



PLANNING COMMISSION RESOLUTION 2023-387

A RESOLUTION AMENDING THE CITY OF NEWBERG PLANNING COMMISSION PARTICIPATION GUIDELINES

RECITALS

1. The City of Newberg Planning Commission Participation Guidelines were requested to be updated by the Planning Commission for two elements under SECTION 3 – PLANNING COMMISSION MEMBERS and SECTION 4 – PRESIDING OFFICER.
2. The Newberg Planning Commission finds that the amendments are in alignment with procedures for the Planning Commission.

The Newberg Planning Commission orders as follows:

1. Resolution No. 2023-387 is adopted amending the City of Newberg Planning Commission Participation Guidelines as contained in Exhibit “A”. Exhibit “A” is hereby adopted and by this reference incorporated.

Adopted by the Newberg Planning Commission this 9th day of February 2023.

ATTEST:

Planning Commission Chair

Planning Commission Secretary

List of Exhibits:

Exhibit “A”: City of Newberg Planning Commission Participation Guidelines

Exhibit A

CITY OF NEWBERG PLANNING COMMISSION PARTICIPATION GUIDELINES

Adopted January 12, 2012

Amended June 9, 2016

Amended April 14, 2022

Amended February 9, 2023

NEWBERG PLANNING COMMISSION PARTICIPATION GUIDELINES

Newberg planning commission members will strive to:

- 1) Trust and respect the opinions of fellow commission members, staff, and the public and actively participate in the decisions of the planning commission.
- 2) Attend all planning commission meetings.
- 3) Notify the planning staff of an absence as soon as practical prior to the meeting time.
- 4) Make every attempt to resolve any personal conflict with a fellow planning commissioner prior to bringing the conflict to the attention of the planning commission.
- 5) Study material presented in a timely manner and be informed on the issues that come before the commission.
- 6) Follow the commission rules.

NEWBERG PLANNING COMMISSION MEETING EXPECTATIONS

Newberg planning commission members will:

- 1) Be courteous and respectful of citizens and create a welcoming environment that actively involves citizens in the governmental process.
- 2) Communicate in clear, concise and audible verbal and written communications.
- 3) Use a friendly and sincere tone of voice.
- 4) Honor and act on all requests for action and/or information in a timely and courteous manner.
- 5) Discuss issues, but not personalities, with non-commission members.
- 6) After an issue has been voted on, commission members will speak for themselves carefully, in a manner that does not undermine the integrity or motives of the planning commission, even if their personal opinion differs from the planning commission's decision.
- 7) Vote on all motions before the commission, or explain the reasons for abstaining.

CITY OF NEWBERG PLANNING COMMISSION RULES

**Adopted January 12, 2012
Amended June 9, 2016
Amended April 14, 2022
February 9, 2023**

TABLE OF CONTENTS

Table of Contents	5
SECTION 1 – AUTHORITY.....	7
Rule 1.1 Authority of Rules	7
Rule 1.2 Questions about these Rules	7
Rule 1.3 Presentation of Rules to Planning Commission Members.....	7
Rule 1.4 Amendments to Planning Commission Rules	7
SECTION 2 – GENERAL RULES.....	7
Rule 2.1 Public Meetings Law	7
Rule 2.2 Quorum	7
Rule 2.3 Lack of Quorum.....	7
Rule 2.4 Rules of Order.....	8
Rule 2.5 Enforcement of Rules	8
Rule 2.6 Suspension of Rules.....	8
Rule 2.7 Commissioners Duties to Uphold Rules and Decorum	8
Rule 2.8 Removal of Any Person for Violation of Rules.....	8
Rule 2.9 Records of Proceedings	8
SECTION 3 – PLANNING COMMISSION MEMBERS	9
Rule 3.1 Attendance	9
Rule 3.2 Excused Absences.....	9
Rule 3.3 Report of Absences	9
Rule 3.4 Mayor as Ex-Officio Member of the Planning Commission	9
Rule 3.5 Student Planning Commissioner.....	9
Rule 3.6 Planning Commissioner Training	9
SECTION 4 – PRESIDING OFFICER.....	10
Rule 4.1 Chair.....	10
Rule 4.2 Vice Chair	10
Rule 4.3 Chair Pro Tem.....	10
Rule 4.4 Election of Chair and Vice Chair.....	10
SECTION 5 – PLANNING COMMISSION MEETINGS	10
Rule 5.1 Regular Meetings	10
Rule 5.2 Meeting Times and Places	10
Rule 5.3 Notice of Meeting	10
Rule 5.4 Special Meetings.....	11
Rule 5.5 Cancellation of Meeting.....	11
SECTION 6 – AGENDAS AND ADDITIONAL ITEMS FOR CONSIDERATION	11
Rule 6.1 Preparation of Agenda	11
Rule 6.2 Non-Agenda Items.....	11
Rule 6.3 Time for Submission of Items	11
Rule 6.4 Staff Reports	11
Rule 6.5 Agenda Availability.....	11
Rule 6.6 Regular Meeting Agenda	12
Rule 6.7 Consent Calendar.....	12
SECTION 7 – PROCEDURES AT MEETINGS	12
Rule 7.1 Call to Order	12
Rule 7.2 Public Comment on Non-Agenda Items	12
Rule 7.3 Legislative Public Hearings	12

