



Council Business Meeting

June 20, 2023

Agenda Item	City Council Rules and Protocols Updates a) First Reading of updated AMC 2.04 – Rules of City Council b) Resolution 2023-30 Council Practices and Protocols	
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Item Type	Requested by Council <input type="checkbox"/> Update <input type="checkbox"/> Request for Direction <input checked="" type="checkbox"/> Presentation <input type="checkbox"/>	

SUMMARY

This agenda item is a follow up to the Council’s Regular Meeting of February 22, 2023, discussion on a proposed Resolution 2023-03 recommending Council Meeting Calendar Adjustments for the February 2023-February 2024 time period. At that time the City Council requested staff return with ordinance changes that support the recommended calendar adjustments in the original Resolution 2023-03. This return agenda item includes consideration of an update to AMC 2.04 – Rules of City Council that support the recommended Council Calendar adjustments and other recommended updates or adjustments. Also included under this topic is Resolution 2023-30 adopting Council Practices and Protocols updates that were identified in the process of reviewing all the City Council’s rules, procedures and/or protocols.

The proposed AMC 2.04 update include the following general provisions:

- The option for the Mayor, with City management concurrence, to cancel a Study Session or Regular Meeting that falls within immediate proximity to a National or City observed holiday. Holiday adjacent meetings to be normally considered cancelled unless otherwise determined necessary by the Mayor or City management include the first meeting of January, July, and September of each year.
- Study Sessions cancelled due to National or City observed holidays will be rescheduled by the City Manager on the following Wednesday if necessary for the timely conducting of City business.
- Council Members may attend and vote at up to two (2) City Council public meetings annually (Study Session or Regular Meeting) by electronic communication means with the prior approval of the Mayor or two (2) in-person attending Councilors. Additional meetings may be attended by electronic communication means with prior approval of the Mayor or two (2) in-person attending Councilors when in-person attendance is not possible due to unusual personal health or care of immediate family member circumstances. In-person attendance will continue to be required for all City Council executive sessions.
- Council Members may excuse themselves from voting in the case of a declared and explained reasonable conflicts of interest.
- Updates to the order of business at Regular Meetings of the City Council.





Council Business Meeting

- Updates and clarifications necessary to align AMC 2.04 with the recent change of some appointed City commissions to be Council Advisory Committees.

The proposed Resolutions 2023.30 include the following general provisions:

- Updates to recognize the City's change to a Council-Manager form of government.
- Setting preferred timelines for City staff responses to written public input/correspondence.

FISCAL IMPACTS

N/A

DISCUSSION

Staff will schedule items for Council consideration at Study Sessions and Regular Meetings to accommodate the recommended adjustments to the Council's annual calendar. The recommended calendar adjustments allow for adequate Council and City staff leave just before the new school year start and during the end of year/new year season. Adopting the adjustments now will enable City staff to plan well in advance for and accommodate the calendar adjustments so as not to disrupt City business.

SUGGESTED NEXT STEPS

Council consideration and adoption of the following motions:

I move to approve for first reading the update to AMC 2.04 Rules of the City Council

I move to adopt Resolution 2023-30 updating the Council Practices and Protocols.

REFERENCES & ATTACHMENTS

- AMC 2.04 – Rules of the City Council (updated)
- Resolution 2023-30 Council Practices and Protocols (updated)

6/6/23 DRAFT - Chapter 2.04
RULES OF CITY COUNCIL

Sections:

- 2.04.010 Authority**
- 2.04.020 Meetings**
- 2.04.030 Agendas**
- 2.04.040 Conduct of Meetings**
- 2.04.050 Order of Business**
- 2.04.060 Identification of Fiscal Impact of Policy Decisions**
- 2.04.080 Conduct with City Employees**
- 2.04.090 Commissions and Boards**
- 2.04.100 Council Liaisons to City Advisory Boards and Commissions**
- 2.04.110 Council Representatives to State, Regional, Community and other External Organizations**
- 2.04.115 Representations**
- 2.04.120 Councilor Expense**

2.04.010 Authority

- A. Oregon Revised Statutes, the City Charter, and the Ashland Municipal Code govern the meeting requirements and actions of the Council.
- B. These operating policies and procedures are established and adopted under the authority granted in the Ashland City Charter, Article VIII, Section 3.
- C. Robert’s Rules of Order Newly Revised shall be the authority for deciding any questions on meeting requirements and actions not covered by the rules in AMC [2.04](#) or Oregon Revised Statutes.
- D. Failure to strictly follow the rules in AMC [2.04](#) or Robert’s Rules of Order Newly Revised shall not be cause to void or otherwise disturb a decision or action of the Council.

E. Charter provisions may be suspended or repealed only by a vote of the people. The rules on meeting procedures in Robert's Rules of Order Newly Revised and in the Ashland Municipal Code provisions listed below may be suspended temporarily upon a motion that is seconded and passed by a two-thirds vote in favor. Such a motion is not debatable or amendable.

1. AMC [2.04.020.A](#) (Regular Meeting days and times)
2. AMC [2.04.020.C](#) (Study Session days, times, and content)
3. AMC [2.04.040.B](#) (Attendance by electronic communication)
4. AMC [2.04.040.C.4](#) (Parliamentary procedure)
5. AMC [2.04.050.D.1](#) (Placement of Public Forum in agenda)
6. AMC [2.04.050.D.4](#) (Rules on requests to speak at Public Forum)
7. AMC [2.04.050.F.3](#) (Rules on requests to speak at Public Hearings)
8. AMC [2.04.050.G.1](#) (Opportunity for public comment on agenda items)
9. AMC [2.04.050.I.1](#) (Submittal of ordinances 14 days in advance of meeting)

F. The City Attorney is designated as parliamentarian for the Council. Council members' requests for information and on meeting requirements or possible Council actions may be referred to the City Attorney through the presiding officer for interpretation. After taking into account any opinion of the City Attorney, the presiding officer must rule on questions about meeting requirements or possible Council actions. A ruling of the presiding officer may be challenged by a point of order as set forth in AMC [2.04.040.C4.b.\(1\)](#). (Ord. 3100, amended, 2014; Ord. 2947, amended, 12/18/2007)

2.04.020 Meetings

A. *Regular Meetings.* The regular [business](#) sessions of the Council are on the first and third Tuesday of each month unless otherwise arranged. [The Mayor may cancel a Regular Meeting or Study Session meeting of the City Council in recognition of the meeting's in-week calendar proximity with a national or City observed holiday and with concurrence by the City Manager that the cancellation will not unduly delay the conducting of City Business or impede city](#)

operations. The following meetings will be considered cancelled annually unless scheduled by the Mayor or City Manager as necessary for the timely conducting of City business or to meet City operational necessities: 1) The first meeting of the new calendar year and accompanying Study Session for a Winter or New Year start break; 2) The first meeting in July and accompanying Study Session for the Independence Day community celebration; and 3) The first meeting of September and accompanying Study Session for a Summer or school year start break. Regular Meetings will normally, ~~beginning~~ at 6:00 p.m. but may begin up to 60 minutes earlier to accommodate executive sessions. Meetings are required to end no later than 9:30 p.m., except in the following circumstance:

1. If a motion or any amendment to a motion has been made and has been seconded if a second is required, deliberation on the motion shall be allowed to continue until no later than 9:40 p.m., at which time deliberation shall end; and any amendments to the motion and the motion itself shall be voted upon immediately and without further deliberation or debate and without passage of a motion to end debate.

B. *Special Meetings.* A special meeting may be called either by the Mayor or two members of the Council. Notice of the time and place of such special meeting and the subjects to be acted upon shall be delivered to all members of the Council at least seventy-two (72) hours in advance of the time of the meeting, except in the case of an emergency, and the Council may consider and act only upon such matters as contained in the notice.

