



July 1, 2020

TO: PROSPECTIVE CANDIDATES FOR DALLAS CITY COUNCIL / MAYOR

Thank you for your interest in running for the Dallas City Council in 2020. We have five Council positions on the November 3, 2020, General Election ballot, and the winners of the election will complete a 4-year term that commences on January 1, 2021 and will expire December 31, 2024. We also have the mayor's position on the November 3 General Election ballot, and the winner of that election will complete a 2-year term that commences on January 1, 2021 and expires on December 31, 2022. The City Elections Officer (the City Recorder) will accept nomination papers comprising a petition from 8:00 a.m. on July 27, 2020, through 5:00 p.m. on August 25, 2020.

This guide is intended to provide an overview of the local election process. For detailed background on the process, refer to the Dallas City Charter and Municipal Code at [http://www.amlegal.com/codes/client/dallas\\_or/](http://www.amlegal.com/codes/client/dallas_or/). In addition to understanding the City of Dallas's regulations, candidates also need to be aware of State requirements and should reference the current publications posted on the Oregon Secretary of State Elections Division website. Candidates should visit the State Elections website to view and access the most current version of all necessary publications and forms: <http://sos.oregon.gov/elections/Pages/laws-rules-publications.aspx>.

As your City Elections Officer, I am here as a resource. Please contact me with any questions at 503.831.3502 or email [sam.kaufmann@dallasor.gov](mailto:sam.kaufmann@dallasor.gov). If you plan to file your papers or have questions about the process, please call or email me to ensure I am in the office and available. **Please be aware that signature sheets must be approved by the City Elections Officer before they may be circulated to collect signatures.** You may also contact the Secretary of State's Office at 503.986.1518 and Polk County Elections at 503.623.9217 with any questions.

***Please Note:*** *There have been no modifications to the petition process due to COVID-19. Polk County will only verify signatures made with pen and ink. We strongly recommend following state guidelines when interacting with members of the public. Please contact me if you have any questions or concerns regarding COVID-19 and the petition process.*

Sincerely,

Sam Kaufmann  
City Recorder/Elections Officer



## HOW TO FILE FOR CANDIDACY

Approved candidate filing forms are available from the City Recorder/Elections Officer or you may download them directly from the State Elections Division website at: <https://sos.oregon.gov/voting-elections/Pages/default.aspx>.

### **Step 1: File the following forms with the City Elections Officer (City Recorder):**

1. Form SEL101: Candidate Filing – Major Political or Nonpartisan
2. Form SEL121: Candidate Signature Sheet – Nonpartisan

According to the City Charter and Code, all nomination papers must be filed with the City Elections Officer not earlier than 100 nor later than 70 days before the election. For the November 3, 2020 General Election, the filing window is 8:00 a.m., July 27, 2020, through 5:00 p.m. on August 25, 2020. No filing fees are required to run for City of Dallas offices.

**All signature sheets must be approved (see Step #3), in writing by the City Elections Officer, before circulating.** Failure to do so will result in the rejection of those signature sheets.

**Step 2:** The City's Elections Officer reviews the prospective petition and provides written approval prior to the candidate circulating the petition.

### **Step 3: The Candidate circulates the signature sheets**

The candidate (or circulator) circulates approved petition sheets (SEL121) to collect signatures following the guidelines in the State's Candidate Manual. The [Dallas City Code](#), Chapter 2.025 requires candidates to acquire a minimum of 25 valid signatures to qualify for the ballot and it is recommended that more than 25 signatures be collected.

When a sufficient number of signatures have been collected, the candidate must submit the unverified signatures to the City Elections Officer along with Form SEL 338 "Petition Submission – Candidate, Voters' Pamphlet." The City Elections Officer will then submit the signatures to the Polk County Elections Office for verification. Candidates are strongly encouraged to submit signatures well in advance of the filing deadline, as verification can take up to a few days. Petitions with insufficient signatures will be returned to the candidate to acquire more signatures, provided the filing deadline has not passed.

#### **Step 4: Follow Campaign Finance Reporting Requirements**

Visit <https://sos.oregon.gov/voting-elections/Pages/default.aspx> for the candidate “Quick Guide” on campaign finance reporting in Oregon and the *Campaign Finance Manual*. Be sure to review the contribution and expenditure reporting requirements and observe the filing deadlines. For detailed information regarding who must file and when, refer to the *Candidate Manual* or check with the Secretary of State at 503.986.1518.

**Optional:** Establish your Candidate Committee by completing the following two forms with the Secretary of State, Elections Division:

1. Form SEL220: Statement of Organization for Candidate Committee, and
2. Form SEL223: Campaign Account Information

**NOTE:** SEL220 must be filed within three (3) business days of receiving a campaign contribution or making an expenditure; please refer to the Campaign Finance Manual, as filing these forms is not required under certain limited circumstances.

### **WITHDRAWAL OF CANDIDACY OR NOMINATION**

To withdraw from candidacy, a candidate must file an SEL150 Candidate Filing Withdrawal form with the City Elections Officer no later than August 28, 2020, for the November 3, 2020, General Election. Form SEL150 may be downloaded here:

<https://sos.oregon.gov/elections/Documents/SEL150.pdf>

### **STATEMENT OF ECONOMIC INTEREST (SEI) AND STATE REPORTING REQUIREMENTS**

All persons holding elected office in the City of Dallas are required to file Statements of Economic Interest with the Oregon Government Ethics Commission. The annual reports must be filed by April 15 every year of the incumbency of the elected official. Information will be requested concerning sources of income, property, business interests, and gifts related to the office. Civil penalties may be imposed for failure to file, or for insufficient information. Please contact the City Recorder’s office for additional information.

## POLITICAL SIGN REGULATIONS

### **What kinds of signs are allowed?**

Political signs are permitted in all zones of the City of Dallas. No permits are necessary if the signs meet these criteria:

Temporary signs are defined as a sign constructed of fabric, vinyl, paper, cardboard, plywood, or other light material, that is intended to be displayed for a specific and limited period of time. Temporary political signs are limited in size to six square feet per sign.

### **Where can political signs be displayed?**

Signs must be placed on private property with the owner's permission. They must not be placed on public property or in the public right-of-way (e.g. streets, sidewalks, utility poles, parks, school grounds, etc.). Be aware, too, that the Oregon Department of Transportation (ODOT) has some stringent regulations. If you are considering posting political signs along Kings Valley Highway, contact ODOT before doing so.

### **How long can political signs be displayed?**

The City of Dallas allows temporary political signs to be erected 60 days prior to an election and they must be removed seven days following the election. For the November 3, 2020, General Election, that means you can place signs starting September 4, 2020 and must remove them by November 10, 2020.

## MISCELLANEOUS

All forms for City elections that are filed with and maintained by the City Elections Officer are a matter of public record.

As the Elections officer for the City of Dallas, the City Recorder is available as a resource during your candidacy. Please call City Recorder, Sam Kaufmann at 503.831.3502 if you have any questions on the election process or contact her by email at [sam.kaufmann@dallasor.gov](mailto:sam.kaufmann@dallasor.gov).