Rule 7.4	Quasi-judicial Public Hearings	13
Rule 7.5	Public Comment Registration.....	13
Rule 7.6	Public Testimony	13
Rule 7.7	Time Limits for Testimony.....	13
Rule 7.8	Written Testimony	13
Rule 7.9	Ex parte Contact.....	13
Rule 7.10	Questions of Speakers.....	14
Rule 7.11	Order of Deliberation.....	14
Rule 7.12	Speaking and Addressing the Chair.....	14
Rule 7.13	Motions, Seconds, and Decisions by Unanimous Consent.....	14
Rule 7.14	Voting and Abstaining from Voting	14
Rule 7.15	Tabled Items	14
Rule 7.16	Reconsideration	14
SECTION 8	– ELECTRONIC MAIL AND ELECTRONIC COMMUNICATION	15
Rule 8.1	Electronic Mail and Electronic Communication	15
Rule 8.2	Electronic Mail and Electronic Communication Regarding Quasi-Judicial Items.....	15
SECTION 9	- RELATIONSHIP WITH THE CITY COUNCIL.....	15
Rule 9.1	Role of Planning Commission in Relation to the City Council.....	15
Rule 9.2	Joint Meetings with City Council or Other Boards	15
Rule 9.3	Planning Commission Presentations at City Council Work Sessions	15
Rule 9.4	Attendance at and Participation in City Council Meetings.....	16

Newberg Planning Commission Rules

SECTION 1 – AUTHORITY

Rule 1.1 Authority of Rules

The planning commission will adopt commission rules by resolution to govern its meetings and proceedings. These rules will decide questions and give direction on debating, voting, membership, attendance, agendas, and other matters. The rules are intended to serve as a guide for the planning commission. One of the goals of the planning commission is to work with the residents of Newberg and provide a positive atmosphere at planning commission meetings. These rules provide the basic outline required to work together. The commission may need to vary from these rules from time to time to best serve the public interest.

Rule 1.2 Questions about these Rules

All questions regarding these rules will be resolved by majority vote of the commission.

Rule 1.3 Presentation of Rules to Planning Commission Members

These planning commission rules will be presented to all planning commission members at or before the time they take the oath of office.

Rule 1.4 Amendments to Planning Commission Rules

Amendments to these planning commission rules will be made by resolution.

SECTION 2 – GENERAL RULES

Rule 2.1 Public Meetings Law

All planning commission meetings will be held in accordance with the Oregon Public Meetings Law (“OPML”). The meetings of the commission, including regular meetings, special meetings, work sessions and emergency meetings are open to the public. The meetings are considered a limited public forum at which planning commission business is conducted in accordance with the agenda and rules of the planning commission. The chair, along with the commission, has the authority to require discussion at the meetings be addressed to the matters that are appropriate to be considered, to limit the time for discussion, and to restrict input concerning the matters to be discussed. The planning commission has the right to require persons attending the meeting, addressing the commission or participating in the meeting to conform to the rules of the commission and directions of the chair.