C. *Study Sessions.*

1. Study sessions are for Council members to receive background information and recommendations from staff or invitees with expertise on City business; to ask questions, discuss options, express their individual views on matters that may be voted on in subsequent regular or special meetings; and to provide guidance to staff. The Council may vote in study sessions on guidance to staff concerning matters to be presented to Council for decision at subsequent meetings. By consensus, the Council also may direct staff to take action on other matters that do not require Council decision by ordinance or resolution. No particular cases involving quasi-judicial decisions may be discussed at study sessions.
2. Each study session shall include up to a total of fifteen (15) minutes for public forum, in which persons may speak about any topic on the agenda for that study session. Persons

wishing to speak during public forum are to submit a “speaker request form” to the City Recorder.

3. Study sessions shall begin at 5:30 p.m. on the day before each regular meeting unless otherwise arranged, but shall not be held on national holidays. [The City Manager will reschedule Study Sessions cancelled due to national or City observed holidays on the following Wednesday of the same week if necessary for the timely conducting of City business.](#) The Mayor or two (2) Councilors may call a study session at any time with not less than seventy-two (72) hours’ advance notice.

D. *Executive Sessions.*

1. All meetings of the City Council shall be held in open sessions, except meetings that may be closed for those purposes specified in the Oregon Public Meetings Law (ORS [192.610](#) through [192.690](#)). These purposes include, but are not limited to, the employment and dismissal of public employees, the performance evaluation of the City Manager and City Attorney, labor negotiations, real property transaction negotiations, and consulting with legal counsel on pending or threatened litigation. At any time during an executive session, a Councilor who feels a matter under consideration should be addressed exclusively in open session may state a point of order, which shall be ruled upon in the executive session as set forth in AMC [2.04.040.C.4.b\(1\)](#).

2. Notice of executive sessions shall be given as required by State law and such notice must state the specific provision of law authorizing the session. The Mayor and City Councilors will act in accordance with State law regarding confidentiality of information discussed in executive sessions.

3. At the commencement of each executive session, the presiding officer must state on the record that executive session information is confidential and may not be reported. The proceedings may be reported if no such statement is made.

E. *Emergency Meetings.* The City Manager is responsible for implementation of the Emergency Management Plan. When the City Manager determines that a state of emergency exists, the City Manager will make a declaration to that effect and will request that the Mayor call an emergency meeting of the Council in order to ratify the declaration of emergency. The emergency meeting of the Council will occur as soon as possible after the declaration of emergency. A quorum of the Council may not be possible due to emergency circumstances and

is not required for this emergency meeting. Notwithstanding the advance notice requirements in subsections [B](#), [D](#) and [E](#) of this section, notice of the emergency meeting can be made in the most expedient manner as determined by the City Manager and need not be seventy-two (72) hours in advance, but notice of the emergency special meeting must be given at least twenty-four (24) hours in advance if feasible. In any case, minutes of any emergency meeting must meet the requirements of ORS [192.640\(3\)](#) and [192.650](#).

F. *Notice of Meetings.* Advance notice of at least seventy-two (72) hours shall be provided for all meetings, except for emergency meetings. Notice shall be sent to a newspaper with general local circulation and posted prominently on the City's website. In the case of an emergency or when a state of emergency has been declared, public notice appropriate to the circumstances shall be provided and reasons justifying the lack of seventy-two (72) hours' notice shall be included in the minutes of such meeting. (Ord. 3192 § 2, amended, 11/17/2020; Ord. 3181 § 1, amended, 10/01/2019; Ord. 3100, amended, 2014; Ord. 2947, amended, 12/18/2007)

2.04.030 Agendas

The City Manager is responsible for the preparation of the Council agenda.

A. *Agenda Guidelines for Regular Meetings.* Topics will be added to a Council agenda based on timeliness of the topic and with consideration of the number of items already scheduled for the Council. Matters to be considered by the Council shall be placed on an agenda to be prepared by the City Manager from the following:

1. All items considered by the Council during study sessions, which require a subsequent Council vote.
2. All items which are required by law or policy to be presented to the Council.
3. All other items that the City Manager, City Attorney or Mayor present to the Council for action or information.
4. Items placed on the agenda in accordance with subsection [B](#) or [C](#) of this section.
5. Requests of City boards, commissions, and committees.

B. *Agenda Additions by Councilors.*

1. A Councilor may place any item on the Council's business meeting agenda; provided, that another member of the Council acknowledges concurrence with the addition and that preparing the matter for Council consideration does not require more than two (2) hours of staff time, including policy research and document drafting. A proposed addition for the agenda of a particular upcoming business meeting must be delivered to the City Manager no later than noon of the Wednesday prior to that Council meeting. The City Manager shall determine the order of business of the item. The Mayor may defer the item until a later meeting if the agenda of a particular meeting is already lengthy or if, in the Mayor's sole judgment, the matter is not time-sensitive, but in no case shall the Mayor defer the item to an agenda that is more than three (3) months beyond the date requested by the Council members submitting the item. Council members will endeavor to have subjects and any materials they wish considered submitted prior to finalization of the Council packet.

2. A Councilor who wants to add to the Council's agenda an item requiring more than two (2) hours of preparation by staff, including policy research and document drafting, should first propose the addition at a regular meeting under other business from Council members or at a study session. The Council should consider such additions to the Council agenda in light of City priorities, including adopted City Council goals, and workload. The Council must agree to proceed with an issue or ordinance before staff time is spent preparing the matter for Council action. The Councilor may present information or a position paper or ask for a department report or committee recommendation. Councilors who agree that staff time can be spent on a particular item are not bound to support the issue when it comes before the Council for a vote.

C. *During a Meeting.* A topic may be added to the agenda by a majority vote of the Councilors present. Generally these items should be limited to items of timeliness or emergencies. Advance notice of executive sessions, however, must be given as required by State law.

D. *Postponing Agenda Items Before Consideration.*

1. If a Councilor will be absent from an upcoming regular meeting, the Councilor may request during a regular meeting that consideration of an agenda item be postponed to a future regular meeting. The request will be honored if the majority of the Council votes in favor of postponement and the matter is not time-sensitive.

2. If the request to postpone is made outside a regular Council meeting the Councilor requesting the postponement shall submit a request to the Mayor or City Manager in

writing or by email as early as possible. The request to postpone will be honored unless the majority of the Council at the public meeting votes not to postpone the item or if the matter is time-sensitive.

3. If time expires before the City Council can consider an item on the agenda including an advertised item, the unaddressed item shall automatically be continued to the next scheduled regular meeting or study session; re-advertisement shall not be required for such continued items. A note shall be placed on the agenda referencing this continuance rule: "Items on the Agenda not considered due to time constraints are automatically continued to the next scheduled Regular Meeting or Study Session of the Council. AMC [2.04.030.D](#)."

E. *Council Packets*. Written materials, from Councilors, staff and citizens, which are related to agenda items to be included in the Council packet, must be submitted to the City Manager's office no later than 12:00 noon, six (6) days in advance of the Council meeting for which it is intended. Materials submitted must include author's name and address.

F. *Study Session Agenda Preparation*. The City Manager shall prepare the agenda for the study sessions from:

1. Items requested by the Mayor and members of the Council to be listed on the agenda.
2. Items deemed appropriate by the City Manager.
3. Business from the Council pertaining to committee reports and other business.
4. Items requested by City Commissions, Committees or Boards.

G. *Time Limits*. Items appearing on the Council study session agenda shall be assigned a time limit, and the Mayor shall hold discussion to within the time frame, unless the consensus of the Council is to extend the time limit until an issue or item is discussed and resolved. (Ord. 3192 § 3, amended, 11/17/2020; Ord. 3183, amended, 05/19/2020; Ord. 3107, amended, 2015; Ord. 3100, amended, 2014; Ord. 3002, amended, 02/18/2010; Ord. 2947, amended, 12/18/2007)

2.04.040 Conduct of Meetings

A. *Quorum.* As provided in Article VIII, Section 4 of the City Charter, four (4) Councilors, or the Mayor and not less than three (3) Councilors, constitute a quorum. If the Council members present do not constitute a quorum, the members present may adjourn or a majority of the members in attendance may direct staff to notify the absent members, except those known to be unavoidably detained, that their presence is required to enable the Council to proceed with business.

