair at least 10 days prior to the meeting.

F. If a request to include an agenda item is denied, written explanation shall be provided by the presiding officer to the requesting council member at least seven days prior to the meeting. If denied, the requesting council member may request, during the meeting and in open session, that the item be placed on the agenda. If the requesting council member obtains the support of at least one other council member, the item will be included on the agenda.

G. Notwithstanding anything to the contrary above, the council may consider items which are not listed on a published agenda.

H. Written Communications to Council

1. Unsolicited communications to the mayor and/or council concerning matters that are not on an agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.

2. The city manager may, under their discretion, bring any matter raised by unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report which sets forth the reason the matter should be considered by the council, and making a recommendation for council action.

I. All items submitted to the council packet will require an executive summary of the decision before the council, and items over 100 pages in length will require an index, or hyperlinks, to the specific sections and attachments.

J. Items that are legislative in nature, or that are deemed complex, will have a work session before the hearing, resolution, or main decision point is brought before the council. This may be waived by a majority of council.

VI. Order of Business

The order of business for all regular meetings of City Council shall 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 with the approval of the mayor. Agendas for special meetings may follow this order or be adjusted according to the purpose of the meeting. Committees may follow this order or set their own agenda order as desired.

A. **Call to order**

B. **Roll call**

C. **Pledge of Allegiance**

D. **Announcements**

E. **Proclamations and Awards**

F. **City Manager's Report**

G. **Public comment on items not on the agenda**

H. **Consent Agenda**

I. **Continued Business**

J. **New Business**

K. **Council Business**

L. **Adjournment**

A. Call to Order. The presiding officer shall call all meetings of the council to order.

B. Roll Call. The city recorder or staff liaison shall conduct a roll call to determine which members of the body are present and which are absent.

1. The attendance shall be properly reflected in the minutes.
2. If roll call determines that a quorum is not present, this shall be addressed by Rule II.

C. Pledge of Allegiance This will be led by the presiding officer.

D. Announcements. Announcements are intended to be procedural in nature, such as an item being removed from the agenda, motions to reorder, insert or change agenda items. This also includes motions to remove items from the consent calendar.

E. Proclamations and Awards. Proclamations are awards or recognition of individuals by the council.

F. City Manager's Report. The City Manager will give a report at each regular council meeting with updates from all departments of the city. The first report of each month will include narrative information, the second report of each month will include statistical information. The council may ask questions of the city manager upon conclusion of the report being given. The city manager may call upon his staff to assist in answering questions.

G. Public Comment - See Chapter 5, Section III.

H. Consent Agenda. To expedite the council's business, routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.

2. Any item on the consent agenda may be removed for separate consideration by any member.

3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the request for council action, 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 must declare a conflict of interest.

I. Continued Business. This section of the agenda will include items that are being returned to council after previous introduction, work session, or consideration at a recent meeting.

J. New Business. This section of the agenda will include items that are being considered for the first time. This may include topics freshly presented to council after a period of more than six months.

K. Council Business. To include appointments, reports from councilors on standing committees, nominations and similar council business.

L. Adjournment. Meetings will be adjourned by the presiding officer.

CHAPTER 2 – Meeting Time, Location and Frequency

I. City Council

A. Regular meetings

1. The council shall meet every first and third Monday evening of each month, except for meetings falling on designated holidays, which will be held on the next business day. Regular meetings shall begin at 6 p.m. Should there be a lack of business, lack of quorum, or other conflict, the meeting may be cancelled, with consent of the mayor, providing at least one meeting occurs in the given month.[7] Regular meetings will limited to 4 hours and will be adjourned by 10pm except by majority vote of the body.

B. Special meetings

1. Special meetings may be called by the presiding officer or by request of three members.

2. Notice of a special meeting of council shall be given to all members of the council and the city manager via email. Should the meeting occur within 72 hours of the notice, all attempts will be made to reach the council and city manager by telephone.

3. Special meetings shall be noticed in accordance with Oregon's public

[7] NMC, Charter, Chapter 3, Section 12

meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place. Notice of the special meeting shall be given to each member, the city manager or staff liaison, and each local newspaper, radio, and television station which has requested notice of special meetings.

C. Emergency meetings

1. Emergency meetings are those meetings called with less than 24 hours' notice and the council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.
2. Emergency meetings may be called by the mayor by the request of three members of council, or by the city manager.
3. Emergency meetings may only be held by City Council.
4. Notice of the emergency meeting shall be given to each member of the council, the city manager, and all reasonable attempts will be made to inform each local newspaper, radio, and television station which has requested notice of meetings.
5. Notice of the emergency meeting shall be given to all members of council and the city manager via telephone and email.
6. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

D. Executive Sessions.

1. Executive sessions may only be held by City Council. Executive sessions may be called by the presiding officer, at the request of three members of council, by the city manager, or by the city attorney.
2. Only members of the council, the city manager and persons specifically invited by the city manager or the council shall be allowed to attend executive sessions. Generally, the city recorder will be present to take minutes, if excused, another minute taker will be identified.
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. Cameras, tape recorders, and other recording devices may not be used in executive sessions, except for any official executive session recording made by city staff.
5. All executive sessions will be held in person only, without a virtual attendance option, unless a virtual option is approved by a majority vote in open session.