## ELECTION OFFICES

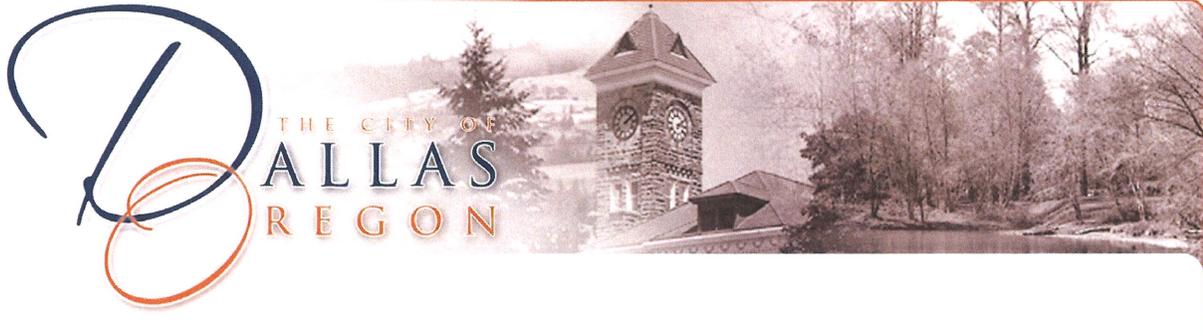
**City of Dallas** **503-831-3502**  
 Sam Kaufmann, City Recorder/Elections Officer  
 187 SE Court Street  
 Dallas, OR 97338  
<http://www.dallasor.gov>  
[sam.kaufmann@dallasor.gov](mailto:sam.kaufmann@dallasor.gov)

**Polk County Elections** **503-623-9217**  
 Valerie Unger, Polk County Clerk  
 850 Main Street, Room 201  
 Dallas, OR 97338  
<http://www.co.polk.or.us/clerk>

**Secretary of State's Elections Division** **503-986-1518**  
 255 Capitol Street NE, Suite 501  
 Salem, OR 97310  
<http://www.oregonvotes.org/>

## 2018 SCHEDULE FOR CANDIDATES

DATE	DESCRIPTION OF EVENT
November 3, 2019	Any person running for City office must have been a resident of Dallas by this date
July 27, 2020	First day for candidates to file prospective petition declaring candidacy for November General Election. <b>Note: Signature sheets (petition) must be approved before being circulated.</b>
August 25, 2020	Last day for candidates to file nomination papers comprising a petition with City Recorder
August 28, 2020	Last day for candidate to file withdrawal of candidacy for General Election
September 4, 2020	Election signs may be placed on private property
<b>NOVEMBER 3, 2020</b>	<b>GENERAL ELECTION DAY</b>
November 10, 2020	Election signs must be removed from private property
January 2021	Oath of Office administered at the first Council meeting of 2021, after certified election results are received from the County.



July 1, 2020

Dear prospective candidate,

I'm thrilled you're interested in becoming an elected official for the City of Dallas. Your commitment to our city is indispensable and I look forward to learning about your vision for the community.

I encourage you to reach out to me with any questions you may have for me. I'd be happy to discuss my perspective on the role and responsibilities of an elected official. I'm also available to answer questions you may have regarding the city's current and future endeavors as well.

Dallas's future is bright. I'm excited at the prospect of what's on and beyond the horizon. Again, I'm pleased you're interested in joining myself, and the City Council on our mission to serve the City of Dallas.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brian Latta', is located below the word 'Sincerely,'.

Brian Latta  
Dallas City Manager  
503-831-3502  
[Brian.latta@dallasor.gov](mailto:Brian.latta@dallasor.gov)



# **So, You Want to Run for Local Office...**

A Guide for Prospective  
City Elected Officials

Updated April 2020





# So, You Want to Run for Local Office...

## A Guide for Prospective City Elected Officials

What every person interested in becoming an elected official should know about roles, responsibilities, and representing their community and city government.

This guide is primarily intended for candidates for city council. It serves as a reference and deals with a variety of important topics. This guide is meant to serve as an orientation for those who wish to assume a leadership role at the local level. The guide will outline:

- How to file for elective office;
- What to expect once elected;
- Roles and responsibilities;
- The sources of local government law;
- Communications;
- Visioning and goal setting; and
- Resources.

This guide is not a substitute for legal advice. Candidates are encouraged to speak with their privately retained attorneys for specific legal advice.

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## Welcome Message from the 2020 LOC President

Welcome to the club! The number of people willing to run for elected local office is pretty small, and for good reason: it's not an easy job if you want to do it right. If you're just looking for a fancy title and all-expenses-paid junket to exotic locations, you're going to have a rough time of it, and you won't have much fun. But if you're looking for a way to use your knowledge, experience and wisdom to help make your community a better, more functional place, you may find that lending your hand to local government is one of the most rewarding endeavors you've ever undertaken.

If you haven't already gotten your feet wet by volunteering for your local planning commission, budget committee, or other municipal body, you should seriously consider doing so before you declare a candidacy. Having some experience doing "city stuff" is a good way to get a better idea about what you're likely to spend your time doing as a city councilor or mayor, and will better prepare you to answer the sorts of questions you're likely to get as a candidate.

If you haven't already started attending city council meetings, start doing so now. You're going to want to become as familiar as possible with both the issues in your city and the way the council conducts business before you're up there on the dais. If you're running because there's a single burning issue that's compelled you to run, remember that there are hundreds of other issues you're going to have to wrestle with during your term of office. If you want to do a good job, you'll want to know what those are, and tackle them with just as much energy and honest consideration as you would your pet issue.

Remember that your opponents (and your eventual fellow council members) are people too. Assume the best of them—that they're also running for office because of a genuine desire to help your community. The people you're meeting in this process tend to be good folks who remain involved with civic matters, so they're just not going to go away after the election (in fact, it's likely that you'll find yourself working with them in the not-so-distant future). So, feel free to explain why you disagree with their proposed policies, but resist any temptation to sling mud. Taking the high road is not only the right choice ethically, it's also likely to pay dividends later.

Once you've won the election and you're seated on the council, the work isn't over. Instead, that's when it begins in earnest, and the learning curve can be pretty steep. Luckily, the League of Oregon Cities has some fantastic training opportunities to help you be the best elected official you can be. Please don't hesitate to reach out, and we'll do our best to help you help your city.

– 2020 LOC President Jake Boone, Councilor, Cottage Grove

## Filing for Elective Office

Qualifications for various city offices differ. Before filing for candidacy, review the city charter and statutory requirements of the office for which you plan to declare your candidacy. Requirements for filing for city office are found under Oregon Revised Statutes (ORS) Chapters 221 and 249. The forms that you will need are available from the city's elections official and the Oregon Secretary of State's Office, Elections Division.

Every candidate and prospective candidate are required to establish a principal campaign committee within three business days of receiving or spending any money to support the candidacy. This includes expenditures of personal funds by the candidate. It also includes payment of the filing fee if the candidate files by declaration, any costs relating to circulating a nominating petition, or any voters' pamphlet costs. For more information on campaign finance reporting requirements please see the Secretary of State Elections Division Candidate Finance Reporting in Oregon Candidate "Quick Guide" available at:

<https://sos.oregon.gov/elections/Documents/candidatequickguide.pdf>.

## What to Expect

As a local elected official, you will have the opportunity to shape policy governing the future of your city. In addition to serving as a community leader, being a model of civility and cooperation, an educator and interpreter of public opinion – the role of an elected official will change the way you are viewed in your community. You'll rarely stop by the neighborhood coffee shop without someone complaining about roads or taxes. You may be cornered anywhere, at any time, on anything. Local elected leaders are in direct contact on a daily basis with the people they represent.