B. *Attendance by Electronic Communication.* ~~A. Except in the event of a suspension of rules pursuant to AMC 2.04.010.E, members of the City Council may, for up to two (2) public meetings annually of the City Council (Study Session or Regular Meeting) not attend or vote at public meetings by means of telephone or other electronic communication with approval prior to the meeting by the Mayor or two other Councilors who will be in physical attendance at the meeting. —Additional public meetings may be attended and voted at by Council Members using electronic communication means with the prior approval of the Mayor or two (2) in-person attending Councilors in the case of unusual circumstances when attendance is not possible due to personal health or care of immediate family member circumstances. The City Recorder will be responsible for prospective confirming the identity and attendance of each Council Member participating and voting by electronic communication means. In-person physical attendance is required for all Executive Sessions of the City Council.~~ The rules on meeting procedures and Council actions shall otherwise remain in effect notwithstanding ~~any such suspension of rules to allow for~~ attendance by electronic communication.

C. *Council Deliberation.*

1. *Presiding Officer.* The Mayor, or, in the Mayor's absence, the Chair of the Council, shall be the presiding officer at the meetings of the City Council. In the absence of these officers at any meeting, the Councilors present shall appoint a Chair pro tem to serve temporarily as presiding officer and proceed with the meeting. The presiding officer may not vote on appeals from decisions made while acting as presiding officer. The Chair of the Council or Chair pro tem may vote on all other motions, but the Mayor may vote only as provided in Article IV, Section 3 of the City Charter.

2. *Deliberation Rules.* The presiding officer shall ensure that each Council member has the opportunity to speak on each issue before the Council. Councilors must ask the presiding

officer to be recognized. Unless otherwise permitted by the presiding officer, no member may speak more than once on an issue and may do so only after every other member has spoken on or declined to address the issue. Time limits may be set on topics by the presiding officer or by a consensus of the Council. Council members, as well as members of the public speaking on Council agenda items, shall confine their remarks to the question under deliberation, avoid redundancy, speak only for themselves, and make no negative personal remarks or comments about the motives or personal traits of others.

3. *Decorum.* The presiding officer shall be responsible for ensuring order and decorum are maintained. Except by permission of the presiding officer, a Councilor shall address any remarks to the Council, and not to the audience. Any person's failure to abide by the presiding officer's instructions constitutes "disruption of a lawful assembly" as provided in ORS [166.025\(1\)\(c\)](#) and may be cause for the presiding officer, or a majority of the Councilors, to direct a City official to remove the person from a Council meeting. Disruptive behavior, [by the public, City staff or Councilor](#), includes engaging in violent, intimidating or distracting actions or gestures, making loud or disruptive noise, using loud or disruptive profane language, making negative personal remarks or comments about the motives or personal traits of others, and refusing to obey an order of the presiding officer. Signs are not permitted and will be considered disruptive. A direction or order of the presiding officer may be challenged by a point of order as set forth in subsection [C.4.b\(1\)](#) of this section.

4. *Motions and Permissible Intervening Actions.*

a. *Councilor Actions during Debate.* No motion or intervening action shall be received or recognized by the presiding officer when a question is under debate, except for the ten secondary motions and intervening actions listed below. The disposition of any motion or action listed below must occur before consideration of any other action lower on the list.

- (1) Point of order, request for information, or objection to consideration of a matter;
- (2) Motion to adjourn;
- (3) Withdrawal of a motion;

- (4) Motion to lay the matter on the table;
- (5) Motion to divide a motion under debate;
- (6) Motion to refer;
- (7) Motion to call for the previous question;
- (8) Motion to postpone to a certain time;
- (9) Motion to postpone indefinitely;
- (10) Motion to amend.

b. *Permissible Intervening Actions While a Speaker Has the Floor.*

(1) *Point of Order.* Any member may interrupt a speaker who has the floor to raise a point of order if meeting protocol appears to have been broken. The point of order must be addressed to the presiding officer and may not be addressed directly to the speaker. The speaker must immediately cease speaking, and the issue identified in the point of order must be resolved before business continues. No second is required, and no debate is allowed on the point of order. The presiding officer may seek clarification on the point of order from its maker, from the speaker who had the floor when it was made, or from the Parliamentarian. Before proceeding further, the presiding officer must sustain or overrule the point of order or submit it to Council decision by majority vote with no debate. A member who disagrees with the presiding officer's decision to sustain or overrule a point of order may move immediately following a ruling by the presiding officer to overturn it. The motion to overturn a ruling on a point of order may not be debated, and the presiding officer may not vote on it. Approval of the motion requires a majority of affirmative votes; the motion fails in the event of a tie vote.

(2) *Request for Information.* Any member may interrupt a speaker who has the floor to seek permission to make a request for information from the speaker or from staff or invitees with expertise on the subject under discussion. The request must be addressed to the presiding officer and may not be addressed directly to the speaker. The speaker must discontinue speaking until the request for information has been denied or satisfied. No second is required, and no colloquy

is allowed on the request for information, except to the extent specifically set forth herein. The information sought must concern either the subject under discussion or meeting procedure rules. The presiding officer may ask the requestor for a statement of the nature of the information sought. Neither a request for information nor a statement of the nature of the information sought may contain statements of fact unless they are necessary to make the request intelligible and must not contain arguments. Upon inquiry from the presiding officer, the person who had the floor when the request for information was made has sole discretion whether to temporarily relinquish the floor to allow the requested information to be provided. An objection to apparently superfluous requests for information may be made through a point of order.

(3) *Objection to Consideration of a Matter.* A member who contends a matter about to be discussed is irrelevant or for any other reason not advisable to consider, may object to consideration of the matter. The objection may be made before or after another member has been assigned the floor, but only if debate has not yet begun and none of the motions in subsection [C.4.a](#) of this section has been made. An objection to consideration of a matter does not require a second and is not debatable or amendable. Immediately after the objection is made, a vote on sustaining the objection must be taken. The objection fails unless at least two-thirds of the Councilors present vote to sustain it.

c. *Main Motion.* A main motion is a proposed action that brings business before the Council when no other motion is pending. The actions listed in subsection [C.4.a](#) of this section may be undertaken while the main motion is pending, and, if passed, may affect the Council's consideration of the main motion. A main motion requires a second, is amendable and debatable, and passes upon a majority vote in favor.

d. *Adjourn.* A successful motion to adjourn terminates a meeting and transfers the remaining unfinished business to the agenda of the next regular meeting or study session. It requires a second, is not debatable or amendable, and passes upon a majority vote in favor.

e. *Withdrawal.* A motion may be withdrawn by the mover at any time before an amendment is made to it or, if no amendment is made, before a vote is taken on it.

Withdrawal of a motion does not require a second, and debate of a proffered withdrawal is not allowed.

f. *Motion to Lay a Matter on the Table.* A motion to lay a matter on the table is a proposal to suspend consideration of a main motion and all pending related motions until later in the same meeting in order to deal with another matter that has come up unexpectedly and which must be dealt with before the pending motion can be properly addressed. A motion to lay a matter on the table requires a second, is not amendable or debatable, and passes upon a majority vote. Before the meeting adjourns, a subsequent nonamendable, nondebatable motion may take the matter from the table if seconded and passed by a majority vote in favor. If the meeting adjourns without considering the tabled item, it will be continued to the next regular meeting or study session in accordance with AMC [2.04.030.E](#).

g. *Division of a Motion.* Any member may move to split a motion under consideration into two or more independent motions that are taken up in sequence. Each new motion is debated, possibly subjected to secondary motions, and voted upon before taking up the next part. The mover may designate in the motion the order in which the parts are considered. The motion requires a second, is amendable, is not debatable, and passes upon a majority vote in favor.

h. *Referral.* A motion to refer is a proposal to refer a matter to a subcommittee or another body for further study and possible recommendations to the Council. The motion requires a second, is debatable and amendable, and passes upon a majority vote in favor. Any proposed amendments to a main motion on the referred matter that are pending at the time are also referred.

i. *Previous Question.* A motion to call the previous question is a proposal to end debate on a pending motion. It precludes all amendments and debate on the pending motion until it is decided. The motion to call the previous question is not debatable or amendable and requires a second and a two-thirds vote in favor.

j. *Postpone to a Certain Time.* This motion is a proposal to postpone a matter to a particular future meeting, requires a second, is debatable and amendable, and passes upon a majority vote in favor. One function of this motion can be to continue consideration of an agenda item at a designated subsequent meeting.

k. *Postpone Indefinitely.* A successful motion to postpone a matter indefinitely prevents action on the matter for the rest of the meeting. It must be seconded, may be debated, may not be amended, and passes upon a majority vote in favor. The debate may address the substance of the main motion. A successful motion to postpone a matter indefinitely does not preclude consideration of the matter at a subsequent meeting if it is properly added to the respective agenda.

l. *Amendment.* Any main motion and any amendment to a main motion may be amended to add or omit words. A proposed amendment must be germane, must be seconded, and is debatable if the motion to be amended is debatable. The amendment passes upon a majority vote in favor. Other amendments may also be proposed; provided, that they do not nullify the amendments already passed or attempt to amend a motion to amend a motion to amend.