Rule 2.2 Quorum

Section 2.15.280 of city’s municipal code provides that a majority of the voting members of the planning commission constitutes a quorum to conduct business.

Rule 2.3 Lack of Quorum

If there is a lack of quorum at any scheduled meeting, any hearings scheduled shall be continued to the next scheduled meeting of the commission by announcement to those present, or by posting notice of such continuance prominently at the meeting location.

Rule 2.4 Rules of Order

"Robert's Rules of Order, Newly Revised, Tenth Edition" or the latest editions published thereafter hereafter referred to as "Robert's Rules of Order" will govern all planning commission proceedings unless they conflict with these rules. The chair will have the authority to appoint a parliamentarian for the commission. If there is no person appointed as parliamentarian or that person is absent, the city attorney or community development director will advise the chair concerning parliamentarian matters.

Rule 2.5 Enforcement of Rules

The chair will enforce the planning commission rules. In addition, the chair has the authority to preserve decorum and will determine all points of order, subject to the right of any planning commissioner to appeal to the commission. The chair will enforce order, prevent attacks on personalities or the impugning of members' motives, and keep those in debate to the question under discussion.

Rule 2.6 Suspension of Rules

The vote to suspend commission rules, including Robert's Rules of Order, requires a majority vote of those members of the planning commission who are present. If the motion is carried, the rules will be suspended for that item only.

Rule 2.7 Commissioners Duties to Uphold Rules and Decorum

Commissioners will preserve order and decorum during planning commission meetings, and will not by conversation or other action delay or interrupt the proceedings or refuse to obey the orders of the chair and commission rules. Commissioners will, when addressing staff or commissioners, confine themselves to questions or issues that are under discussion, will not engage in personal attacks, will not impugn the motives of any speaker, and will at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of office. Commissioners will not attack the knowledge, skills, abilities and personalities or impugn city staff members' motives in commission or at any city meetings.

Rule 2.8 Removal of Any Person for Violation of Rules

Any persons making disruptive or threatening remarks or actions during a meeting will forthwith be barred from further audience at that meeting, unless permission to continue is granted by a majority vote of the commissioners present. The community development director or chair may summon the assistance of the police or other administrative staff to prevent further interruption by such person by any action necessary, including the removal of that individual. In case the community development director or chair should fail to act, any commissioner may obtain the floor and move to require enforcement of this rule, upon an affirmative vote of the majority of the commissioners present, the police or administrative staff will be authorized to remove the person(s) as the chair so directs.

Rule 2.9 Records of Proceedings

The Community Development Department will provide a secretary for the commission who will keep a record of commission proceedings. The records of the proceedings are to be known as "minutes." The minutes will be kept in accordance with the Oregon Public Records and Meetings Law.

SECTION 3 – PLANNING COMMISSION MEMBERS

Rule 3.1 Attendance

It is the duty of each commissioner to attend all meetings of the planning commission unless excused. Any member who fails to attend at least seventy-five percent of the regular meetings in any one year of their term shall be disqualified from serving on the commission unless absences are determined to be excused. Upon certification of such disqualification by the commission the commissioner will be replaced by the city council as is provided for the filling of vacancies.

Rule 3.2 Excused Absences

When a commissioner cannot attend a meeting, the member is to notify the community development director prior to the meeting. Absences will be considered excused when such notice is given. An absence will be considered unexcused if there is no notification of the absence prior to the meeting, unless otherwise determined by vote of the commission.

Rule 3.3 Report of Absences

The community development director will report to the commission chair any time a commissioner fails to attend at least seventy-five percent of the regular meetings in any one year of their term. The community development director also will report to the city council any time a commissioner fails to attend at least seventy-five percent of the regular meetings in any one year of their term. The purpose of this notice is to inform the council of the member's attendance, and to refill the commission seat as is provided for the filling of vacancies.