You will spend a lot of time attending meetings – not only city council meetings – but regional and statewide meetings as well. You will spend time preparing for meetings, reading any preparatory material in order to make informed decisions in the course of all meetings.

If elected, you will utilize the skills you already have, skills you never knew you had, and skills you wished you had. You may be called upon to facilitate meetings, speak to the press, respond to angry and sometimes hostile citizens, testify before legislative committees, and negotiate with contractors, bankers and engineers. You will make decisions on everything from who to hire as the next city manager, which bid to accept for paving the roads, how to pay for solid waste disposal, to joining with neighboring cities in a regional approach to providing dispatch services.

### SPOTLIGHT:

#### Policy Process Steps

1. Identification of problems or needs
2. Establishment of community goals
3. Determine objectives
4. Development/analysis of alternative solutions (including short-term and long-term implications)
5. Establishment of priorities
6. Development of programs and strategies
7. Implementation of programs and strategies
8. Monitoring and evaluation of programs or strategies
9. Feedback
10. Program or strategy improvement and modification

### SPOTLIGHT:

#### Basic City Services

The services provided by cities vary from community to community. However, some typical services include:

**Public Safety** – police, fire, and sometimes ambulance service

**Utilities** – water and sewer, trash collection, electricity, and natural gas

**Land Use** – planning, zoning, code enforcement, and other regulatory activities

**Transportation** – street construction and maintenance, traffic safety, and sometimes public transit

**Recreation and Cultural** – parks, recreation, libraries, and sometimes cultural facilities

**Legal** – ordinances protecting the public health, safety and welfare of the community

## Roles and Responsibilities

The specific roles and responsibilities of members of city leadership will vary from community to community. Each position plays a vital role in the governance of the city. The council serves as the city's legislative body by adopting a budget and adopting local laws – called ordinances – and regulations.

### Policy Role

The council is the highest authority within city government in deciding issues of policy. For a council to effectively assume a positive and active role in bringing issues forward for discussion in setting policy, councilors need a clear understanding of policy process and the stages at which council intervention is most effective.

### Administrative Role

The council, as a collective body, is responsible for the oversight of administration in every city, but the roles that the mayor and individual councilors play in city administration vary considerably, depending on city size and form of government. Typically, the only city staff overseen by the council is the city's chief executive and potentially a handful of department heads.

Council/Manager Form – The majority of Oregon cities follow this structure where the council is comprised of volunteers who decide the policy for the city, which is overseen by a paid city manager who serves as the chief executive. Approximately 55% of cities nationwide utilize this form of government, and it is most popular in the Southeast and Pacific Coast regions.

Strong Mayor Form – The only city in Oregon with a strong mayor structure is the city of Beaverton. Under this form of government, the mayor is elected but also serves as the city's chief executive. Approximately 34% of cities nationwide utilize this form of government and it is most popular in the Mid-Atlantic and Midwest regions.

Commission Form – The city of Portland is the state's only true commission form of government. In this form, elected commissioners serve as the administrative head of selected city departments as assigned by the mayor. While the commission is the oldest form of local government in the country, only 1% of cities nationwide utilize a commission form of government.

### The Mayor

The mayor's role varies from city to city, depending on charter requirements. The mayor serves as the public face of the community by representing the city at community events or government functions. The mayor also serves as the spokesperson for the council. During council meetings, the mayor typically serves as the presiding officer and sets the agenda for meetings. Often, the mayor appoints individuals to committees and work groups and signs ordinances and

#### SPOTLIGHT:

#### **Council-Manager Form of Government**

The chief characteristic of the council-manager form of government is that the council appoints a qualified professional person as city manager or administrator to take charge of the daily supervision of city affairs. The manager or administrator serves at the pleasure of the council – the council sets policy and the manager carries out that policy. While an absolute separation between policy and administration does not really exist, the council-manager form works best when the council exercises its responsibility for policy leadership and respects the manager's leadership role and responsibility for administration.

Council-manager charters commonly include specific provisions that prohibit individual councilors from giving orders to city employees and from attempting to influence or coerce the manager with respect to appointments, purchasing, or other matters. However, the charters do not prohibit, and may affirmatively provide for the council to discuss administrative matters with the manager in open meetings.

resolutions on behalf of the council. Most importantly, the mayor serves as the chief facilitator between the city manager and the city council.

### **Quasi-Judicial Role**

Council members may act in a quasi-judicial capacity when sitting on land use hearings and other type of appeals. When acting in a quasi-judicial role, the council is acting like a court of a judge – it is applying the law to a set of specific facts.

### **Council as “One Voice” and Balance**

The council acts as a centralized body with one voice and not as individuals. While individual council members may make motions, the motion is only passed when a majority of the council votes in favor of its passage. Newly elected and veteran elected officials may find this structure challenging as it may be difficult to pass policy based on individual platforms.

The single most difficult job of a city council is to balance diverse interests with common interests. A councilor may react to groups in isolation without considering the larger consequence of their actions. It is important to recognize and consider citizen input, but it is equally important to develop perspective. A council can seldom do everything that everyone wants.

### **Intergovernmental Relations**

Beyond the myriad of issues that are specific to city government, city officials will quickly find that they play a pivotal role in the intergovernmental arena with other cities, county government, special districts and public schools, as well as regional, state and federal governments. Understanding these relationships and their impact on a city government’s ability to provide responsible, efficient and effective governance and delivery of services is important, particularly when funding and staffing resources are limited. Exploring new and innovative ways of funding and providing public services is one of the challenging issues facing elected officials.

It is important to recognize that the reasons you are running for office will become part of a “full plate” of issues – many of which you are not yet familiar. Because of the urgency and the complexity of these issues, governments must work together to address them. Cities no longer do their government business in isolation. The key to success is cooperation and collaboration.

### **Sources of Law**

The main sources of law governing local government are the city charter and ordinances, the state constitution, state law and the decisions of state courts. Cities are also subject to federal laws and the United States Constitution. Local elected officials should be familiar with their city’s charter and ordinances, as well as the state laws regarding open meetings, public records, budgeting, public contracting, and ethics, some of which are described below.

### **Home Rule and Limitations of Power**

The term “home rule” refers to the authority of a city to set policy and manage its own affairs. Without charter home rule, state law controls the existence, form of organization, functions, powers and finances of

local government. Most home rule authority is conferred on a city by its charter. A charter can be thought of as the city's constitution and may be amended only by a vote of the citizens of that city.

Even in light of home rule, local governments are subject to statutory, constitutional, judicial and charter limitations. Under Oregon constitutional home rule provisions, the voters of the state have taken from the state Legislature, and reserved to the voters of cities, the power to adopt and amend their own city charters. Initiative and referendum powers are also reserved to the voters of the city under Oregon Constitution Article VI, section 10 and Article XI, section 2.

Article I, Oregon's Bill of Rights, also applies to local governments. Other constitutional limits and restrictions include property tax limitations, prohibitions against lending the credit of a city, and regulation of city elections.

### Government Ethics

Public official ethics are governed by various constitutional provisions, the common law, state statutes, and occasionally, charter or ordinance provisions.