5. *Restatement of Motion.* Before a vote is taken on a motion, it must be restated by the presiding officer or the City Recorder.

6. *Voting.*

a. When a question or motion is put to a vote by the presiding officer, each Councilor present must vote for or against the motion unless a majority of the Council excuses that Councilor from so doing. Unless excused from voting, a Councilor who is present and does not vote for or against the motion shall be counted as having cast a negative vote. [Notwithstanding the foregoing, a Councilor may excuse themselves from voting by declaring and explaining a reasonable conflict of interest, potential or actual.](#) The Mayor can only vote in the case of a tie, and then is required to vote unless excused from voting by a majority of the Councilors present. If the Mayor fails to vote when required to do, the Mayor shall be counted as having cast a vote against the motion.

b. A simple majority of the quorum present determines the action on ordinance or resolution and on most motions. On questions required by City Charter, City ordinances, or applicable provisions of Robert's Rules of Order Newly Revised to be decided by a two-thirds vote of the Council, approval requires an affirmative vote of at least four (4) Councilors.

7. *Reconsideration.* A member who voted in favor of any Council action may move for reconsideration before adjournment of the meeting at which the action was approved or at

the next regular meeting, unless the item already has been approved or vetoed by the Mayor pursuant to Article IV, Section 3 of the City Charter. The motion must be seconded, is debatable if the action under reconsideration is debatable, is not amendable, and passes upon a majority vote in favor. Any member may second a motion for reconsideration. A motion to reconsider a Council action may be made only once. A vetoed item may not be the subject of a motion for reconsideration. (Ord. 3192 § 4, amended, 11/17/2020; Ord. 3100, amended, 2014; Ord. 2947, amended, 12/18/2007; Ord. 2902, amended, 11/18/2003)

2.04.050 Order of Business

The Mayor’s State of the City address shall occur in January of each year.

The Mayor or presiding officer may change the order of business on the agenda. The usual order of business will be as follows:

A. *Call To Order and Council Acknowledgements*

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B. *Pledge of Allegiance*

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CA. *Roll call.*

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D. *Mayor’s or Chair of the Council Announcements and Proclamations*

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EB. Approval of minutes of the previous meeting. If there are no corrections or objections to the minutes, they shall be considered approved; otherwise, to be approved by vote. The minutes as approved shall be signed by the Mayor and City Recorder.

EC. Special presentations, ~~proclamations~~ and awards. This item on the agenda is used to acknowledge special recognition and awards given to the City or for the Mayor to announce proclamations, which serve to encourage and educate the community. Proclamations shall be made and placed on the agenda at the discretion of the Mayor. Requests for recognition under this agenda item should be submitted in writing to the Mayor.

GD. *Public Forum.*

1. Public forum is to precede the consent agenda unless public forum is moved to later in the agenda of a particular meeting by decision of the Mayor or presiding officer or by temporary suspension of the rules pursuant to AMC [2.04.010.E](#).
2. Members of the public may speak during public forum about any topic not on the agenda for the same meeting. The agenda for public forum is fifteen (15) minutes, unless a majority of the Council votes to extend the time. On behalf of the City, any Councilor may request that any matter discussed during public forum be placed on a future Council agenda.
3. Public forum is not to be used to provide or gather additional testimony or information on a quasi-judicial matter. Public testimony will not be accepted on a matter subject to a public hearing where the record has been closed if the matter is still pending.
4. Persons wishing to speak during public forum are to submit a "speaker request form" prior to the commencement of the public forum and deliver the form to the City Recorder. The Mayor or presiding officer is to inform the audience on requirements for submission of the form. When possible and feasible, preference will be given the individuals who reside within the City limits of Ashland. Persons who do not reside in the City may be placed at the end of the list of those wishing to speak at public forum.

HE. *Consent Agenda.* Routine business items may be listed by the City Manager under this item, which shall be acted upon in its entirety, except that the Mayor or any member of the Council may request that any item be moved to the regular agenda under the appropriate section of business.

IF. *Public Hearings and Ordinances.*

1. Public hearings shall conclude at 8:00 p.m. and be continued to a future date to be set by the Council, unless the Council, by a two-thirds vote of those present, extends the hearing(s) until up to 9:30 p.m. at which time the Council shall set a date for continuance and shall proceed with the balance of the agenda.
2. Not more than two (2) land-use appeal hearings shall be scheduled for any regular meeting of the Council. The City Manager may, in the City Manager's discretion, schedule additional legislative hearings depending on the anticipated length of the Council meeting.

3. Persons wishing to speak at public hearings are to submit a “speaker request form” prior to the commencement of the hearing and deliver the form to the City Recorder. The Mayor or presiding officer is to inform the audience of this requirement to submit the form prior to the commencement of the hearing. No testimony will be accepted on public hearings that have been closed.

JG. *Public Testimony on Agenda Items.*

1. Members of the public who wish to speak on an agenda item that is not the subject of a public hearing at the same meeting (see subsection **F** of this section regarding public hearing testimony) may do so at the time set aside for that agenda item. If a member of the public or a Council member has requested time to speak on a consent agenda item, the presiding officer shall make time for a brief presentation by the requestor prior to the Council’s vote on the consent agenda.

2. Persons wishing to speak on an agenda item are to submit a “speaker request form” prior to Council consideration of the agenda item and deliver the form to the City Recorder. The Mayor or presiding officer is to inform the audience on requirements for submission of the form.

3. The presiding officer will set time limits for people who ask to speak on agenda items. In general the time limits should be set to enable all people who wish to present testimony. Time limits shall not be so short as to not allow speakers to address their topics.

KH. *Unfinished business from a prior meeting.*

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LI. *New business – including.*

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J. *Ordinances, Resolutions, and Contracts and Other City Business.*

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1. Every ordinance is to be enacted in accordance with Article X of the City Charter. Copies of the ordinance shall be e-mailed to Council members and the Mayor at least ~~fourteen~~ **ten** (10) days prior to the meeting. Council members may review the ordinance and forward suggestions for changes to the City Attorney for consideration. Minor changes may be incorporated; substantive changes will be considered at the time of first reading. Any substantive changes to the ordinance must be verbally noted at first reading. Council members must submit comments to the City Attorney no later than 12:00 noon on the Wednesday prior to Council meeting. Lengthy ordinances may be read by title only at

Council meetings if the ordinance title has been published in the local paper at least seven (7) days in advance of the Council meeting.

2. Resolutions may be placed on the consent agenda and voted upon. Resolutions do not require a roll-call vote.

3. The voting on all ordinances may be by roll-call vote and recorded in the minutes showing those numbers voting for and those voting against.