E. Work Sessions

1. Work sessions are permitted to present information in preparation for regular or special meetings.
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 or committee is not permitted to take formal or final action on any matter at a work session.
4. Work sessions may be called by the presiding officer, at the request of three members of Council, by the city manager, or by the city attorney.
5. The city manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible.

II. Board, Commission, and Committee Meetings

A. Shall meet according to the schedule produced by the city recorder's office each year. This will be developed in accordance with the code, resolution, law, and necessity. Committees may add additional meetings or reschedule meetings if necessary.

B. Must be properly noticed in accordance with Oregon Public Meetings Law.

C. Meetings may be canceled due to lack of quorum or lack of business by the presiding officer.

III. Location

A. Council meetings shall be held in the Denise Bacon Room in the Public Safety Building and simultaneously through Zoom or other virtual meeting platforms. Board, commission, and committee meetings will be held in various locations as appropriate, as noticed on the meeting agenda, and simultaneously through Zoom or another virtual meeting platform.

B. In the event the regular meeting room is not available for a meeting, the meeting shall occur at a venue open to the public which is located within the jurisdictional limits of the city. All meeting locations shall meet the requirements of Oregon's Public Meeting Law.

C. At the direction of the presiding officer, the meeting may also move to a fully virtual format. (For example: In the case of inclement weather.)

D. Training sessions may be held outside of the city's jurisdictional limits, provided no deliberations toward a decision are made.

E. 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 shall be located within the jurisdictional boundaries of the other government entity.

IV. Notice

A. The city recorder or designee shall provide notice of all meetings in accordance with Oregon's public meeting law.

V. Attendance

A. Members of council or committees shall advise the presiding officer and city manager/city recorder/staff liaison if they will be unable to attend any meetings.

B. Under Article VII, Section 32 of the charter, a council position becomes vacant upon declaration of the council if the member of council is absent from the city for 30 days or more without council consent, or from all meetings of the council within a 60-day period without council consent.

C. Committee members may be excused from their position if they are not present for at least 75% of meetings in a year in accordance with Title II, Chapter 2.15.005 (D.) of the Newberg Municipal Code.

D. Members may attend meetings in person or virtually by phone or video conferencing.

CHAPTER 3 – Ordinances and Resolutions

I. Ordinances

A. All ordinances considered by and voted upon by the council shall adhere to the rules outlined herein. Sections 16 and 17 of city charter provide that the council exercises its legislative authority by adoption of ordinances.

B. Except as authorized by subsection (C), adoption of an ordinance shall, before being put upon its final passage, be fully and distinctly read in open council meeting.

C. The reading may be by title only if no council member present at the meeting requests to have the ordinance read in full, provided the proposed ordinance is available in writing to the public at least one week before the meeting.

D. Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the council adopts that ordinance.

E. Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered in the record of proceedings. The concurrence of a majority of the entire membership of the council shall be required for the passage of an ordinance.

F. After adoption of an ordinance, the city recorder must endorse it with the date of adoption and the city recorder's name and title.

G. A script for the adoption of an ordinance will be followed to ensure compliance with these rules. See attachments.

H. Effective Date: An ordinance shall take effect 30 days after adoption or at a later date to be specified in the ordinance.

1. The following shall take effect immediately upon its passage:
   a. Ordinances making appropriations and the annual tax levy; and
   b. Emergency ordinances.

II. Resolutions

A. Resolutions considered by and voted upon by the council or committee shall adhere to the rules outlined here.

B. An affirmative vote of a majority of the council or committee present shall be necessary to pass a resolution.

C. When a resolution is rejected, and is not reconsidered as provided by these rules, neither the resolution, nor any other resolution which contains substantially the same provisions, shall be considered for a period of not less than three months, unless at least three members petition for early consideration. Resolutions containing substantial amendments may return for consideration within the 3 month window.

D. Reconsideration

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

E. Effective date. A resolution shall become effective upon adoption unless otherwise stated in the resolution.

CHAPTER 4 – Land Use Hearings

I. General Conduct of Hearings

A. Any party may speak in person or through their attorney.

B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the city recorder at the time the party makes his or her presentation. The party must also bring 10 copies of the written testimony for the council/commission and staff.

C. If a party desires to make its testimony or evidence available as part of the meeting's agenda packet, it must be submitted to the city recorder or designated staff by noon the Friday before the meeting for council meetings, or 2 days ahead for all other meetings.[8] If the testimony or evidence is not submitted to the city recorder or designated staff by this deadline, it still may be submitted to the city recorder or designated staff at the time of the hearing and included in the record, but it shall not be included in the meeting's agenda packet.

D. No person may speak more than once without obtaining permission from the presiding officer.

E. Upon being recognized by the presiding officer, any member may question any person who testifies.

F. As directed by the presiding officer, staff may question any person who testifies.

G. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the council.

H. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder or staff liaison shall note the numbers of such persons for the record in the minutes. Persons testifying are asked to avoid repeating testimony already entered into the record and instead indicate support if they are in agreement with such testimony.

I. The presiding officer may reduce time limits for testimony equally based on the number of people signed up to speak, respectively, "in favor" or "opposed", to ensure all parties have an opportunity to speak and to ensure compliance with statutory shot clocks for land use decision making.[9]

II. Quasi-Judicial Land Use Matters

A. Scope of Review

1. All appeals of quasi-judicial land use proceedings shall be conducted pursuant to NMC 15.100.160 through 5.100.190, Appeals.