Government ethics law is administered and enforced by the Oregon Government Ethics Commission. State law may require officials in your city to file a statement of economic interest each year with the Oregon Government Ethics Commission. State law also requires that public officials not use their official position or office to obtain financial gain other than their official salary, honorariums or reimbursements of expenses. The law limits the value of gifts that officials, candidates or members of their families may solicit or receive, or which any person may offer, and prohibits public officials from soliciting or receiving offers of future employment in return for their influence. The law prohibits public officials from furthering their personal gain by use of confidential information gained through their position with the city.

Public officials must also avoid a conflict of interest relating to taking official action that may or will result in financial benefit or detriment to the public official, the public official's relative, or a business with which the public official or their relative is associated. When a conflict of interest exists, the public official must take certain steps such as announcing the conflict and potentially recusing themselves from any participation in the discussion or vote on the issue.

### Public Meetings Law

The Oregon public meetings law that applies to public bodies is found in ORS 192.610 to 192.695. Under the public meetings law, a governing body's meetings are open to the public with certain exceptions. Meetings of other city bodies such as the planning commission, budget committee, library board, etc., are also open to the public. Except in emergencies, there must be reasonable notice of regular meetings and at

#### **RESOURCE:**

For a more in-depth explanation of Oregon Home Rule and Preemptions see [LOC's Guide to Statutory Preemption of Home Rule](#) and [White Paper on the Origins, Evolution and Future of Home Rule](#), available on LOC's online reference library accessible at: <https://www.orcities.org/resources/reference/reference-library>

#### **RESOURCE:**

#### **Oregon Government Ethics Commission Publications**

For more information and guidance on government ethics for public officials, see the Oregon Government Ethics Commission's [Guide for Public Officials](#), and related supplement available at: [https://www.oregon.gov/OGEC/Pages/forms\\_publications.aspx](https://www.oregon.gov/OGEC/Pages/forms_publications.aspx)

least 24-hour notice for special meetings. Minutes are required to be taken. Executive sessions – those meetings that may be closed to the general public – may be held for certain prescribed reasons, but the media must be allowed to attend these meetings and final decisions may not be made. All final decisions must be held in a public meeting.

### Public Records Law

The Oregon public records law applies to public bodies and is found in ORS 192.311 to 192.478. The public meetings law prescribes not only how local government officials and staff must handle public records, but also how the local government must respond to and handle requests for disclosure.

### Budget and Finance

Budgeting is an annual process by which cities identify the types and levels of services that can be provided within the constraints of available resources. The general budgeting process is prescribed by the Oregon local budget law found in ORS 294.305 to 294.565. The Oregon Department of Revenue’s Finance and Taxation section administers and provides advice and assistance to cities regarding budget matters. The section publishes a local government budget manual that is the basic reference document for local budget procedures.

In its most basic form, the budget identifies city programs, services and activities. City budgets are organized and expenditures are accounted for by “funds” such as the general fund or street fund, etc. or “activities” such as law enforcement or transportation, in order to permit identification and handling of revenue earmarked for such purposes. Additional resources on local budgeting may be accessible on the Oregon Department of Revenue’s website at: <https://www.oregon.gov/DOR/programs/property/Pages/local-budget.aspx>.

### Liabilities

To some extent, Oregon governments are liable for torts (wrongs to private parties) such as personal injury, property damage, wrongful entry, false arrest and detention, abuse of process, invasion of privacy, and interference with contractual relations. The Oregon Tort Claims Act places a financial limit on the extent of the government’s liability for torts.

The personal liability of public officials is governed primarily by the provisions of the Oregon Tort Claims Act. Federal civil rights law, the common law of torts, and specific Oregon statutes also may impose personal liability. Some examples of personal liability are budget law violations, conflicts of interests, actions outside the scope of official duty, malfeasance in office, public contracting violations, and public meetings law and public records law violations.

The council should routinely consult with the city attorney in making decisions on city affairs. In addition to providing professional and technical services such as preparation of formal opinions and drafting of legal documents, the city attorney can supply advice regarding many other matters.

### RESOURCE:

#### Oregon Attorney General’s Public Records and Meetings Manual

Without doubt one of the most helpful resources on public meetings and records is the Attorney General’s [Public Records and Meetings Manual](#). The Manual provides guidance and explanations to the various laws that govern Oregon public records and meetings. The Manual is available online free of charge at:

<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/>

Some types of insurance are required by state law, and cities purchase other types for their own protection. Insurance policies are complex documents, and the advice of competent insurance advisors and the city’s legal counsel should be sought to make certain that coverages are adequate for the exposures involved. For more information on risk management, contact Citycounty Insurance Services online at <https://www.cisoregon.org/Contact-CIS>.

## Communications – The Key to Success

Council effectiveness is dependent upon good group dynamics. Each new configuration of the council creates its own personality and style of operation. As with any group, each council must go through the usual evolution of forming, storming, norming, performing and, eventually, reforming. A number of city councils in Oregon have adopted internal rules of council procedure to promote effective governance and establish ground rules for working together.

### Elected Officials and the Public Spotlight

Becoming an elected official means living in the public spotlight 24 hours a day. Elected officials come to realize that this is simply a condition that accompanies the position – for better or worse. Don’t be alarmed if your personal life becomes front page news and the “talk of the town.” It’s bound to happen sooner or later. Media relations is a skill that can work in the city’s favor. It is wise to develop a respectful relationship with a local reporter and attempt to create a reciprocal relationship. Be sensitive of the reporter’s job and their need to meet deadlines. At the same time, be careful and never speak “off the record.” Expect anything you say or write to be used. Don’t assume an interview is over until the reporter has left the scene. Also, before speaking with the press on a matter related to the city, make sure you and your council have identified any needed protocols for interactions with the media. Some cities have identified, through their council rules of procedure, how elected officials communicate with the press – identifying what a councilor or mayor can do when they “speak for” the city as opposed to when they are “speaking for” themselves.

### Representing the Public

Two of the most important tasks of local government officials are to discover citizen opinion and to ensure that citizens have sufficient information to form knowledgeable opinions. For these tasks to be carried out successfully, elected officials must solicit public input and encourage citizen participation and involvement.

Communication is important in achieving effective citizen participation in local government. Success depends on both the attitudes and interests of citizens and city officials. Citizens need to know their efforts are recognized and valued in the decision-making process. Public hearings, advisory committees, town hall meetings, televised council meetings, volunteer participation, public opinion polls, and interest groups are ways to connect citizens with city government in a significant way.

#### RESOURCE:

For sample rules of procedure, see LOC’s [Model Rules of Procedure for Council Meetings](#) available on LOC’s online reference library accessible at: <https://www.orcities.org/resources/reference/reference-library>

#### SPOTLIGHT:

##### Guidelines for Surviving Life in the “Public Fishbowl”

- ✓ Be truthful.
- ✓ If you don’t know the answer, say so.
- ✓ Anticipate all situations and questions.
- ✓ Be prepared.
- ✓ Be accountable and responsible for everything you do and say.

## Community Visioning and Goal Setting

City councils should develop community visioning and conduct annual goal setting processes in order to provide a roadmap for all city decisions.

### Visioning: Sustaining Quality of Life

City governance is an institution that enables a community of citizens, through their elected representatives, to maintain safety and a good quality of life, which is accomplished by developing policy, adopting implementing laws and ordinances, and planning for the delivery and financing of public services. Success is dependent upon the ability to stay in touch with the public's needs and desires, to understand the issues, and to balance the short and long term social, economic and environmental impacts. A vision statement provides a blueprint for the future and helps the council, staff and citizens to set priorities, goals, and make decisions to achieve desired outcomes.