MK. *Other business from Council members.* (Ord. 3192 § 5, amended, 11/17/2020; Ord. 3181 § 2, amended, 10/01/2019; Ord. 3100, amended, 2014; Ord. 2947, amended, 12/18/2007)

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N. *Adjournment of the meeting.*

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2.04.060 Identification of Fiscal Impact of Policy Decisions

A. When the City Council adopts a program or policy, it shall indicate how it expects that program or policy will be funded; e.g., which existing taxes or fees the Council expects to increase and by how much, or which current City programs or department expenditures the Council expects to reduce to fund the new program or policy. However, if the Council cannot reasonably identify a potential funding source, it shall so indicate.

B. As used in this Section the term “program or policy with significant revenue implications” includes an ordinance or a resolution in which implementation may entail expenditures in any budget year in excess of one and one-half percent (1.5%) of the City’s annual General Fund budget, and which may require an increase to existing taxes or fees or an imposition of new taxes or fees.

C. The provisions of this Section shall not apply to extraordinary expenditures in situations of, or necessitated by, public emergencies. (Ord. 3100, amended, 2014; Ord. 2947, amended, 12/18/2007)

2.04.080 Conduct with City Employees

The City Council will work with City staff in a spirit of teamwork and mutual cooperation.

A. Councilors may make inquiries of staff to increase their understanding of an issue or action. Councilors should limit requests for information from staff to questions that may be answered with minimal research. Requests that require significant staff time or resources (two hours or more) should be directed to the City Manager and must be approved by the Mayor, City Manager, City Attorney or by a majority vote of the City Council.

B. Written information given by the Mayor, Councilors, City Manager, City Attorney, or City staff, including materials requested by individual Councilors and the Mayor, generally will be distributed to all Councilors with a notation indicating who has requested that the information be provided.

C. Individual Councilors should respect the separation between policy-making and administration. Councilors shall not pressure or direct City employees in a way that could contravene the will of the Council as a whole or limits the options of the Council. Councilors must not interfere with work performance, undermine the authority of supervisors, or prevent the full Council from having access to relevant information. Notwithstanding this paragraph, nothing shall hamper the Council's ability to evaluate the performance of the City Manager or the City Attorney.

D. The Mayor and Council members should strive not to criticize any person in a public meeting or in public electronic mail messages. The same expectation applies to City staff in the exercise of their official duties. Discussions and disagreements should focus on the content of the topic at hand. Nothing should limit a Councilor or staff person's right to report wrongdoing.

E. Councilors with a concern about the performance of a particular staff person should express that concern to the Mayor, City Manager, or City Attorney. (Ord. 3192 § 6, amended, 11/17/2020; Ord. 3100, amended, 2014; Ord. 2947, amended, 12/18/2007)

2.04.090 Commissions and Boards

A. *Establishing Commissions and Boards.* Commissions and boards originate from different sources, including Oregon State Statute, City Charter and Municipal Code; others are

established by direction of the Mayor or the City Council. Establishment and description of the [Parks Commission and the Recreation Commission](#), which ~~are~~ ~~is~~ ~~are~~ not ~~an~~ appointed commissions, ~~is~~ ~~are~~ described in City Charter Articles [XIX and XXII](#) and [correspondingly](#) in AMC [2.16](#). Appointed advisory commissions and boards and other advisory bodies which are permanent shall be described in other sections of AMC Chapter [2](#) and designated as "Regular" boards, commissions, or advisory bodies. These shall include but not be limited to [Climate and Environment Policy Advisory Committee](#), ~~Forest Lands Commission~~ [Advisory Committee](#), Planning Commission, Transportation ~~Commission~~ [Advisory Committee](#), Planning Hearings Board, Public Arts ~~Commission~~ [Advisory Committee](#), ~~Conservation Commission~~, ~~Ashland Airport Commission~~, Housing and Human Services ~~Commission~~ [Advisory Committee](#), Historic ~~Preservation Commission~~ [Advisory Committee](#), ~~Tree Commission~~, and the ~~Municipal Audit Commission~~ [Social Equity and Racial Justice Advisory Committee](#). AMC [2.10](#) contains code applicable to Regular and ad hoc commissions, boards, task forces and other advisory bodies.

B. *Ad hoc Committees*. The Mayor shall have the authority, with the consent of the Council, to form ad-hoc committees or task forces to deal with specific tasks within specific time frames. Such ad hoc committees shall abide by uniform rules and procedures set forth in AMC [2.10](#) and such other rules as prescribed by the order establishing such ad hoc entities. Committees shall make recommendations by way of a formal report to the City Council. The Mayor or City Manager may refer matters to the appropriate ad hoc committee. The Mayor with the consent of the Council shall appoint the membership of such committees. Members of Regular Boards and Commissions may be appointed to ad hoc committees. The City Manager shall by order establish the ad hoc body's scope of the work and rules of procedure, if necessary. The Council has the authority to follow the recommendations, change the recommendations, take no action, remand the matter back to the ad hoc body or take any other action it sees fit. The Council by majority vote may remove a member of an ad hoc committee at any time, with or without cause. The City Council by majority vote may amend or dissolve an ad hoc committee.

C. *Regular Commission and Board Membership Appointments*. Except for the Municipal Audit Commission [if established](#) (AMC [2.11](#)) all Regular advisory committees and boards not required by state law to be appointed by the City Council shall be appointed by the Mayor with the consent of the Council. The Mayor may request assistance or recommendations from Councilors in making appointments. In the Mayor's absence, any necessary appointment may be made by the presiding officer with the consent of the Council. When necessary, the Mayor shall stagger the initial expiration of terms of appointees, such as in the case of a new

commission or board. The Mayor shall not appoint, nor shall the Council consent to the appointment of a person to more than two (2) regular board or commission positions at a time. This rule shall not apply to the Planning Hearing Board. Because broad citizen participation is encouraged, the Mayor and Council shall give due consideration to appointment of new qualified members before re-appointing a person to more than two (2) full terms on any single regular board or commission.

D. *Mayor Membership on Ashland Budget Committee.* For the purpose of local budget law, the Mayor is a member of the governing body of the City of Ashland and shall be a voting member of the budget committee.

E. *Student Membership on Regular Commissions and Boards.* The Mayor with the consent of the City Council may add to the membership of any city commission or board up to two positions for student liaisons. The student liaisons shall be nonvoting ex officio members of their respective commissions or boards. Once the liaison positions have been added, the liaison from the high school shall be a high school student chosen by the Ashland High School Leadership class and the liaison from the university shall be a university student chosen by the Associated Students of Southern Oregon University Student Senate. Student Liaisons need not be appointed to every advisory commission or board.

F. *Regular Membership Removal Process.* The City Council, with or without cause, may by majority vote of the City Council at a Regular Meeting, remove any regular commission or board member prior to the expiration of the term of the appointment. Written notice of removal to the affected member shall be provided. Removal shall be handled with respect and courtesy. If a member resigns or is removed, the Mayor shall appoint a replacement for the remainder of the term in accordance with paragraph C. above. Notwithstanding the above procedure, removal of a Planning Commissioner shall be governed by the procedures in ORS [227.030](#) and removal of any member of the Recreation Commission or the Planning Commission is not subject to this section. Hearings under ORS [227.030](#) are hereby delegated by the governing body to the City Manager or Hearings Officer in accordance with the AMC [2.30](#), the Uniform Administrative Appeals Ordinance.

G. *Suspension. Changing or Dissolving a Regular Commission, Committee or Board.* After any Regular commission, board or other advisory body has been formed and codified, [Suspensions may be established by Council resolution, and](#) any change or [permanent](#) dissolution requires

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an ordinance amending the Municipal Code. (Ord. 3192, amended, 11/17/2020; Ord. 3100, amended, 2014; Ord. 3002, amended, 02/18/2010; Ord. 2947, amended, 12/18/2007)

2.04.100 Council Liaisons to City Advisory Boards and Commissions

A. Role and Responsibilities of Council Liaisons.

1. The primary role of a Council Liaison is to facilitate communication between the City advisory body and the Council. A Council Liaison shall be an ex officio nonvoting member of the advisory body, not a regular voting member, and shall not serve as Chair, unless the Mayor specifically proposes, and Council approves, the appointment of the Council Liaison to act in a voting capacity and/or as the Chair to City advisory boards and/or ad-hoc committees, or unless the Ashland Municipal Code specifically requires the Liaison to serve as Chair or in a voting capacity. Notwithstanding the above, the Council Liaison to the Planning Commission shall be considered a nonmember Liaison and not an ex officio member as regards quasi-judicial matters.
2. City Councilors serve as liaisons to the City's regular and ad hoc advisory bodies and are expected to represent the full City Council objectively and accurately in interacting with such entities.
3. City Councilors may attend meetings of the City's regular and ad hoc advisory bodies as citizens of Ashland. When attending as a citizen, Council members must identify their comments as personal views or opinions and not as a representation of City Council policy.