Rule 3.4 Mayor as Ex-Officio Member of the Planning Commission

By code, the mayor serves as a non-voting ex-officio member of the planning commission. The mayor shall be invited to, but is not obligated to, attend all meetings and activities of the planning commission. When attending, the mayor shall sit with the commission.

When participating in legislative matters, the mayor shall be invited to participate in the discussion. The mayor shall recuse himself/herself from quasi-judicial matters that eventually may be before the council for decision. This is to avoid questions of ex parte contact or bias in the decision.

Rule 3.5 Student Planning Commissioner

The student planning commissioner is a high school student or college student appointed in accordance with NMC 2.15.005 and is a voting member. The student planning commissioner is expected to attend all planning commission meetings. The student commissioner serves a one-year term and is allowed and encouraged to participate in all planning commission events and activities.

Rule 3.6 Planning Commissioner Training

The City shall offer training to planning commissioners to educate them in their duties. It shall be the duty of any newly appointed planning commissioner to attend a basic training session from staff within 30 days of his or her appointment. It shall be the duty of any re-appointed planning commissioner to attend at least a one-hour training session from staff or offered by the city within 12 months of the beginning of that person's appointed term. Planning commissioners are strongly encouraged to attend training of some kind annually.

SECTION 4 – PRESIDING OFFICER

Rule 4.1 Chair

The chair will preside over and facilitate all planning commission meetings, preserve order, enforce commission rules, and determine the order of business pursuant to planning commission rules. The chair is a voting member of the commission and will sign all records of planning commission decisions.

Rule 4.2 Vice Chair

In the absence of the chair, or if the chair is unable to perform the chair's duties, the vice chair will act as the presiding officer. Whenever in these rules the chair is mentioned, the vice chair acting as presiding officer can exercise the same authority as the chair. The vice chair also assists the chair in his/her duties, such as keeping time, maintaining order, and determining order of speakers.

Rule 4.3 Chair Pro Tem

In the absence of the chair and vice chair at any meeting of the planning commission where a quorum is present, the planning commission members present shall appoint a chair pro tem who will act as presiding officer. The chair pro tem will exercise all the authority of the chair during that meeting.

Rule 4.4 Election of Chair and Vice Chair

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. Newly appointed members will be placed at the bottom of the current rotation to allow them to serve at least one-year as commissioner then later as chair and vice chair. In case multiple members are appointed at the same time, the commission will decide seniority by vote. The policy does not compel any member to serve as chair who is unwilling, nor does it compel election when the majority determines the commission would be better served by election of different officers. The commission shall consent to the election of each chair and vice chair and absent such consent, shall elect positions by majority vote.

SECTION 5 – PLANNING COMMISSION MEETINGS

Rule 5.1 Regular Meetings

Section 2.15.280 of city's municipal code provides that the planning commission must meet at least once a month at a time and place designated by the planning commission. The planning commission designates through these rules that the regular meetings of the commission will be held on the second Thursday of each month, except on holidays in which event the commission will meet on the second Wednesday. The commission also will meet on the fourth Thursday if business so requires.

Rule 5.2 Meeting Times and Places

The regular meetings of the commission will begin at 7:00 p.m. Regular planning commission meetings will take place in the Public Safety Building in the training room at 401 E Third St., unless specifically designated to occur at another location. Any other such location will be noted in the notice of the meeting. There will be no new items presented after 10:00 p.m. except by vote of the planning commission.

Rule 5.3 Notice of Meeting

The notice of the regular meeting of the planning commission, including the agenda which

commission from taking up any matter brought before the commission in accordance with the OPML.

Rule 5.4 Special Meetings

The chair, upon the chair's own motion and after consulting the community development director, may, or at the request of three members of the commission, shall, by giving notice to the members of the commission, call a special meeting of the commission for a time not earlier than 24 hours after the notice is given. Notice of a special meeting shall be posted at City Hall and to the extent feasible, provided to interested persons and the local newspaper at least 24 hours prior to the meeting.

Rule 5.5 Cancellation of Meeting

Upon a majority vote of the planning commission members present, a meeting may be canceled when deemed appropriate. If there is no business to transact or a quorum of the planning commission cannot attend and there is no urgent necessity to have the meeting, the community development director with advice and consent of the chair may cancel the meeting. Planning commission members will be notified of the cancellation prior to notice being given to the public. Notice of cancellation will be given as soon as possible to the public in a manner aimed at giving adequate notice.