B. Conflicts of Interest, Abstention, Recusal, Ex Parte Communications

1. A member of the council or commission shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

   a. The member has an actual conflict of interest, as defined by the Oregon Revised Statutes or the city charter/rules and must recuse from participation. The disclosure and recusal must be noted in the minutes.

[8] (see Chapter 5, Section 3

[9] (See also, Part II, Quasi-Judicial Land Use Matters - Hearing Procedures)

b. The member was not present during the public hearing and must abstain from participation. However, the member may participate if they reviewed. The evidence, including recordings of the hearing, and declared such fact for the record.

c. The member has a bias, as determined by applicable law, that prevents them from considering evidence and applying applicable criteria in making an impartial decision on the application.

2. Members shall disclose all ex parte contacts regarding the proceeding at the commencement of any quasi-judicial land use proceeding. If the disclosed ex parte communication results in bias and/or a conflict of interest, the member shall recuse from participation as stated in (II)(B)(1)(a) and (c) above.

1. "Ex parte contact" means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view.

C. Burden of Proof

1. 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.

2. The decision shall be based on the applicable standards and criteria as set forth in the city's municipal code, including if applicable the city's comprehensive plan and any other land use standards imposed by state law or administrative rule.

3. Proponents, any opponents, and those who are neutral on the proposal may submit 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.

4. City staff may submit supplemental written findings in response to testimony and as requested by the hearing body to address questions raised during the hearing.

D. Hearing Procedures

The order of hearings in quasi-judicial land use matters shall be:

1. *Land Use Hearing Disclosure Statement*

The city attorney, presiding officer, or their designee, shall read the land use hearing disclosure statement, which shall include:

a. A list of the applicable criteria;

b. 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;

c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the council or other hearing body and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

d. 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.

2. *Call for ex-parte contacts*

   a. The presiding officer shall inquire whether any member has had ex-parte contacts. Any member announcing an ex parte contact shall state for the record the nature and content of the contact.

   b. "Ex parte contact" means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view. Ex parte contact can also be access to evidence or information that is not available to the public or the hearing body, which may include visiting the site of a land use application.

2. *Call for recusals*

   a. The presiding officer shall inquire whether any member must recuse from participating in the hearing due to a conflict of interest.

   b. Actual Conflict of Interest: If a member announces an actual conflict of interest, as outlined by Oregon Revised Statutes or the city charter/rules, that member must recuse themselves and leave the hearing. The recusal is recorded in the minutes.

   c. Potential Conflict of Interest: If a member has a potential conflict of interest, they can declare the potential conflict and continue participation in the matter. The declared potential conflict is recorded in the minutes.

   d. Any member announcing a conflict of interest shall state the nature of the conflict, and if the conflict requires recusal, shall 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 shall not participate in any discussion or debate on the issue of which the conflict arises.

3. *Staff summary*

   a. Planning staff shall present a summary and recommendation concerning the proposal.

4. *Presentation of the Case*

   a. Proponent's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

5. *Close of hearing*

a. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

6. *Deliberations*

a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.

7. *Findings and Order*

a. The body may approve or reject the proposal.

b. The body shall adopt findings to support its decision.

c. The body may incorporate findings proposed by the proponent, the opponent or staff in its decision.

B. Continuances

1. A party can request either a hearing continuance or an open record period as provided by Oregon Revised Statues. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances.

d. There is a 120-day time limitation for the city to make a final land use decision, imposed by the Oregon Revised Statutes, and this 120-day period is not extended unless the applicant requested the continuance or if the applicant otherwise agrees to the extension of the time limitation. [10]

III. Legislative Land Use Matters

A. Hearings Procedures

1. The order of procedures for hearings on legislative land use matters shall be:

2. *Call for abstentions*

a. Inquire whether any member wishes to abstain from participation in the

[10] *See* ORS 227.178.

hearing. Any member announcing an abstention shall identify the reason therefore and shall not participate in the proceedings. The City Recorder or designated staff shall record the abstention in the minutes.

3. *Staff summary*
   a. Staff shall present a summary of the proposal, statement of the applicable criteria, and recommendations concerning the proposal.
4. *Presentation of the Case*
   a. Staff Presentation or Proponent's case. As approved by the presiding officer.
   b. Persons in favor. Five minutes per person.
   c. Persons opposed. Five minutes per person.
   d. Other interested persons. Five minutes per person.
5. *Close of hearing*
   a. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
6. *Deliberations*
   a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.
7. *Reopening Hearing*
   a. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the body, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – Motions, Debate, Public Comment and Voting

I. Motions

A. The following rules shall apply to motions:

1. All motions shall be distinctly worded using plain language.
2. If a motion does not receive a second, it dies.
3. The body 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. Any motion shall be reduced to writing if requested by a member.
5. A motion to amend can be made to a motion that is on the floor and has been seconded.
6. Amendments are voted on first, then the main motion if voted on as amended.