B. Attendance. Liaisons should attend regular meetings of the regular and ad hoc advisory bodies to which they have been assigned as time permits and should make special efforts to attend meetings in response to specific requests to participate in discussions on topics the Council may need to be aware of or provide input on. In the event a Council Liaison has difficulty attending, the Liaison should find an alternate to attend or review the video or other record of the proceeding. In the event of a continuing scheduling conflict, the Liaison should ask the Mayor to be reassigned. Liaisons shall not attend quasi-judicial proceedings when the final appeal or final decision is to or could come before the City Council.

C. Deliberations. The City Council values diversity of opinion. A significant role of an advisory body is to represent many points of view in the community and to provide the Council with

advice based on a full spectrum of concerns and perspectives. Accordingly, Council Liaisons to City advisory bodies should not attempt to direct debate, lobby, or otherwise influence the direction or decisions of any advisory bodies to which they have been assigned. Council Liaisons are encouraged to field and answer questions as appropriate for an ex officio member of the advisory body. Undue influence over the decisions of any City advisory body shall be grounds for removal of a Liaison assignment as set forth in subsection [H](#) of this section.

D. *Respect for Presiding Officer.* City Councilors attending advisory body meetings as Liaisons shall accord the same respect toward the Chair and other members as they do towards the Mayor, the presiding officer or each other.

E. *Council Information.* City Councilors will inform the advisory bodies to which they have been appointed Liaison about Council agenda items and Council decisions that may be of interest to the advisory body. Liaisons shall also encourage advisory board members to attend Council meetings to keep abreast of Council action, policy matters and the activities of the City.

F. *Advice on Filling Vacancies.* The Council Liaison for each advisory body, together with the advisory body chair and assigned staff liaison, will make recommendations to the Mayor for appointment of citizens to fill vacancies on their respective advisory bodies.

G. *Liaison Appointment Process and Term.* The Mayor will appoint Councilors to act as Council Liaisons to each and every regular advisory commission or board. Councilors interested in a particular subject area should inform the Mayor of their interest, and the Mayor should take the expression of interest and/or a Councilor's preference into account when making appointment decisions. Liaison appointments shall be for a term of one year unless otherwise expressly stated. Appointments are generally made on an annual basis in January, and the Mayor shall make an effort to rotate Liaison assignments if there is more than one Councilor expressing a preference for a specific appointment.

H. *Removal from a Liaison Assignment.* The Mayor or a Councilor may be removed for any reason from a specific Liaison assignment upon a two-thirds vote of the entire Council. (Ord. 3180 § 1, amended, 08/20/2019; Ord. 3100, amended, 2014; Ord. 3002, amended, 02/18/2010)

2.04.110 Council Representatives to State, Regional, Community and other External Organizations

A. Role and Responsibilities of Council Representatives.

1. City Councilors may be appointed, either by the City or by another entity, to serve as the City of Ashland's Representative to State, Regional, and Community organizations. In all cases, the City's Representatives will follow the bylaws and guidelines for service of the organization to which they have been appointed.

2. The purposes of serving as an official Representative to State, Regional, Community, and other external organizations are to ensure effective working relationships with other agencies and organizations, ensure that Ashland uses all possible avenues to achieve community goals; achieve City Council goals both within the community and in the Rogue Valley; protect the home rule authority of the City of Ashland to make decisions that are best for the community; ensure that key City revenue streams are protected; and secure federal and state funds for projects that benefit the City of Ashland and other community institutions.

3. In their work as City Representatives, City Councilors are expected to represent the full City Council accurately and objectively and to depict the position of other Councilors accurately and objectively. If the Council has an approved position on a matter under discussion, the Representative shall articulate and, if called upon, vote in favor of that position. If the City Representative is asked to take an official position on an issue that affects the City of Ashland and the City's official position is unknown or unclear, the City Representative should request that the item be placed on a City Council agenda in accordance with AMC [2.04.030](#) for full City Council action. If the Council has not approved an official position and has not had the opportunity to confer with the City Representative on a matter under deliberation in the subject external organization, the Representative shall make a good-faith effort to reflect what the Representative believes the full Council's position would be if the Council were to consider the matter, regardless of the Representative's personal views, and shall report to the Council on the matter discussed in the external organization at the next feasible opportunity thereafter. Conduct contrary to the guidelines in this subsection is grounds for removal under paragraph E.

4. City Representatives serving as voting members on another organization's Board of Directors (such as the Rogue Valley Council of Governments) should work in the best interest of that organization unless such action would not be in the best interest of the City of Ashland.

5. If the City Representative has an actual or potential personal conflict of interest, as defined in Oregon Ethics Law, the Representative must fully comply with the applicable requirements of Oregon Ethics Law and City ethics ordinances.

6. City Council members may attend meetings of state, regional, and community organizations as citizens of Ashland. When attending as a citizen, Council members must identify their comments as personal views or opinions not a representation of City Council policy.

B. *Attendance.* Representatives should attend all regular meetings of the organizations to which they have assigned. In the event a Councilor has difficulty attending, the Representative should find an alternate to attend on the City's behalf. In the event of a continuing scheduling conflict, the City Representative should ask the Mayor to be reassigned.

C. *Reporting to the Council.* Council Representatives shall periodically report to the entire Council on significant and important decisions activities of each state, regional, and community organizations to which they have been assigned. Council members may also request that representatives of these organizations may be invited to give a short annual presentation to the Council.

D. *City Representative Appointment Process and Term.*

1. The Mayor will appoint a Councilor to represent the City to state, regional, and community organizations to which the City is entitled to an official delegate. The City Council shall confirm these appointments.

2. The Mayor and City Councilors may also be invited by external organizations to represent either the City of Ashland or "Cities" in general. In these cases, the Mayor or Councilor that has been asked to serve will inform the City Council in a Regular Meeting of the assignment and request that the City Council confirm the appointment.

3. Councilors interested in a particular subject area should inform the Mayor of their interest and the Mayor should take the expression of interest and/or a Councilor's

preference into account when making appointment decisions. City Representative appointments shall be for a term of one year unless otherwise expressly stated.

Appointments are generally made on an annual basis in January and the Mayor shall make an effort to rotate liaison assignments if there is more than one Councilor expressing a preference for a specific appointment.

E. *Removal from a Representative Assignment.* The Mayor or a Councilor may be removed for any reason from a specific representative position or assignment upon two-thirds vote of the entire Council. (Ord. 3100, amended, 2014; Ord. 3002, amended, 02/18/2010; Ord. 2947, amended, 12/18/2007)

2.04.115 Representations

A Council member is free to express personal views on any issue in any forum as long as any statements he or she makes about the positions of the full City Council and the positions of other individual Council members are accurate and objective. Upon two-thirds vote of the entire Council, a Council member may be censured for noncompliance with this requirement. (Ord. 3100, amended, 2014)

2.04.120 Councilor Expense

The City will reimburse a Councilor or the Mayor for expenses that are directly related to City business in accordance with the City's reimbursement policy. Councilors are required to submit all statements as required by ORS [244](#). (Ord. 3100, amended, 2014; Ord. 2947, amended, 12/18/2007)

The Ashland Municipal Code is current through Ordinance 3215, passed December 22, 2022.

