

COMMITTEE RULES

Council Resolution #3850 - Effective 7/19/2022

Appointed Boards

The City Council has several boards, commissions, and committees (for purposes of these Rules, each is a “Committee” and collectively, the “Committees”) comprised of appointed persons that advise the Council on specific issues or serve a statutory role. Per City of Newberg City Council Rule 6.1, “The Mayor, with the consent of the council, will appoint members of boards, commissions and committees established by ordinance or resolution.”

The appointment process is established by resolution, and the qualifications, terms, and other conditions of appointment shall be as specified in the code or the resolution or document establishing the Committee. Staff members such as department heads will not create Committees without following the formal processes listed here lead by the Council.

The powers and process for appointing persons to these entities are set forth as follows:

Types

There are three types of Committees: required, advisory, and ad hoc.

- I. Required Committees are any Committee required by federal, state, or city statute. They are permanent in function and exist by City ordinance or resolution.
Examples: Budget Committee and Planning Commission
- II. Advisory Committees are any Committee created by the Council to advise the City on policy and the operations and sustainability of City assets or departments. These Committees are considered “standing” and exist by ordinance or resolution.
Examples: Traffic Safety, Library Advisory, Historic Preservation, Rate Review, etc.
- III. Ad hoc committees are any group convened to review a specific issue and develop recommended plans, policies, or specific actions to address them. These groups are considered temporary only and exist by resolution.

Powers

All Committees shall be advisory only, except for those appointed Committees that are formed to comply with state law, (e.g., the Budget Committee under ORS 294 or Planning Commission under ORS 227).

- I. Required Committees have the rights and powers afforded them through their legal authority and any other delegated authority. These Committees shall always have staff support to ensure they meet their legal requirements.
- II. Advisory Committees are either standing Committees of the City or Ad Hoc committees to investigate, create/review, and propose policies, programs, or projects that advise the Council and staff on issues within the City pertaining to their mandate.
- III. Ad hoc Committees are temporary bodies created by the Mayor and ratified by the Council and shall meet within a finite period to create findings and provide information to the Mayor and the Council.

Voting – Except as otherwise required by applicable law:

- I. Each member will have an equal vote on the Committee. The reports of the Committee will have only the authority of recommendations to the Council. The Budget Committee has special provisions pertaining to ORS 294. The Council has the authority to follow the recommendations, change the recommendations, refer the matter back to the Committee, or take any other action the Council deems appropriate.
- II. The Mayor, City Manager, and the City Attorney will be ex-officio, non-voting members of all Committees and will not be used in determining a voting quorum.

Meetings – Except as otherwise required by applicable law:

- I. The meeting time and place of the Committees will be set by Newberg Municipal Code 2.15. The meeting time and place may be changed provided there is adequate notice. The chair will have the authority to cancel any meeting of a Committee for lack of business or necessity to meet. Meetings are public meetings and will be conducted in accordance with the Oregon Public Meetings Laws.
- II. Ex-officio members may attend any Committee meeting. If they attend, they may participate in the discussion as is appropriate. However, they are not required to attend Committee meetings.

Appointments and Removal – Except as otherwise required by applicable law:

- I. Following an election to be held at the Committee's first meeting, the Mayor will confirm the chairperson and the vice chair. The exception to this will be the Planning Commission that will continue to follow its own rules concerning its chair and vice-chair.
- II. The Mayor may remove any member of a Committee at any time with the consent of the Council. Notwithstanding the foregoing, however, the City Council may remove a member of a Committee if that member fails to attend 75% of the Committee's meetings in any one year (unless such absences are determined to be excused). The Mayor has the authority to grant an excused absence and in the Mayor's absence, the Committee chair has the authority. If a member is removed, the member will be replaced by the Council as provided for the filling of vacancies. See Newberg Municipal Code 2.15.005d.
- III. The Mayor and/or the Council shall interview individuals for nomination except as otherwise provided under the City of Newberg Municipal Code.

Staff Support

The City Manager will have the responsibility to furnish the necessary staff support for each Committee. 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 or designee

Ethics

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

- I. Disclosing confidential information.
- II. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
- III. Expressing an opinion contrary to the official position of the Council or Committee without so saying.
- IV. Conducting themselves in a manner so as to bring discredit upon the government of the City.

Etiquette

In addition to complying with state ethics law, all members of a Committee shall:

- I. Honor the expertise in the room.
- II. Avoid blame, speculation, and inflammatory language.
- III. Ensure that all are heard and encourage participation.
- IV. Acknowledge and respect differences.
- V. Agree to disagree.
- VI. Look for common ground.
- VII. Come to meetings prepared.
- VIII. Ask questions to staff in advance whenever possible.
- IX. Active listening – Listen to understand, not to respond.
- X. WAIT – Why Am I Talking?
- XI. Stay on topic.
- XII. Provide actual direction.
- XIII. Respectful to all.
- XIV. Functional procedural rules.

Statements to Other Organizations

- I. Representing City – If a member of a Committee, to include the Mayor, appears as a representative of the City before another governmental agency 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.
- II. Personal Opinions – If a member of a Committee, to include the Mayor, appears in their personal capacity before another governmental agency 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.
- III. Social Media – When commenting on social media platforms the Committee member, to include the Mayor, shall take care to follow the rules set forth in element I and II above.

Interactions with City Manager and Management

All members of Committees shall respect the separation between the Committee's role and the City Manager's responsibilities by:

- I. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
- II. Refraining from action that would undermine the authority of the City Manager or management staff.
- III. Limiting individual inquiries and requests for information from management to those questions that may be answered readily as part of management's day-to-day responsibilities. The City Manager should be informed regarding questions of a more complex nature.
- IV. Committee members should normally share any significant information obtained from management staff with the entire Committee.

Interactions with City Attorney

- I. The City Attorney is the chief legal officer of the City and represents the municipal corporation, not individual Committee members. Advice is given to the Committee as a whole, not to individual Committee members.
- II. Committee members may make requests to the City Attorney for information and advice provided the request is routed through the City Manager or designee, who will then create the appropriate request for legal services routing document.

Thank you for your willingness to serve!