7. No motion shall be received when a question is under debate except for the following:
    a. To lay the matter on the table; (Put the issue on indefinite hold.)
    b. To call for the previous question; (End debate and immediately vote.)
    c. To postpone; (Delay until a specified time.)
    d. To refer; or (Send the matter to another committee or person for more information or a recommendation.)
    e. To amend. (To change the motion on the table.)
8. A motion may be withdrawn by the mover at any time without the consent of the body.
9. A member may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
10. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
    a. A call for the question fails without a majority vote.
    b. Debate on the main subject resumes if the motion fails.
11. A motion that receives a tie vote fails.
12. The presiding officer shall cause the motion to be stated before the vote.
13. 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. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

II. Debate

A. The following rules shall govern the debate of any item being discussed by the council or committee:

1. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
2. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

III. Public Comment

A. Public Comment

1. Public comment may be received at regular council meetings, standing committee meetings, and certain ad hoc committee meetings. The public shall have the right to comment at City Council meetings on all items that require a vote by the City Council, and the City Council will accept public comment unrelated to agenda items. Because of the limited role, purpose, and authority of standing committees and ad hoc committees, and in order to promote efficiency and maintain order, standing committees will only receive public comment related to the subject of the committee or topics at that meeting, while ad hoc committees will receive public comment only to the extent it is specifically included in their directives. .
2. When an interested person addresses the council or gives oral comments, that person should state their name and indicate if they are a resident of the city.
3. Public comment is a time for comment; it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the council or city staff.

B. Public Comment Registration

1. Those giving public comment are required to register on the city website (by noon on the day of the meeting) or in person at the public meeting before making comments and/or providing input at the meeting.
2. Registration is due before the meeting is called to order, except in the case of public hearings. An interested person shall register separately for each subject under which they wish to provide comment.
    a. For public hearings, public comment registration will close when the public testimony portion of the hearing is closed.
    b. The public comment registration forms will be made part of the meeting records in accordance with OPML. The registration forms will contain a provision by which a person may indicate that they do not wish for their address, phone number, and email address to be released in any public records request.
    c. A form complying with this rule will be available at all meetings. The city recorder is delegated the authority to draft, revise, and produce the necessary form that complies with this rule.
3. Those desiring to give public comment over the phone or through the virtual meeting option (Zoom or other virtual meeting platforms) are required to register by noon the day of the meeting.
    a. Should the meeting take place before 3pm, registration will be required by noon the day before the meeting, should this registration deadline fall on a weekend, registration will be due the Friday prior to the meeting. No Zoom

or other virtual meeting platforms or phone comments will be received without prior registration.

C. Non-Agenda Items and Consent Calendar

1. Persons speaking to the council from the floor concerning items not on the agenda or items that are on the consent calendar will speak under general public comments. Those people will be given the opportunity to speak for no more than five 5 minutes. Speakers may share their time at the discretion of the mayor.
2. The maximum time allowed for public comments, including all speakers, is thirty 30 minutes. The mayor has the discretion to extend these time limits. Speakers may address the council for less than their allotted time.

D. Agenda Item other than Consent Calendar

1. Except as required by state statute, the following procedure will apply to comments on agenda items, other than those on the consent calendar. People will be given the opportunity to speak no more than five (5) minutes following the introduction of the item. Speakers may share their time at the discretion of the mayor. The mayor has the discretion to extend these time limits. Speakers may address the council for less than their allotted time.

E. Written Materials

1. Comments including any attachments (written comment, images, etc.), can be emailed to the City Recorder or dropped off at City Hall by 12:00 p.m. (noon) the Friday before the meeting. Materials more than 10 pages long should be submitted as early as possible to ensure sufficient time for council review. Written comment must be accompanied by a public comment registration form.
2. If written comment cannot be provided prior to the deadline, members of the public are to bring 10 printed copies of the item to the meeting and provide one copy to the City Recorder or staff member taking public comment registrations.
3. Written comments will not be read into the record.

F. Electronic Materials

1. Speakers may submit electronic audio or visual material to be played during the time permitted for their comment.
2. Speakers must provide the materials in a format compatible with city software to the City Recorder on the Friday prior to the council meeting by 12:00 p.m. so that it may be installed on the city's equipment to avoid delays or disruption of the meeting. All items will be virus screened and will not be used should a threat be detected.

G. Multiple Speakers

1. Should there be more speakers than can be heard during the 30 minutes allowed for public comment, the presiding officer may reduce the time allotted to each speaker or may extend the comment period.

H. Council or Member Inquiries

1. Councilors or committee members may, upon recognition by the presiding officer, ask questions of speakers during public comment. Members shall use restraint when exercising this option and shall limit questions to no more than three minutes. The presiding officer may intervene if a member is violating the spirit of this guideline.

IV. Voting

The following rules shall apply to voting on matters before the council. The express approval of a majority of a quorum of the council is necessary for any council decision, except as otherwise set forth in these rules or when the charter requires approval by a majority of the council. For standing committees, the express approval of a majority of the quorum is necessary for any decision.

A. Consent Agenda

A majority of quorum present is required to approve the matters on a consent agenda.

B. Resolutions

A majority of quorum present shall be required to pass a resolution.

C. An Ordinance

A majority of all council members is required to pass an ordinance.

D. Emergency Ordinance

An emergency ordinance shall require the majority of quorum present.

E. Budget

The budget shall require majority of quorum present to pass.

F. Suspension of Rules

A majority of quorum present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the city's charter shall not be suspended or rescinded.

G. All votes shall be recorded in the minutes and may not be by secret ballot.

H. Ties

Tie votes shall indicate a denial of the proposal. If the tie is a matter that has

been appealed from a lower city body or commission, a tie shall render the lower body's decision approved.

CHAPTER 6 – Minutes

I. Generally

A. All minutes shall be in written form, in addition, an electronic copy of the meeting recording will be maintained by the city recorder in accordance with the appropriate record retention schedule.