Disclaimer: The City Recorder's office has the official version of the Ashland Municipal Code. Users should contact the City Recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.ashland.or.us](http://www.ashland.or.us)

[City Telephone: \(541\) 488-5307](tel:(541)488-5307)

[Code Publishing Company, A General Code Company](#)

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4. Adding Agenda Items

- a. During a meeting, a Councilor may move to add an item to the agenda for that meeting (or a future meeting). In the normal order of business, a motion to add an item to an agenda should be made at the time designated for “Other Business from Council Members.” But the Mayor could take up the motion to add the item earlier in the meeting when appropriate, in order to recalibrate expectations for the meeting. If the motion to add an item to the current meeting’s agenda receives a second, any debate, and majority approval, the item normally would be placed in the “Other Business from Council Members” section of the agenda. The Mayor, however, could decide to modify the order. See *AMC 2.04.030C*.
- b. Outside of a meeting, a matter may be added to a future Council meeting agenda by two or more Coucilors upon making a timely written request to the City ~~Administrator~~Manager, unless the item requires more than two hours preparation by staff – in which case consent from a majority of the Council at a Council meeting is required. See *AMC 2.04.030B*.
- c. Any citizen may seek to get a matter added to an agenda by making a request to any Councilor or the Mayor or City ~~Administrator~~Manager or to a City advisory board, commission, or committee or by making the request as part of testimony during Public Forum.

5. Removing Agenda Items.

A Councilor may seek removal or postponement of a scheduled agenda item before or at the outset of consideration of the item by making an “objection to consideration of the question.” After consideration of a matter has begun, a Councilor may “move to postpone the matter to a certain time” or “move to postpone the matter indefinitely.” These are parliamentary mechanisms for deferring an agenda item which is believed to be not yet ripe for consideration. See *AMC 2.04.040C.4.b(3); 2.04.040C.4.j and k*.

6. Presentation Slides.

Staff should make every effort to complete presentation slides in time for inclusion in the Council agenda packet. If, after agenda packets are mailed out, changes to presentation slides become necessary to avoid misinformation, staff should highlight such changes early in Council’s consideration of the apposite agenda item.

1 B. **STUDY SESSIONS**

2 **1. Miscellaneous Study Session Protocols**

- 3 a. Study Sessions should be televised and held at Council Chambers.
- 4 b. Study Sessions should begin at 5:30 p.m. on the Mondays before Tuesday business meetings.
- 5 Unless a majority votes to extend an additional 30 minutes, Study Sessions should conclude
- 6 no later than 7:00 p.m.
- 7 c. The preferred time for any Executive Sessions is just before the start of regular business
- 8 meetings.
- 9 d. The Look Ahead need not be presented as an agenda item at Study Sessions; instead, it
- 10 should be distributed in advance via email, allowing Councilmembers to ask about particular
- 11 planned future agenda items either before or at a Study Session.
- 12 e. Public Forum presentations at a Study Session be limited to topics on the agenda for that
- 13 Study Session. See *AMC 2.04.020C.2*
- 14 f. At Study Sessions, suspension of the rules is not necessary for the chair to grant a
- 15 Councilmember's request for additional reasonable time for follow-up dialogue with and
- 16 exploratory questioning of presenters after presenters have used up their allotted time.

17 **2. Decisions at Study Sessions**

- 18 a. Study Sessions should be for providing Councilmembers background information and
- 19 providing staff a rough sense of Councilmembers' interests and concerns about impending
- 20 public issues.
- 21 b. *AMC 2.04.020C.1* says, "Study sessions are for Council members to receive background
- 22 information and recommendations from staff or invitees with expertise on City business; to
- 23 ask questions, discuss options, express their individual views on matters that may be voted on
- 24 in subsequent regular or Special Meetings and to provide guidance to staff. The Council may
- 25 vote in Study Sessions on guidance to staff concerning matters to be presented to Council for
- 26 decision at subsequent meetings. By consensus, the Council also may direct staff to take
- 27 action on other matters that do not require Council decision by ordinance or resolution...."
- 28 c. Provisional deliberations and decisions, including motions on directions to staff, are
- 29 allowable at Study Sessions, but final decisions about resolutions, ordinances and policies are
- 30 to be made at regular business meetings.

3. Summations

1 The Mayor or City ~~Administrator~~Manager should be responsible for providing a summary of
2 action taken/direction given at the end of each Study Session agenda item.

3
4 **C. COMMENTS/ PRESENTATIONS/ CORRESPONDENCE FROM CITIZENS**

5 **1. Presenter Identification**

6 Persons making presentations to Council should state (1) which city they reside in; or (2) which
7 county they reside in, if in an unincorporated area; or (3) the organizations for which they are
8 speaking or with which they are affiliated with respect to their presentations. Persons speaking
9 at Public Forum or during public testimony on agenda items should include current contact
10 information on the "Speaker Request" forms they submit to reserve an opportunity to address the
11 Council.

12 **2. Time Limits on Presentations**

13 For agenda items at regular Council business meetings, the presiding officer is responsible for
14 setting time limits on public testimony on scheduled agenda items. *AMC 2.04.050G.2* For Study
15 Sessions, public testimony is limited to 15 minutes unless a majority of Councilors votes to
16 revise or eliminate that time. *AMC 2.04.050D.2.*

17 **3. Public Input on Agenda Items**

18 a. At regular Council business meetings, after staff's initial presentation on agenda items and
19 Councilmembers' opportunity to ask staff clarifying questions, members of the public should
20 be invited to present their views. Next, Council may put any additional clarifying questions
21 to staff or invited "experts." Then Council should begin deliberation on the agenda item,
22 either in the form of general colloquy or in the form of specific motions and debate. During
23 this period of Council deliberation on an agenda item at a regular Council business meeting,
24 members of the staff or invited "experts" may present additional information to the Council
25 in response to a specific request from a Councilmember; but during such Council
26 deliberation, additional testimony from members of the public should be allowed only after a
27 successful motion to suspend the rules. Any such questions and responses to and from non-
28 Councilmembers allowed during Council deliberation should be only to provide clarification
29 of facts, and not to present argumentation or advocacy.

30 b. If a citizen signs up at a regular business meeting to testify on an item on the Consent
Agenda, Council should hear the testimony on the item before voting on it. Such testimony

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1 should be heard at the outset of the Consent Agenda portion of the meeting. After the
2 testimony, a Councilor may or may not ask that the subject agenda item be pulled from the
3 Consent Agenda for separate Council consideration and voting.

4 **4. Responses to Public Input**

5 Follow-up questions or responses by Councilmembers should be allowed without suspension of
6 the rules only (1) in Study Sessions; and (2) when the speaker is a staff presenter, or a subject
7 matter expert invited by staff or Council to make a presentation. At regular business meetings,
8 follow-up questions or responses by Councilmembers should not be allowed with respect to
9 testimony by members of the public during Public Forum or during testimony on agenda items
10 except in unusual circumstances and after suspension of the rules. However, Councilmembers or
11 City staff may be recognized by the presiding officer following testimony by members of the
12 public for purposes of correcting for the record misleading errors in a purported statement of fact
13 or for the purpose of rebutting negative personal comments proscribed by AMC 2.04.040C.2.

14 **5. Inquiries During Public Input.**

15 Presentations during regular business meetings and Study Sessions should be directed to the
16 Council. Likewise, testimony by members of the public -- in Public Forum or in agenda item
17 testimony -- should be directed to the Council, including any recommendations to the Council on
18 questions to ask of staff or subject matter experts. Members of the public should not pose
19 questions directly to presenters.

20 **6. Renewed Public Input.**

21 In the event of continuation of an ordinance, resolution or quasi-judicial land use determination
22 to a subsequent meeting, or when an ordinance is presented for Second Reading, members of the
23 general public who had an opportunity to testify on the agenda item in one meeting should only
24 be able to testify at a subsequent meeting if and to the extent the item presented for approval at
25 the subsequent meeting has been revised. Continued agenda items -- other than quasi-judicial
26 land use decisions, resolutions, or first or second readings of ordinances -- should not be subject
27 to this rule.