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*“Every city has an unbelievable talent pool that can help change a city from average to outstanding. However, members of the community must realize how important their involvement can be. I truly believe that King City is a great example of what can happen when a diverse group of dedicated residents are committed to helping the city government represent the people, as city councilors. Progress in a city can only be made by the people who represent the people in the community in which they live and deeply care about.”*

- Ken Gibson, Mayor, King City

### Setting City Goals

A clear set of goals provides the framework within which nearly all city activities can be accomplished. Goals provide direction, reduce crisis management environments, develop cohesiveness among council members, allow managers and staff to manage their time and activities effectively, and permit periodic evaluation of progress to manage any necessary mid-course corrections.

Without goals, a council cannot distinguish between movement and progress. Individuals and groups can spend tremendous effort and resources performing activities that, in retrospect, were not necessary. Often the reason for this wasted effort is the absence of a clear set of priorities and specific plans for accomplishing them.

Typically, council goals are developed for a one to two-year period. They are a tool for focusing the council's efforts; communicating priority issues to the community; and providing clear direction to city staff. Council goals should be articulated in such a way that they are specific, realistic, outcome-based, within the city's control, and measurable. Once goals have been set and adopted by the council, they can be used as a measure for evaluating staff performance, guiding budget decisions, and managing unanticipated issues that arise during the year.

## About the League of Oregon Cities

The LOC is the trusted, go-to resource that helps Oregon city staff and elected leaders serve their cities well and speak with one voice. The LOC is here to provide cities what they need to build thriving

communities, through advocacy, training, and information. Created in 1925 through an intergovernmental agreement of incorporated cities, the LOC is essentially an extended department of all 241 Oregon cities.

### **Resources and Recommended Reading**

The LOC provides numerous resource available online at [www.orcities.org](http://www.orcities.org). The public can access reference materials such as “Topics A-Z” and the Reference Library under the “Resources” tab. Resources include white papers, guides, model ordinances, and FAQs.

## COUNCIL

### **2.005 Council Meetings.**

(1) Except as provided in subsection (2), regular meetings of the council shall be held on the first and third Mondays of each month at 7:00 p.m., or at such other hour as the council may prescribe, in the council chambers in city hall. If a regularly scheduled meeting falls on a legal holiday, the council shall meet on the following day at 7:00 p.m., or at such other hour as council may prescribe. The business of the council shall be in the order prescribed by the mayor.

(2) The council, may, by motion, cancel a regular meeting, provided that the council shall meet at least once each month.

(3) Subject to subsection (4), the mayor may, on the mayor's own motion, or at the request of three council members, shall call a special meeting of the council for a time not less than three or more than 48 hours after notice of the special meeting is given. Special meetings may also be called by consent of all the council members.

(4) A special meeting may be held on less than 24 hours' notice only in case of an actual emergency, in which case notice shall be given as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

[Section amended by Ordinance No. 1697, passed 2-2-2009; amended by Ordinance No. 1743, passed 12-19-2011.]

### **2.010 Absence from Council Meetings.**

If the wilful absence of a member of the council from a council meeting results in the lack of a quorum, the remaining members may, by motion, compel the attendance of the absent member. Failure to obey the order of the council is punishable by a fine not to exceed \$250.

### **2.015 Rules of Procedure.**

Proceedings of the council shall be conducted in conformity with the provisions of the American Legal Publishing, Inc

city's charter and ordinances and, when not so governed, in accordance with the parliamentary procedure contained in Roberts Rules of Order.

## **NOMINATIONS**

### **2.020 Qualifications.**

Any person possessing the qualifications set forth in Section 12, of the Dallas charter may be nominated for an elective city position.

[Ordinance No. 1776, passed March 16, 2015]

### **2.025 Nomination petitions.**

(1) Nomination shall be by petition specifying the position sought in a form prescribed by the council.

(2) A nomination petition must be signed by not fewer than 25 electors. No elector shall sign more than one petition for each vacant position. If an elector signs more than one petition, the elector's signature shall be valid only on the first sufficient petition filed for the position.

(3) The signatures on a nomination petition need not all be included on one page, but to each separate page of the petition there must be attached an affidavit of the petition circulator, indicating the number of signers on the page and stating that each signature was made in his presence and is the genuine signature of the person whose name it purports to be.

(4) With each signature there shall be stated the signer's place of residence, identified by its street and number or other sufficient description.

(5) All pages comprising a nomination petition shall be assembled and filed with the City Manager or the manager's designee as one instrument, with signatures duly certified by the Polk County Clerk, not earlier than 100 nor later than 70 days before the election. The manager or the manager's designee shall make a record of the exact time at which each petition is filed and shall record the name and address of the person by whom it is filed. If the petition is not signed by the required number of qualified electors, the manager or the manager's designee shall notify the candidate and the person who filed the petition within five days after the filing. If the petition is insufficient in any other particular, the manager or the manager's designee shall return

it as soon as possible to the person who filed it, stating in writing in what way the petition is insufficient.

(6) A deficient petition may be amended and filed again as a new petition, or a substitute petition for the same candidate may be filed, within the regular time for refiling nomination petitions. The manager or the manager's designee shall notify an eligible person of his or her nomination, and the person shall file with the manager or the manager's designee a written acceptance of nomination, in such form as the council may prescribe, within five days of notification of nomination. Failure to file a written notice of acceptance of nomination will invalidate the nomination.

(7) Upon receipt of acceptance of nomination, the manager or the manager's designee shall cause the nominee's name to be printed on the ballots.

(8) The petition of nomination for a successful candidate at an election shall be preserved in the office of the manager until the term of office for which the candidate has been elected expires.

[Ordinance No. 1776, passed March 16, 2015]

## **STANDING COMMITTEES**

### **2.050 Standing Committees.**

(1) At the first regular meeting of the council in January of each year, or as soon thereafter as convenient, the mayor shall appoint the following standing committees of the council:

- (a) Committee on public works.
- (b) Committee on public safety.
- (c) Committee on public buildings and grounds.
- (d) Committee on public administration.

(2) The membership of each committee shall be at the discretion of the mayor, except that each council member shall serve on not less than two committees. Each member of a committee shall hold office for one year and until a successor is appointed. If a vacancy occurs in a committee, the mayor, at the next succeeding regular meeting of the council, shall appoint a member of the council to fill the vacancy. A member so appointed shall hold office until the first

regular meeting of the council in January of the year following the appointment and until a successor is duly appointed.

(3) At the regular meeting of the council following a committee meeting, the committees shall make a report of their activities.

(4) The proceedings of the committees shall be conducted as provided by Roberts Rules of Order.

(5) A majority of a quorum of a committee is sufficient to conduct committee business.

### **2.055 Public Works Committee.**

The public works committee shall:

(1) Consider all matters relating to streets, sewers, alleys, sidewalks, public ways, and water that are referred to it by the mayor.

(2) Report and make appropriate recommendations to the council on all matters referred to it by the mayor.

(3) Propose improvements to streets, sewers, alleys, sidewalks, public ways, and the water transmission and distribution system.

(4) Recommend the adoption of ordinances that it considers necessary for the welfare of the city.

(5) Recommend rates to be charged by the city for water and sewer service.