**SECTION 6 – AGENDAS AND ADDITIONAL ITEMS FOR
CONSIDERATION**

Rule 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.

Rule 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.

Rule 6.3 Time for Submission of Items

Items for the planning commission agenda will be submitted in time to allow for sufficient research by staff.

Rule 6.4 Staff Reports

Normally the staff will send a report of each planning commission item to be considered by the planning commission at least eight days prior to the commission meeting.

Rule 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.

Rule 6.6 Regular Meeting Agenda

The regular meeting agenda will be as follows:

- I. Call Meeting to Order
- II. Administration of Oath of Office (if needed)
- III. Roll Call
- IV. Public Comment (30 minutes maximum which may be extended at the chair’s discretion; an opportunity to speak for not more than five minutes per speaker allowed)
- V. Consent Calendar
- VI. Public Hearings
- VII. Continued Business
- VIII. New Business
- IX. Items from Staff
- X. Items from Commissioners
- XI. Adjournment

At the chair’s discretion, the chair may change the order of the agenda and allow communications concerning items on the agenda or other commission business.

Rule 6.7 Consent Calendar

The community development director will place items which have been previously reviewed by the planning commission or items which are routine in nature on the consent calendar. Items may be removed from the consent calendar by the chair or by request of a planning commission member. Public comments will be held prior to the approval of the consent calendar to allow the public to address items under consent calendar.

SECTION 7 – PROCEDURES AT MEETINGS

Rule 7.1 Call to Order

The chair will call the planning commission members to order at the hour designated for the meeting. The secretary will call roll. Should there not be a quorum within 15 minutes, the members present will adjourn until a quorum can be gathered or until the next scheduled meeting time established by the planning commission or to the next regular meeting time.

Rule 7.2 Public Comment on Non-Agenda Items

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. The chair has the discretion to extend these time limits. Speakers may address the planning commission for less than their allotted time. Speakers may also submit information at the meeting. The commission normally will not take immediate action on any request raised, but may consider acting on a request during items from commissioners.

Rule 7.3 Legislative Public Hearings

For legislative hearings, the commission will follow the legislative hearing format shown in Exhibit “1”. The planning commission’s legislative authority is usually exercised by the adoption of a

resolution.

Rule 7.4 Quasi-judicial Public Hearings

For quasi-judicial hearing, the commission will follow the quasi-judicial hearing format shown in Exhibit “2”. 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.

Rule 7.5 Public Comment Registration

In order to properly notify persons who participate in the hearing and to be able to send them information, it is necessary for the interested person to register at the planning commission meeting before making oral comments and/or providing input at the meeting. The interested person shall register for each subject under which they wish to provide comment. 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. When the interested person addresses the commission or gives oral comments, that person should state their name, but does not need to state their mailing address, phone number, or email address. A form complying with this rule will be available at all meetings of the planning commission. The community development director may produce and revise the necessary form that complies with this rule.

Rule 7.6 Public Testimony

Each interested person addressing the commission should do so in a courteous and considerate manner. The person needs to register and follow other rules as provided in the commission rules. The public will be furnished guidelines and should comply with these guidelines for testifying before the planning commission.

Rule 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.

Rule 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.

Rule 7.9 Ex parte Contact

Whenever the planning commission conducts a quasi-judicial public hearing, the planning commission must declare any ex parte contact. Rules concerning ex parte contact are set forth in state law.

Commissioners may visit a site individually prior to hearing an application, and shall declare the

substance of that visit as ex parte contact. Otherwise, planning commissioners should avoid ex parte contacts.

Rule 7.10 Questions of Speakers

Commissioners may ask questions of speakers following their testimony. Such questions should be directed to elicit information that will help the commission reach a decision. Commissioners should avoid debating or arguing with speakers.

Rule 7.11 Order of Deliberation

The commission's deliberation on an agenda item may begin with a formal motion, or an informal discussion. If the informal discussion is not leading toward a decision, the chair shall call for a formal motion.