28 **7. Responses to Written Public Input**

29 a. If citizen correspondence is addressed to just one Councilmember and appears to seek a
30 response from just that individual Councilmember -- even though others may be copied on
the correspondence -- the addressee should decide how best to respond. Staff should respond

1 only upon request from the Councilmember and, if so, should send copies of the response to
2 all Councilmembers.

3 ~~b.~~ If citizen correspondence is addressed to two or more Councilmembers and appears to seek a
4 response from each Councilmember recipient, the City ~~Administrator-Manager or their~~
5 ~~designee~~ will (a) provide a

6 ~~b.~~ responsive reply directly to the citizen if the subject matter is within the scope of City
7 administration and will send copies of the reply to each Councilmember; or (b) notify the
8 citizen and the Councilmembers that the correspondence concerns policy matters and that
9 individual Councilmembers may or may not reply as appropriate and as time permits.

10 c. If citizen correspondence seeking a response is addressed to the City ~~Administrator-Manager~~
11 or a Department Director, the recipient ~~or their designee~~ should respond directly to the
12 correspondent and provide copies to the entire Council, whether all the Councilmembers
13 received copies of the correspondence.

14 ~~d.~~ If citizen correspondence is sent to the City website or is posted on social media so as to alert
15 the City ~~Administrator-Manager~~ to its presence and clearly seeks a response, the City
16 ~~Administrator-Manager or their designee~~ will see that the correspondent receives an
17 appropriate response from City staff, with a copy to the entire Council.

18 ~~e.~~ Responses to written public input by the City Manager or their designee should be made
19 within three days. If a response is not possible within this timeframe, an update on the
20 response status should be provided to the citizen correspondence, including to its addressed
21 Councilmembers.

22 ~~e.f.~~ For citizen correspondence on Parks matters, the APRC Director or the Parks Commission
23 will have responsibility for deciding how best to respond and provide copies to City
24 Councilmembers and the City ~~Administrator-Manager~~ as appropriate.

25 **8. Guidelines for Public Input**

26 Staff should establish clear guidelines for those attending and making presentations at Council
27 Meetings and make such guidelines readily available and perhaps augment them with a brief
28 video presentation just prior to the start of Council meetings.

30 **D. COUNCIL DELIBERATION RULES**

1. **Taking Turns**

1 During Council regular business meetings, every Councilor should get a turn to speak about an
2 issue under consideration before any other Councilor gets a follow-up turn. *AMC 2.04.040C.2.*

3 During Study Sessions however, this rule need not be observed

4 **2. Negative Personal Comments**

5 Council members, as well as members of the public are to “make no negative personal remarks
6 or comments about the motives or personal traits of others.” *AMC 2.04.040C.2.* “The Mayor and
7 council members should strive not to criticize any person in a public meeting or in public
8 electronic mail messages.” *AMC 2.04.080D.* The rules against negative personal remarks or
9 comments about the motive or traits of others during meetings should be enforced by the
10 presiding officer. *AMC 2.04.040C.3.*

11 **3. Suspending Rules.**

12 Suspension of the rules can be achieved by a two-thirds affirmative vote on a motion to “suspend
13 the rules in order to....” No debate or amendment is allowed, but a second is required and the
14 Councilor making the motion can provide a brief justification. *Robert’s Rules of Order Newly
15 Revised, 11th Edition (RONR), Section 25, pp. 260-62.* *AMC 2.04.0410E* allows only the
16 following nine rules in AMC 2.04 to be suspended without enacting an ordinance:

- 17 1. [AMC 2.04.020.A](#) (Regular Meeting days and times)
- 18 2. [AMC 2.04.020.C](#) (Study Session days, times, and content)
- 19 3. [AMC 2.04.040.B](#) (Attendance by electronic communication)
- 20 4. [AMC 2.04.040.C.4](#) (Parliamentary procedure)
- 21 5. [AMC 2.04.050.D.1](#) (Placement of Public Forum in agenda)
- 22 6. [AMC 2.04.050.D.4](#) (Rules on requests to speak at Public Forum)
- 23 7. [AMC 2.04.050.F.3](#) (Rules on requests to speak at Public Hearings)
- 24 8. [AMC 2.04.050.G.1](#) (Opportunity for public comment on agenda items)
- 25 9. [AMC 2.04.050.J.1](#) (Submittal of ordinances ~~14~~10 days in advance of meeting)

26 a.) **Should suspension of the rules always require a formal vote?**

27 A Councilor can say, “I ask unanimous consent to suspend the rules to....”; the chair then asks if
28 anyone objects and, if so, proceeds to take a vote as if a formal motion had been made. *Robert’s
29 Rules of Order Newly Revised, 11th Edition (RONR), Section 25, pp 266-67.*

30

1 E. COUNCILMEMBER REQUESTS TO STAFF FOR INFORMATION OR
2 ACTIONS.

3 1. Council Requests to Staff

- 4 a. Outside of a meeting, a Councilor seeking information from staff should channel the request
5 through the City ~~Administrator~~ Manager to the pertinent Department Head. Email requests
6 should be sent directly to the pertinent Department Head with a copy to the City
7 ~~Administrator~~ Manager. Requests for information should not be made directly to staff below
8 Department Head level.
- 9 b. If staff is likely to have to take more than two hours to provide a meaningful response to a
10 request, the request must be approved by the Mayor or City ~~Administrator~~ Manager or City
11 Attorney, or by a majority vote of the Council. *AMC 2.04.080A*.

12 2. Staff Responses to Councilor Requests

- 13 a. If the request is for readily available information, the employee should promptly provide the
14 requested information and inform the employee's supervisor of the Councilor's request and
15 the information provided.
- 16 b. If an employee receives a Councilor request for input that likely would require fewer than
17 two hours to produce, the employee should respond as follows:
- 18 i. Employee should provide the Councilor an estimate of the time required to produce the
19 response and seek an agreement on how soon the response can be provided.
- 20 ii. Employee should forward the requested information to his/her supervisor for transmittal
21 to the Department Head, who should be the one to transmit the information to the
22 requester and share the information with the City ~~Administrator~~ Manager.
- 23 c. When an employee receives a Councilor request for input that likely would require more than
24 two hours to produce, the following steps should be taken:
- 25 i. Employee should provide to the requester an estimate of the time required over and above
26 the time staff would otherwise be spending on the underlying matter in any event.
- 27 ii. Employee should remind the requester that a management policy directs employees to
28 forward to the appropriate Department Head any Councilor request to which a
29 meaningful response is likely to take more than two hours of staff time.
- 30 iii. The Department Head should ask the Mayor, City ~~Administrator~~ Manager, or City
Attorney to approve providing a response to the request or to add to an upcoming

1 meeting agenda a question as to Council direction on whether and to what extent staff
2 time should be devoted to responding to the request.

- 3 d. Staff should provide all the Councilmembers copies of any responses to a
4 Councilmember's inquiries or suggested guidance.

5 **3. Pre-Meeting Councilmember Communications with Staff.**

6 If possible, after receiving agenda packets, Councilors with questions or concerns they would
7 like to have addressed at an upcoming meeting should so advise the relevant staff presenters or
8 the City ~~Administrator~~ Manager in advance of the meeting.

9
10 **SECTION 3.** In preparing this resolution for publication and distribution, the City Recorder
11 shall not alter the sense, meaning, effect, or substance of the ordinance, but within such
12 limitations, may: (a) Change reference numbers to agree with renumbered chapters, sections or
13 other parts of the Ashland Municipal Code; (b) Delete references to repealed sections of the
14 Code; (c) Change capitalization and spelling for the purpose of uniformity; and (d) Correct
15 manifest clerical, grammatical, or typographical errors.

16
17 **SECTION 4.**

18 This resolution is effective upon adoption.

19
20 ADOPTED by the City Council this _____ day of _____, 2023.

21
22 ATTEST:

23
24 _____
25 Melissa Huhtala, City Recorder

26
27 SIGNED and APPROVED this _____ day of _____, 2023.

28
29 _____
30 Tonya Graham, Mayor

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Reviewed as to form:

Doug M. McGeary, City Attorney