### **2.060 Public Safety Committee.**

The public safety committee shall:

(1) Consider all matters relating to public health and safety, the police department, ambulance service, and the fire department that are referred to it by the mayor.

(2) Report and make appropriate recommendations to the council on all matters referred to it by the mayor.

(3) Hear and investigate complaints relating to the violation of ordinances dealing

with matters of public health and safety.

(4) Recommend the adoption of ordinances that it considers necessary for the welfare of the city.

### **2.065 Buildings and Grounds Committee.**

The buildings and grounds committee shall:

(1) Consider all matters relating to public buildings, parks, the public library, and public grounds that are referred to it by the mayor.

(2) Report and make appropriate recommendations to the council on all matters referred to it by the mayor.

(3) Recommend the adoption of ordinances that it considers necessary for the welfare of the city.

### **2.070 Public Administration Committee.**

The public administration committee shall:

(1) Consider all matters relating to the administration of city business, budgetary matters, and fiscal affairs that are referred to it by the mayor.

(2) Report and make appropriate recommendations to the council on all matters referred to it by the mayor.

(3) Recommend the adoption of ordinances that it considers necessary for the welfare of the city.

(4) Make recommendations involving insurance programs maintained by the city, including recommending additions, deletions, acquisition of additional coverage, and the cancellation of coverage no longer required.

### **2.075 Additional Duties.**

The specific enumeration of powers and duties in sections 2.050 to 2.075 are not intended to be inclusive or limiting in any way. Standing committees shall perform other duties and

exercise additional powers as the council may direct.



# City Council Rules of Procedure

First Review Date January 27, 2009  
Adopted by Council December 5, 2011  
Amended by Council February 4, 2013  
Amended by Council November 3, 2014  
Amended by Council February 17, 2015 (Effective July 1, 2015)  
Amended by Council September 18, 2017  
Amended by Council April 15, 2019

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## **SECTION 1 – PURPOSE**

The purpose of this document is to outline the rules of the Council and procedures for Council proceedings.

## **SECTION 2 – AUTHORITY**

The Charter of the City of Dallas provides that the Council shall adopt rules for the government of its members and proceedings. The following rules shall be in effect upon their adoption by the Council and shall remain in effect until they are amended or new rules are adopted. These rules shall be presented to all City Council members during the first work session in January of odd-number years following general elections. Within 30 days of taking office, each appointed or elected Councilor shall sign that they have reviewed and received a copy of these rules. The City Recorder shall retain the signature copy.

## SECTION 3 – GENERAL RULES

### 3.1 Open Meetings

All meetings will be held in accordance with the Oregon public meeting requirements of Oregon law (ORS 192.610 to 192.690) which is herein incorporated by reference into these rules. To the extent that any local procedure conflicts with the Public Meetings Law, the latter shall prevail. No final action of the Council shall have legal effect unless the motion and the vote by which it is disposed of take place at a proceeding that is open to the public.

### 3.2 Quorum; Compelling Attendance

A majority of the members of the Council shall constitute a quorum for its business. Chapter IV, Section 14 of the City Charter provides that if less than a quorum is present for a meeting, a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance or the rules of the council. In that case, a majority of the members present may direct the Chief of Police, or a city police officer under the direction of the Chief, to undertake a search for the absent members and bring them to the council meeting. Council members consent to be brought by the Chief of Police or a city police officer under the direction of the Chief when acting under the authority of this rule.

### 3.3 Rules of Order

Proceedings of the Council shall be conducted according to the provisions of the City's Charter, the City Code, these rules, and, when not so governed, in accordance with the parliamentary procedure contained in *Robert's Rules of Order*. However, strict adherence to the requirements of these rules is not required. No action of the Council shall be in violation of this section or deemed invalid for the reason that the action was not in conformance with *Robert's Rules of Order*. Any Councilor may move a question, second a motion, debate and vote.

### 3.4 Address by Council Members

Every Councilor desiring to speak to an issue will address the Presiding Officer and upon recognition, will confine remarks to the issue under debate. Councilors questioning, seeking clarification, or soliciting a recommendation from staff will direct the concern to the City Manager or the City Attorney. The City Manager may respond directly or may redirect the inquiry to a staff member.

## SECTION 4 – COUNCIL MEETINGS

### 4.1 Regular Meeting

The Dallas City Council will meet in regular session at least once per month. The regular meeting shall be held on the first and/or third Monday of each month at such place and hour as the Council may prescribe. If the regular meeting falls on a legal holiday, the meeting shall be convened at the same time and place on the next business day, unless the meeting has been cancelled by the Council in accordance with Rule 4.7

### 4.2 Work Sessions

In addition to the regular meetings of the Council under Rule 4.1, a meeting, or any portion thereof, may be designated as a work session. The City Council may hold a work session at a time and place in the City that the Council may prescribe. Work sessions will be used to review forthcoming projects of the City, determine goals for the ensuing year, receive progress reports on current programs or projects, or to hold open discussions on any City-related subject. Typically, a work session designation indicates that matters of substance will be discussed, but that final action will not be taken. Notice of work sessions shall be given in the same manner as notice of regular meetings. Work sessions shall be open to the public, however an opportunity for public testimony will only be allowed at the discretion of the Presiding Officer by a majority vote of the Council members.

### 4.3 Special Meetings

The Mayor upon his own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council, call a special meeting of the Council for a time not earlier than three nor later than forty-eight hours after the notice is given. Only the subject(s) listed on the special meeting agenda may be acted upon.

### 4.4 Emergency Meetings

In the case of an actual emergency, an emergency meeting of the Council may be called by common consent of all available Councilors upon such notice as is appropriate to the circumstances. The minutes of the emergency meeting shall describe the emergency justifying less than 24 hours notice. Attempts will be made to contact the media to provide notice of the emergency meeting. Chapter IV, Section 13 of the City Charter provides that In the absence or incapacity of the mayor, an emergency meeting may be called by the council president or, in the absence of the council president, by the most senior member of the council available to call the meeting.

### 4.5 Executive Session

The Mayor may call any regular, special, or emergency meeting into executive session by citing the specific provision of ORS 192.660 which authorizes the session. Executive sessions may also be separately scheduled pursuant to the requirements for special meetings. Prior to opening an executive session, the Presiding Officer shall announce:

- a) The purpose of the executive session;
- b) The state statute authorizing the executive session; and
- c) Notification to all present, including the media, that matters discussed in executive session are not to be disclosed or reported to the public.

Executive sessions shall be held in accordance with the Oregon Public Meetings Law. Matters discussed in executive session shall be exempt from public disclosure pursuant to state statutes. No formal or final action may be taken during an executive session, but an opinion or consensus of the Council may be gathered. To make a final decision, the Presiding Officer shall call the meeting into open session or place the decision on the agenda of a future open session. Executive session shall be closed to all persons except:

- a) The City Council;
- b) Persons reporting to the Council on the subject of the executive session;
- c) The City Manager unless directed otherwise by the Council;
- d) News media representatives, unless excluded by the Public Meeting Law (The Presiding Officer shall instruct any media representatives present not to disclose the substance of any discussion during executive session);
- e) And other persons authorized by the City Council to attend.
- f) No elected official who declares an actual conflict of interest on a topic to be discussed in executive session shall remain in the room during such executive session discussion.