The chair shall determine the order of speakers to a motion. Except as otherwise determined by the chair, the maker of the motion will speak first to the motion, followed by the second, and then by other commissioners in the order they request to speak.

Rule 7.12 Speaking and Addressing the Chair

When any commissioner is about to speak in debate or deliver any matter to the planning commission, that commissioner should respectfully address the chair, and be given the floor before speaking. The commissioner should confine the remarks to the question under consideration.

The commissioner should use electronic speaking equipment provided to insure his or her comments are recorded.

Rule 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.

Rule 7.14 Voting and Abstaining from Voting

Commissioners shall vote on each motion brought before the commission, or shall explain the reason for abstaining.

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.

Rule 7.15 Tabled Items

Items that are tabled may be taken from table by majority vote any time during the calendar year, but no later. Items may be postponed to a time certain, including to a following year.

Rule 7.16 Reconsideration

When a question has been decided, it will be in order for a member who voted on the prevailing side to move for reconsideration at the same meeting or next meeting only. For quasi-judicial matters, a motion for reconsideration at the next meeting only may be made upon request of the applicant, having waived rights to the time limits for decisions, and only to correct any technical issue in a decision and not to reverse a decision or decide again any substantive issue.

SECTION 8 – ELECTRONIC MAIL AND ELECTRONIC COMMUNICATION

Rule 8.1 Electronic Mail and Electronic Communication

E-mail or other forms of electronic communication may be used to schedule meetings, send informative messages, or request information from other planning commissioners or the community development director, except as limited by these rules or other applicable law. E-mail or other electronic communication may not be used to discuss policy issues with a quorum of the planning commission at one time or a quorum of a standing advisory body in any manner which would be in violation of the OPML. All planning commission e-mail correspondence is subject to the Oregon Public Records and Meetings Laws and is subject to disclosure.

Rule 8.2 Electronic Mail and Electronic Communication Regarding Quasi-Judicial Items

Commissioners shall refrain from sending electronic communication regarding the substance of any quasi-judicial item. If commissioners receive e-mail or electronic communication concerning the substance of any quasi-judicial item, they shall forward the communication to the community development director. As such information may be ex parte contact, commissioners shall avoid reading such communication outside the period the record is open for written comment. If reading such items is unavoidable, the commissioner shall declare the ex parte contact.

SECTION 9 - RELATIONSHIP WITH THE CITY COUNCIL

Rule 9.1 Role of Planning Commission in Relation to the City Council

Members of the planning commission are appointed by the mayor with consent of the city council. The mayor and council appoint them to provide study and perspective on issues beyond what the council can provide. Commissioners provide the highest value providing independent recommendations and not anticipating or mimicking what they feel the council's decision on a matter would be.

After the city council has voted on an issue that previously has been before the planning commission, commission members will speak for themselves carefully, in a manner that does not undermine the integrity or motives of the city council, even if their personal opinions or the commission's decisions differ from the city council's decision.

Rule 9.2 Joint Meetings with City Council or Other Boards

The commission should periodically hold joint meetings with the city council to share directly information and perspectives regarding particular issues. The mayor shall preside at such joint meetings.

The commission also may have joint meetings with other boards or commissions, such as the traffic safety commission. The chairs of the boards shall determine the agenda and the manner of facilitating the meeting.

Rule 9.3 Planning Commission Presentations at City Council Work Sessions

The city council has established a work session before council meetings, and has invited the planning commission to make presentations on any matter during that meeting. The commission may appear as a whole, the chair or vice-chair may represent the commission, or the commission may appoint one or more members to represent the commission to the council. The planning commission chair shall notify the mayor as far in advance as possible and at least one week in advance of the meeting if the commission wishes to make use of this time.

Rule 9.4 Attendance at and Participation in City Council Meetings

In legislative matters, after the planning commission has taken action on an item, the mayor or city manager may request that the chair or chair's designee attend a city council meeting to report the commission's recommendation. The planning commission also may appoint a representative to attend the city council meeting and convey the commission's recommendation.