B. The minutes shall be action minutes and contain the following information:

1. The date, time and place of the meeting;
2. The members present and absent;
3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
4. The results of all votes and the vote of each member by name; and
5. The substance of any discussion.

CHAPTER 7 – Appointments

I. Appointments of City Staff

A. The council appoints and can remove those positions identified in the city's charter. This includes City Attorney and Municipal Judge.

B. Appointments and Removals

All appointments and removals require a majority vote of the entire council.

C. Interference

If the council appoints a municipal judge, the council may meet with the judge, but in no instance shall the council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointments of Members to Boards, Commissions and Committees

A. Unless otherwise mandated by applicable law, the mayor shall appoint the members of any standing board, commission, or committee with the consent of the council in accordance with the code, resolution, or law that governs them.

1. Standing boards, commissions or committees are those established by the municipal code, resolution, or state law, intended to be permanent or long-term, to fulfill an ongoing need of the city. (ex. Budget Committee, Historic Preservation Commission, Planning Commission)

B. Ad-Hoc Committees

1. The mayor may form ad-hoc committees to deal with specific tasks within specific timeframes and make recommendations to the council. Ad-hoc committees are intended to be temporary.
2. The mayor will establish the membership criteria for the ad-hoc committees. Residency does not have to be a required criterion. The mayor will appoint members of the ad-hoc committees, subject to council ratification.
3. The mayor may remove any member of the ad-hoc committee at any time. Members of the committee will be removed if the member fails to attend two 2 consecutive meetings of the committee without being excused prior to the meeting.
4. The mayor has the authority to grant an excused absence, and in the mayor's absence, the committee chair has the authority.
5. The mayor will designate the chairperson and the vice chair. Members will continue to serve until their mission is accomplished, replacement or reappointment.
6. Each member of the ad-hoc committee will have an equal vote on the committee. The reports of the ad-hoc committee will have only the authority of recommendations to the council.
7. The meeting time and place of the committee will be decided by the chair with the consent of the committee. The meeting time and place may be changed provided there is adequate notice. The chair will have the authority to cancel any meeting of the committee for lack of business or necessity to meet.
8. A majority of the committee may request a meeting. All meetings are public meetings and will be conducted in accordance with the OPML.
9. The city manager will have the responsibility to furnish the necessary staff support for each ad-hoc committee.
10. The committee will not have the authority to assign specific tasks to any staff person of the city but will work through the city manager.

C. Removals

Except as otherwise required by applicable law, all appointed board, committee, or commission persons may be removed by the mayor with the consent of council.

CHAPTER 8 – Ethics, Decorum, Outside Statements

I. Ethics

A. All members of the council and committees shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:

1. Disclosing confidential information.
2. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
3. Expressing an opinion contrary to the official position of the council or committee without so saying.
4. Conducting themselves in a manner so as to bring discredit upon the government of the city.

II. Decorum

A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council or committee.

B. Members shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.

C. Members of the city staff and all other persons attending meetings shall observe the council's rules of proceedings and adhere to the same standards of decorum as members.

III. Statements to the Media and Other Organizations

A. Representing the City

If a member of the council or committee, including the mayor, appears as a representative of the city before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council or committee.

B. Personal Opinions

If a member of the council or committee, including the mayor, appears in their personal capacity before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

C. Suggested Language

Councilors and committee members are encouraged to use statements such as “This is my personal opinion and not the official opinion of the Newberg City Council (or relevant body).”

CHAPTER 9 – Interactions with Staff & City Attorney

I. Staff

A. All members of the council and committees shall respect the separation between their 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. Refraining from contacting the City Manager or Department Heads from 6pm Friday- 6am Monday, except in the case of an emergency.
4. 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 shall be directed to the city manager.
    a. Questions from individual members of the council requiring significant time or resources (2 hours or more) shell require the approval of the council.
    b. Members of the council shall share any information obtained from staff with the entire council.
    c. This section is not intended to apply to questions by members of the council acting in their individual capacity. Inquiries of a personal nature (i.e. utility billing issues, personal permits) shall be handled through the avenues available to all citizens.
    d. This section is not intended to apply to questions regarding conflict of interest or similar issues particular to a member of the council.

II. City Attorney

A. Council members may make requests to the City Attorney for information and advice in relation to council business.

1. Council members should understand that the City Attorney must prioritize the city’s legal issues and may not be able to respond immediately to Council requests.
2. Requests for legal advice that require greater than two hours of attorney time

will require the concurrence of the majority of the Council.

CHAPTER 10 – Censure

I. Rules Violations

A. The council may enforce these rules and ensure compliance with city ordinances, charter, and state laws applicable to governing bodies.

B. 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 via:

1. Public reprimand;
2. Removal from committee assignments; and/or
3. The removal from the position of council president.

II. Investigating Violations

A. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) in order 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.

B. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – Amendment and Repeal

I. Amendment

A. These rules of procedure are subject to amendment by the council in accordance with the rules noted herein.

B. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed and open for comment by the public.

C. All amendments to these rules require a majority vote.

D. Amended rules shall not go into effect until the meeting after the rule is approved.

II. Repeal

A. These rules of procedure are subject to repeal and replacement by the council in accordance with the rules noted herein.

B. Any proposed repeal of these rules shall be accompanied by a proposed replacement.

C. Any proposed repeal and replacement of these rules shall be done by resolution, noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.