Council members will keep all written materials and verbal information provided to them in executive session or on matters of confidentiality under law in complete confidence to insure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other Council members, the City Administrator or the City Attorney, except that a Councilor may describe generally the purpose for which an executive session was held.

If the Council, pursuant to an executive session provides direction or consensus to staff on proposed terms and conditions for any type of negotiations whether it be related to property acquisition or disposal, pending or likely claim or litigation, or employee negotiations, all contact with the other parties shall be made by designated staff or representatives handling the negotiation or litigation. A Council member shall not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.

#### 4.6 Attendance by Telephone or Other Electronic Media

Any Council or committee meeting may, upon Council or committee approval or, in the event of an emergency, upon determination by the Mayor (or, in the case of a committee of the council, by the committee chair), be conducted by telephonic conference call or other electronic communication, and any Councilor may participate in such a meeting by telephone or other electronic communication, as available. Notice and opportunity for public access to a meeting held by telephonic conference call or other electronic communication shall be provided, and such meeting shall be conducted in accordance with the Oregon Public Meetings Law. For non-executive sessions of the Council or committee, meetings held by telephonic conference call or other electronic communication must provide at least one place where members of the public can hear (or hear and see) the meeting by speakers or other devices. For executive sessions at which media attendance is provided under the Public Meetings Law, the media must be provided with at least one place where the media can hear (or hear and see) the meeting by speakers or other devices.

#### 4.7 Cancellation of Meeting

Upon a majority vote of the members of the City Council present, a meeting may be cancelled when deemed appropriate. The Charter requires one regular meeting be held each month. Notice of cancellation shall be posted on the bulletin board at City Hall, distributed to members of the media, and to interested citizens.

#### 4.8 Americans With Disabilities Act

All meetings of the Council shall be held in compliance with the Americans with Disabilities Act.

#### 4.9 Attendance Duty

It is the duty of each member of the City Council to attend all meetings of the Council. The Charter provides in Chapter VII, Section 28(b)(3) that a Council office shall be deemed vacant upon a Councilor's absence from the city for 30 days without the consent of Council or upon the absence from meetings of the Council for 60 days without like consent. Consent will be given for good cause.

Good cause shall include, but is not limited to:

- a) Illness;
- b) Family obligations;
- c) Employment requirements;
- d) Scheduled vacations; or
- e) Other City business

#### 4.10 Excused Absence

When a Council member cannot attend a meeting of the Council for one of the reasons described in Rule 4.9 a) – e), the member shall notify the City Recorder prior to the meeting and the member's absence shall be deemed excused. If the member's absence is for a reason other than described in Rule 4.9. a) – e), the member shall notify the Council President prior to the meeting, and must state the reason for his or her absence. If the Council President determines the reason is for good cause, as identified in Rule 4.9, above, the Council President will excuse the absence and notify the City Recorder and, if there are no objections from other Councilors, the absence shall be listed in the minutes as excused. If the Council President does not excuse the absence the Council President will notify the City Recorder and inform the Council at the meeting and, if there are no objections from other Councilors, the absence shall be listed in the minutes as unexcused. If a Councilor objects to the Council President's determination that another Councilor's absence is excused or unexcused, the Council will determine the question by vote. A Councilor whose absence has been determined to be unexcused may, at the next meeting at which the Councilor is in attendance, ask the Council to reconsider its determination.

## **SECTION 5 – THE PRESIDING OFFICER**

### **5.1 Mayor**

The Mayor shall preside at all regular and special meetings, work sessions, and executive sessions of the City Council. The Mayor is entitled to vote in case of a tie vote of the Council, except on the final passage of an ordinance. The Mayor shall preserve order and enforce the rules of the Council.

### **5.2 Council President**

At the first meeting of the Council in each odd-numbered year, the Council will elect a Council President from its membership. In the Mayor's absence from a Council meeting, the President shall preside over it. Whenever the Mayor is unable to perform the functions of his office, the President shall act as Mayor.

### **5.3 Sergeant at Arms**

The Sergeant at Arms will be the Council President. It will be the duty of the Sergeant at Arms to assist the Presiding Officer, as appropriate, to maintain the order and decorum at all meetings. The Council President may appoint a designee to act as the Sergeant at Arms.

### **5.4 Absence of Mayor and Council President**

In the absence of the Mayor and Council President, the Council shall elect a Councilor to serve as presiding officer as its first order of business. The Presiding Officer will immediately assume the duty of Sergeant at Arms, or appoint a designee to do so. Any Councilor may call a meeting to order for the purpose of electing a presiding officer.

## SECTION 6 – DECORUM AND ORDER

### 6.1 Presiding Officer

The Presiding Officer shall enforce the rules of the Council. In addition, the Presiding Officer has the authority to preserve decorum and decide all points of order, subject to the appeal to the Council. The Presiding Officer shall enforce order, prevent personal attacks or impugning members' motives, and restrict in debate to the question under discussion.

### 6.2 Councilors

Councilors shall maintain order and decorum during Council meetings, and shall not by conversation or other action, delay or interrupt the proceedings or refuse to obey the order of conduct or these Rules. Councilors shall when addressing staff, members of the public, or other councilors, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker, and shall at all times while in session, conduct themselves in a manner appropriate to the dignity of their office.

### 6.3 Staff and Public

All persons attending Council meetings shall observe the same rules of procedure, decorum, and good conduct applicable to the members of the Council.

### 6.4 Signs

Members of the public may attend Council meetings with signs, subject to the following limitations for safety and good order:

- a) No sign may be larger than 1.5 square feet.
- b) Signs may not be waved or held in such a manner as to prevent any person from seeing the Council.
- c) Signs may not be attached to sharp-pointed sticks or other elements.

### 6.5 Removal of Any Person

The Presiding Officer may eject from the meeting any person in attendance, including any Councilor, who becomes disorderly, abusive, or disruptive, or who fails or refuses to obey the matter of order or procedure. The Presiding Officer or Sergeant at Arms may summon the assistance of the City of Dallas Police to assist in maintaining order. In case the Presiding Officer should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule.

**SECTION 7 – AGENDA AND ORDER OF BUSINESS; STAFF REPORTS AND CITY ATTORNEY  
REVIEW OF CERTAIN ACTIONS**

**7.1 Setting the Agenda**

The Mayor and City staff shall determine the business to be placed on the Council meeting agenda. Any Councilor may request that an item be placed on the Council agenda.

**7.2 Consent Agenda**

A consent agenda will be among the first items on the Council agenda. At the beginning of the Council meeting, the Presiding Officer will ask if any Council member wishes to have any item removed from the consent agenda for deliberation. If any Council member requests that an item be removed, it will be removed. Any item removed from the consent agenda shall be discussed and acted upon following approval of other consent agenda items. When there are no more items to be removed, the Presiding Officer will ask the Council for a motion to approve the consent agenda.

**7.3 Agenda Distribution**

Promptly after it is developed, the agenda for a regular meeting or work session shall be distributed with any supporting materials not later than 48 hours prior to the meeting to members of the Council, staff, news media, and interested citizens who have requested the agenda. The agenda for a special or emergency meeting shall be made available as appropriate under the circumstances.

**7.4 Special Accommodations**

All Council meeting agendas shall contain proper notice of the City's intent to conduct the meeting in accordance with the Americans with Disabilities Act and that persons needing accommodations may contact the City Manager's office at least 48 hours prior to the meeting time to request necessary accommodations. Such notice shall provide the telephone number at which the City Manager may be contacted.