On quasi-judicial items, the planning commission's report to the council consists of their written decision, findings and the record. Commission members do not speak at the council meeting unless requested by the city council or mayor.

Otherwise, planning commissioners may attend any meeting of the city council. They may speak to the council for themselves as a citizen on any item.

OUTLINE FOR LEGISLATIVE PUBLIC HEARING
Newberg Planning Commission

- 1. CALL TO ORDER**
OPEN THE PUBLIC HEARING, ANNOUNCE THE PURPOSE, DISCUSS TESTIMONY PROCEDURE, AND TIME ALLOTMENTS
- 2. CALL FOR ABSTENTIONS AND OBJECTIONS TO JURISDICTION**
- 3. STAFF REPORT**
COMMISSION MAY ASK BRIEF QUESTIONS FOR CLARIFICATION
- 4. PUBLIC TESTIMONY**
5 MINUTE TIME LIMIT PER SPEAKER (15 MINUTE LIMIT FOR APPLICANT AND PRINCIPAL OPPONENT). SPEAKER GOES TO WITNESS TABLE, STATES NAME & PRESENTS TESTIMONY. COMMISSION MAY ASK QUESTIONS OF SPEAKERS.
 - A. APPLICANT(S) (IF ANY)
 - B. OTHER PROPONENTS
 - C. OPPONENTS AND UNDECIDED
 - D. STAFF READS WRITTEN CORRESPONDENCE (TIME LIMIT APPLIES)
 - E. APPLICANT (IF ANY) REBUTTAL
- 5. CLOSE OF PUBLIC TESTIMONY PORTION OF HEARING**
- 6. FINAL COMMENTS FROM STAFF AND RECOMMENDATION**
- 7. PLANNING COMMISSION DELIBERATION**
- 8. ACTION BY THE PLANNING COMMISSION**
 - A. RESOLUTION – Usually requires passage of resolution.
 - B. VOTE – Vote is done by roll call.
 - C. COMBINATION – Can be combined with other commission action; separate vote on each action is required.

OUTLINE FOR QUASI-JUDICIAL PUBLIC HEARING
Newberg Planning Commission

- 1. CALL TO ORDER**
OPEN THE PUBLIC HEARING, ANNOUNCE THE PURPOSE, DISCUSS TESTIMONY PROCEDURE, AND TIME ALLOTMENTS
- 2. CALL FOR ABSTENTIONS, BIAS, EX PARTE CONTACT, AND OBJECTIONS TO JURISDICTION**
- 3. LEGAL ANNOUNCEMENT**
READ “QUASI-JUDICIAL ANNOUNCEMENTS” SHEET
- 4. STAFF REPORT**
COMMISSION MAY ASK BRIEF QUESTIONS FOR CLARIFICATION
- 5. PUBLIC TESTIMONY**
5 MINUTE TIME LIMIT PER SPEAKER (15 MINUTE LIMIT FOR APPLICANT AND PRINCIPAL OPPONENT). SPEAKER GOES TO WITNESS TABLE, STATES NAME & PRESENTS TESTIMONY. COMMISSION MAY ASK QUESTIONS OF SPEAKERS.
 - A. APPLICANT(S)
 - B. OTHER PROPONENTS
 - C. OPPONENTS AND UNDECIDED
 - D. STAFF READS WRITTEN CORRESPONDENCE (TIME LIMIT APPLIES)
 - E. APPLICANT REBUTTAL
- 6. CLOSE OF PUBLIC TESTIMONY PORTION OF HEARING**
- 7. FINAL COMMENTS FROM STAFF AND RECOMMENDATION**
- 8. PLANNING COMMISSION DELIBERATION INCLUDING DISCUSSION OF CRITERIA WITH FINDINGS OF FACT**
- 9. ACTION BY THE PLANNING COMMISSION**
 - A. ORDER OR RESOLUTION – Usually requires passage of order if the commission is the final decision maker, or a resolution if the commission is only advisory to the council.
 - B. VOTE – Vote is done by roll call.
 - C. COMBINATION – Can be combined with other commission action; separate vote on each action is required.