D. Any repeal and replacement of these rules requires a majority of the full council vote.

E. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved unless otherwise noted in the resolution.

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► LEGISLATIVE HEARING ◄◂

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

Councilors should seek acknowledgement and then speak on the issue	Script
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. ORDINANCE DECISIONS

Ordinances - Action usually requires passage of an ordinance; the relevant motions are listed in the Ordinance Action Guide.

ORDINACE ACTION GUIDE

First action: Waive the second reading.	
If this is the first meeting in which this ordinance is considered, council should waive the second reading through the following motion.	**Script** **Presiding Officer:** I move to waive the second reading of Ordinance [####].

Second action can be one of 4 steps:	
1. Motion for Approval	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title]
2. Motion to Read in Full	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title] and ask that it be read in full.
3. Motion to Approve Amended Ordinance Amended ordinance must be read in full if approved in the same meeting as amendments are made.	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title] with amendments and ask that amendments be read in full.
4. Motion to Table the Ordinance Motion:	**Script** **Presiding Officer:** I move to table this ordinance to be considered at our next meeting.

Third Action: Roll Call Vote
Script
Presiding Officer: A motion has been made to (repeat the motion). **Presiding Officer to the city recorder or meeting clerk:** Please take a roll call vote. (The city recorder or meeting clerk calls the roll and announces the number of ayes and nos.) **Presiding officer:** The motion [passes **or** passes unanimously **or** fails]

Majority of Entire Membership	
Ordinances require majority of the entire membership for passage, this means a majority of all of the councilors, <u>not of the quorum present.</u>	
7 members	4 votes required for passage
6 members	4 votes required for passage
5 members	3 votes required for passage
4 members	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► ADMINISTRATIVE HEARING ◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

	Script
Councilors should seek acknowledgement and then speak on the issue.	**Presiding Officer:** Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. DECISIONS

Resolutions - Action usually requires passage of a resolution; the relevant motion should be:

	Script
Vote: voice vote is permitted	**Motion:** I make a motion to approve Resolution [####], [Title]. **Presiding Officer:** A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no. (Pause) The motion [passes unanimously **or** passes **or** fails.]

Majority of Quorum	
Resolutions require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► QUASI-JUDICIAL LAND-USE & NON-LAND-USE ◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider (topic of hearing). At this time, I will open the public hearing. Citizens will be able to testify on this issue and should submit a public comment registration at the back table should they wish to speak.

2. CALL FOR ABSTENTIONS, BIAS, EX-PARTE CONTACT, AND OBJECTIONS TO JURISDICTION

	Script
City Attorney Legal Announcements: Read "quasi-judicial announcements" sheet	**Presiding Officer:** Do any members of this [council board, committee or commission] need to declare a conflict of interest, abstention, or ex-parte contact or an objection to the jurisdiction? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. At the end the principal proponent will have a chance to offer a rebuttal. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. QUESTIONS OF PROPONENTS AND OPPONENTS FROM THE FLOOR OR THE CITY COUNCIL DIRECTED THROUGH THE CHAIR

	Script
	Presiding Officer: Do any members of the council have questions for those who have given testimony?

6. PUBLIC AGENCY LETTERS OR COMMENTS

	Script
	Presiding Officer: Now we will receive testimony from any public agencies. Written testimony has been entered into the record and provided to members of the Council and staff.

7. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close. **City Attorney Legal Announcements**

8. FINAL COMMENTS FROM STAFF AND RECOMMENDATION

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

9. DELIBERATION OF COMMISSION INCLUDING DISCUSSION OF CRITERIA WITH FINDINGS OF FACT

Councilors should seek acknowledgement and then speak on the issue.	Script
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

10. ACTION BY THE COUNCIL

Orders - Action usually requires passage of an order; the relevant motion should be:

	Script
Vote: voice vote is permitted	**Motion:** I make a motion to approve Order [####], [Title]. **Presiding officer:** A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no **Presiding officer:** The motions [passes **or** passes unanimously **or** fails]
Majority of Quorum	
Orders require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

NEWBERG PLANNING COMMISSION

►QUASI-JUDICIAL LAND-USE◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider (topic of hearing). At this time, I will open the public hearing. Citizens will be able to testify on this issue and should submit a public comment registration at the back table should they wish to speak.

2. CALL FOR: DECLARATION OF CONFLICTS OF INTEREST, ABSTENTIONS, BIAS, EX-PARTE CONTACT, AND OBJECTIONS TO JURISDICTION

	Script
This is the time for Commissioners to disclose any ex-parte communication. If it results in bias- they are to excuse themselves from participating in the hearing and to exit the Chamber	**Presiding Officer:** Do any members of this [council board, committee or commission] need to declare a conflict of interest, abstention, or ex-parte contract or an objection to the jurisdiction? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. REQUEST FOR QUASI-JUDICIAL LEGAL ANOUNCEMENT

	Script
ORS 197.797 requires certain statements to be made at the commencement of a public hearing. Student Commissioner or Staff is to read the Quasi-Judicial Legal Announcement	**Presiding Officer:** Student Commissioner please read the Quasi-Judicial Legal Announcement.

4. STAFF REPORTS

	Script
Staff will present the staff report summarizing the project, statement of the applicable criteria, and recommendation to the Commission verbally and with a slide presentation.	**Presiding Officer:** Now we will hear a report from our staff on this item. *Commissioners may ask brief questions for Clarification.*

OUTLINE FOR PUBLIC HEARINGS

NEWBERG PLANNING COMMISSION

5. CALL FOR PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be many testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the Commission and staff. We will hear from: • Applicant (principal proponent): 20 Min • Those in favor(proponent): 5 Min each • Those opposed (opponent): 5 Min Each • Other interested parties who are undecided: 5 Min Each • At the end the Applicant (principal proponent) will have a chance to offer a rebuttal: 10 Min Each person outside the applicant will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

6. QUESTIONS FROM THE COMMISSIONERS OF PROPONENTS AND OPPONENTS FROM THE FLOOR

	Script
Commission may ask clarifying questions of speakers.	**Presiding Officer:** Do any members of the Commission have questions for those who have given testimony?

7. CLOSE OF HEARING/PUBLIC TESTIMONY

	Script
No Further information shall be received after the close of the hearing except specific questions directed to Staff.	**Presiding Officer:** Public testimony is called to a close. *(A Hearing may be reopened to receive additional testimony, evidenced or argument upon majority vote of the body.)*

8. FINAL COMMENTS FROM STAFF AND RECOMMENDATION

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

OUTLINE FOR PUBLIC HEARINGS

NEWBERG PLANNING COMMISSION

9. PLANNING COMMISSION DELIBERATION; DISCUSSION OF CRITERIA WITH FINDINGS OF FACT

Councilors should seek acknowledgement and then speak on the issue.	**Script**
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

10. ACTION BY THE PLANNING COMMISSION

Orders - Action requires passage of an order; the relevant motion should be:

	Script
The body may approve or reject the proposal with adopted findings that support its decision. **Anyone can make a motion.** **Presiding Officer must restate Motion in full. (Officer May call on staff for assistance)** **All motions must receive a second or it dies.** **Vote: Roll Call Vote** **Amendments are voted on first then the Main Motion if voted on as amended**	**Motion:** I make a motion to approve Order [####], [Title]. **Presiding officer:** A motion has been made to (repeat motion). • Do I hear a Second to the Motion as it stands? (Pause for Second) • Motion has been seconded- Is there any further discussion? (Pause for discussion.) • Staff, please take a roll call vote on the motion to (repeat motion). **Presiding officer:** The motions [passes **or** passes unanimously **or** fails]
	If Motion fails, Script
	Presiding officer: Motion (repeat motion) has failed due to (state reason). Do we have another Motion or would anyone like to present an amendment to the motion? (Pause for discussion) **New or Amended Motion:** I make a motion to approve Order [#####] with Amendments (State Amendments) **Presiding officer:** A motion with amendments has been made to (repeat motion). • Do I hear a Second to the Motion as it stands? (Pause for Second) • Motion has been seconded- Is there any further discussion? (Pause for discussion.) • Staff, please take a roll call vote on the motion (repeat motion) with amendments (repeat amendments) **Presiding officer:** The motions [passes **or** passes unanimously **or** fails]

OUTLINE FOR PUBLIC HEARINGS

NEWBERG PLANNING COMMISSION

Majority of Quorum	
Orders require majority of the quorum for passage. ***A Tie Vote Fails***	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

NEWBERG PLANNING COMMISSION

►LEGISLATIVE PUBLIC HEARING◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
This is the time for Commissioners to disclose any ex-parte communication. If it results in bias, they are to excuse themselves from participating in the hearing.	**Presiding Officer:** Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? *(If yes, a member should be acknowledged by the presiding officer and state their declaration.)*

3. STAFF REPORTS

	Script
Staff will present the staff report summarizing the project, statement of the applicable criteria, and recommendation to the Commission verbally and with a slide presentation.	**Presiding Officer:** Now we will hear a report from our staff on this item. *Commissioners may ask brief questions for Clarification.*

OUTLINE FOR PUBLIC HEARINGS

NEWBERG PLANNING COMMISSION

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be many testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the Commission and staff. We will hear from: • Principal proponent (if not Staff): 20 Min • Those in favor(proponent): 5 Min each • Those opposed (opponent): 5 Min Each • Other interested parties: 5 Min Each Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
No Further information shall be received after the close of the hearing except specific questions directed to Staff.	**Presiding Officer:** Public testimony is called to a close. *(A Hearing may be reopened to receive additional testimony, evidence or argument upon majority vote of the body.)*

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. PLANNING COMMISSION DELIBERATION; DISCUSSION OF CRITERIA WITH FINDINGS OF FACT

	Script
Councilors should seek acknowledgement and then speak on the issue.	**Presiding Officer:** Now I'll open the floor for the Commission to deliberation. Would anyone like to speak on this matter?

OUTLINE FOR PUBLIC HEARINGS

NEWBERG PLANNING COMMISSION

8. DECISIONS

Resolutions - Action usually requires passage of a resolution; the relevant motion should be:

	Script
The body may approve or reject the proposal with adopted findings that support its decision. **Anyone can make a motion.** **Presiding Officer must restate Motion in full. (*Officer May call on staff for assistance)*** **All motions must receive a second or it dies.** **Vote: Roll Call Vote** **Amendments are voted on first then the Main Motion if voted on as amended**	**Motion:** I make a motion to approve Resolution [####], [Title]. **Presiding officer:** A motion has been made to (repeat motion). • Do I hear a Second to the Motion as it stands? (Pause for Second) • Motion has been seconded- Is there any further discussion? (Pause for discussion.) • Staff please take a roll call vote on the motion to (repeat motion). **Presiding officer:** The motions [passes **or** passes unanimously **or** fails]
	If Motion fails, Script
	Presiding officer: Motion (repeat motion) has failed due to (state reason). Do we have another Motion or would anyone like to present an amendment to the motion? (Pause for discussion) **New or Amended Motion:** I make a motion to approve Resolution [#####] with Amendments (State Amendments) **Presiding officer:** A motion with amendments has been made to (repeat motion). • Do I hear a Second to the Motion as it stands? (Pause for Second) • Motion has been seconded- Is there any further discussion? (Pause for discussion.) • Staff please take a roll call vote on the motion (repeat motion) with amendments (repeat amendments) **Presiding officer:** The motions [passes **or** passes unanimously **or** fails]

Majority of Quorum	
Orders require majority of the quorum for passage. ***A Tie Vote Fails***	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

Council and Committee Rules

Why update?

Why uniform practices?

Hierarchy of Rules

- Federal Law
- State Law
- State Rules and Regulations
- Charter
- Code
- Council Rules
- Committee Bylaws or Rules
- Robert's Rules for Small Boards

In general, rules at lower levels of the hierarchy may be more restrictive than the rules at a higher level, but not less. When Boards, Committees, and Commissions choose to pass their own rules, the City Recorder should be involved to ensure cohesion.

Robert's Rules for Small Boards

- Do not invoke finer points
- Keep it simple
- Quorum must be present
- All members equal
- Recognition by the presiding officer
- Side discussions and personal remarks not allowed

Quorum

- Vacancies do not count towards a quorum
- Quorums are mandatory to conduct business or make decisions
- Serial meetings
- Call of the house
- If a quorum cannot be reached, end the meeting

Public Comments and Testimony

- Processes
- Registration
- Written comment
- Online/Phone participation
- Relevant comments only for Committees, Boards, and Commissions.
- First amendment
- Disorderly conduct
- Attendance vs. Participation

Consistency is an important element in our defense against First Amendment and Public Meeting Law violation complaints.

Debate

- The following rules shall govern the debate of any item being discussed by the council or committee:

1. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
2. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

Voting and Motions

- Roll Call vs. Voice Vote
- Private Ballot Prohibited
- All votes must be recorded and visible to the public
- Motions need to be seconded, except in special circumstances!
- Amendments are resolved before the main motion
- Proposer can withdraw a motion
- Tie votes fail
- Motions stated before votes
- Motions only made once, item is closed once the meeting ends
- Reconsideration

Motion Script

- Often written in the staff report
- Member 1: I motion to adopt teddy bears as the official toy of our board.
- Member 2: Seconded
- Presiding Officer: I hear a second, is there any discussion?
- (Discussion occurs as needed)
- Presiding Officer: The motion is to adopt teddy bears as the official toy of our board.
- Conduct voice vote or roll call.
- Presiding Officer announces results of the vote.

Useful Motions

- To lay the matter on the table (Put the issue on indefinite hold.)
- To call for the previous question (End debate and immediately vote.)
- To postpone (Delay until a specified time.)
- To refer (Send the matter to another committee or person for more information or a recommendation.)
- To amend (To change the motion on the table.)
- Point of order
- To adjourn

Ethics, Decorum, Outside Statements

- Speaking for the Commission vs. Speaking for yourself
- Social Media, Statements to press, casual conversations
- Decorum- no delays, follow rules, presiding officer keeps decorum
- Point of Order

When speaking for your public body, you may only state the official decisions of the body.

Absences

- Excused vs. Unexcused
- 75% rule
- Contact your chair and staff liaison
- Excusing a member with too many absences
  - Best Practice:
    - Attempt to contact
    - Committee will confirm disqualification
    - Inform City Recorder

Schedule Changes

- Meetings may be cancelled for lack of quorum or lack of business
- Any meeting outside of the regular schedule is a "Special Meeting"
- Special meetings may be held but must be scheduled in cooperation with CR’s Office to avoid conflicts
- Chairs have the authority to call a special meeting, special meeting may also be scheduled at the request of 3 members
- Discuss dates and times but wait to confirm until staff have checked for scheduling conflicts.

Agenda Creation and Deadlines

- Legal deadline 48 hours prior to the meeting.
- Council Deadline 7 days ahead. For committees this is requested but not mandatory.
- Supplementary items
- Must include: Topics of Discussion, Date, Time, Place, ADA Accommodations
- Some actions require further notice and should be addressed on a case by case basis. (Ex. Land Use Hearings)
- Requesting an item be added

Agenda Order and Scripts

- Committees have flexibility in this and may set their own order
- Scripts are provided for council and may be adapted for other bodies as needed.
- Agendas will be published by staff in accordance with legal deadlines

Minutes

- Created by staff
- Signed by Chair or Presiding Officer
- Do not need to be approved in session unless desired or required by committee rules/bylaws
- Must include detailed records of votes
- Must include any conflict declarations

Appointments

- By Mayor or NURA Chair
- Ratified by Council
- All must apply every time (renewals)
- Removals- 75/25 rule
- Watch for emails from OnBoardGov with reminders!

Staff Interactions

- Day to Day Business
- Do not undermine staff
- Weekends Off!
- Simple vs complex issues

Questions?

Rachel Thomas, City Recorder
Melissa Morris, Interim Deputy Recorder
cityrecorder@newbergoregon.gov