**7.5 Alteration of the Agenda**

- a) **New Matters:** Except in emergency meetings, matters not on the printed agenda may come before the Council as determined by the Presiding Officer or a majority of the Council.

**7.6 Order of Business**

The general rule to the business at regular meetings of the City Council will be:

- a) **Call to Order** – The Presiding Officer shall call the meeting to order.

- b) **Roll Call** – The City Recorder shall call the name of each Councilor and note each Councilor’s attendance or absence in the record, under the guidelines set forth in Section 4.8 and 4.9 to establish a quorum is present to conduct business.
- c) **Pledge of Allegiance** – The Presiding Officer or designee may lead the Council and audience in the Pledge of Allegiance.
- d) **Comments from the Audience** – An opportunity for members of the audience shall be given to address the Council on any matter, other than those issues on the agenda scheduled for public hearing, during this portion of the meeting. Participants must state their name and address for the record prior to addressing the Council. Testimony will be limited to five minutes unless additional time is granted by the Presiding Officer. Items brought before the Council from the public during public testimony should be referred to the staff for appropriate action and a report returned to the Council if requested.
- e) **Public Hearings** – A public hearing shall be held on each matter required by state law or City policy. Written and oral testimony shall be heard prior to Council action.
- f) **Consent Agenda** – The consent agenda shall consist of a list of routine, non-controversial matters, not typically requiring discussion, presented for Council approval by a single motion.
- g) **Items Removed from Consent Agenda** – Any item removed from the consent agenda will be discussed, and if appropriate, acted upon.
- h) **Reports or Comments from the Council Members** – Special reports from various boards and commissions may be given at this time. In addition, awards, proclamations, or Council liaison reports may also be presented.
- i) **Financial Report (Once a month)** – Time provided for the City Manager to present a summary report of the finances of the City.
- j) **Reports from City Manager and Staff** – Time provided for City staff to bring administrative action (items that require formal action or Council direction) before the Council.
- k) **First Reading of Ordinances** – The Mayor shall declare an Ordinance to have passed its first reading.
- l) **Second Reading of Ordinances** – Unless an emergency was declared, an Ordinance will be brought for a second reading at the Council meeting following the first reading. After the Mayor has declared the Ordinance to have passed its second reading, a roll call vote will be taken.
- m) **Resolutions** – Resolutions shall be read and a roll call vote taken.
- n) **Other Business** – Time provided for members of the Council or City staff to bring new or old matters before the Council. These matters need not be specifically listed on the agenda, but formal action on these matters should be deferred until a subsequent Council meeting.
- o) **Adjournment** – Following completion of all matters listed on the agenda, the Presiding Officer shall declare the meeting adjourned.

## 7.7 Recess

The Presiding Officer may recess any meeting of the Council upon the consensus of the majority of the members present. The Presiding Officer shall announce the time in which the meeting shall reconvene.

## 7.8 Staff Reports

Each item of business that comes before the council for action will be presented with a staff report that explains the item and provides a recommended action, including options for action, where appropriate. The staff report will be distributed to the Council with the agenda prior to the meeting at which it is to be presented for action. The Council may grant exceptions to this requirement for good cause, as the Council may determine.

## 7.9 Legal Counsel Review

All resolutions, ordinances and contracts brought before the Council for approval will be reviewed first for legal sufficiency by the City Attorney, and will bear the attestation "Approved as to Form" for the City Attorney's signature.

## SECTION 8 – MINUTES

### 8.1 Recording of minutes

Minutes are the official record of the City Council meetings. They record the substance of a meeting and should be a clear, accurate, concise, informative record of the proceedings. Minutes will generally follow the chronological order of items considered during a meeting. Minutes are not a verbatim transcript. It is general practice to sound record the meetings of the City Council for back up reference. Minutes will be made available to the public within a reasonable time after the meeting. The minutes are to include, at a minimum:

- a) Councilors present;
- b) All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- c) The result of all votes and the vote of each Councilor by name;
- d) The substance of any discussion on any matter; and
- e) A reference to any public document discussed.

### 8.2 Distribution of Minutes

Draft minutes are distributed to the City Council with the agenda on which those minutes appear as an item for approval.

### 8.3 Correction and Approval of the Minutes

Approval of the minutes usually takes place at the next regular meeting following the date of the minutes under approval. Generally, minutes appear on the agenda under the consent agenda. If minor changes are made to the minutes, a Councilor may offer such amendment prior to the consent agenda being approved. For extensive amendments, the minutes should be pulled off the consent agenda for consideration. All corrections will appear in the minutes of the meeting when the changes took place.

If a Councilor has a concern over the reporting of minutes, it is that Councilor's responsibility to review the tape of the meeting and bring corrections forward to the City Council at the next regular meeting with the tape cued, ready to be played if necessary. It is not appropriate to expend staff time when only one member of Council is requesting the review.

## SECTION 9 – VOTING

### 9.1 Method of Voting

The vote on any question shall be taken by voice or by roll call vote. The vote shall be taken by roll call at the direction of the Mayor or at the request of any Councilor. The minutes shall reflect the vote of each Councilor by name. The Mayor is entitled to vote in case of a tie vote of the City Council, except on the final passage of an ordinance.

### 9.2 Order of Voting

Roll call votes shall be called in alphabetical order by last name, on a rotational basis.

### 9.3 Vote Required

Except as otherwise provided in the City Charter, the concurrence of a majority of the whole number of the council is necessary to decide a question. Chapter IV, Section 19 of the City Charter provides that a council member who is present for a vote of the council may not abstain from voting, but must vote aye or nay, and the council may postpone a vote, or recess or adjourn a meeting of the council, to compel an absent council member to attend and vote. A majority of the council present may compel an absent member to attend and vote in the manner provided in Rule 3.2.

## **SECTION 10 – CONFLICT OF INTEREST / BIAS / EX-PARTE CONTACT**

### **10.1 Conflict of Interest**

Prior to participating in any decision, a Councilor shall declare any potential or actual conflict of interest. No Councilor shall participate in any manner regarding an agenda item if doing so would create an actual conflict of interest, except as otherwise provided by state law.

- a) "Potential Conflict of Interest" means any action by a Councilor which could be to the private pecuniary benefit or detriment of the Councilor or a member of the Councilor's household, or a business with which the Councilor or member of the Councilor's household is associated. "Potential conflict of interest" does not include pecuniary affects arising out of:
  - i. Membership in a particular occupation or class required by law as a prerequisite to holding the office of Councilor; or
  - ii. An action which would affect to the same degree a class consisting of an industry, occupation, or other group to which the Councilor or a member of the Councilor's household belongs.
- b) "Actual Conflict of Interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances described in (a) of this section.

### **10.2 Bias**

No Councilor shall participate in any manner in a quasi-judicial decision if the Councilor has actual bias regarding the decision.

- a) "Quasi-judicial decision" means a decision involving the application of existing criteria to identified persons or properties.
- b) "Actual Bias" means prejudice or prejudgment of facts to such a degree that a Councilor is incapable of rendering an objective decision on the merits of the case.

### **10.3 Ex-Parte Contact**

Before participating in any quasi-judicial decision, a Councilor shall declare any ex-parte contacts. An ex-parte contact is an oral or written communication by a member of the public with a member of the Council regarding the facts of the case made outside of the public hearing process during the pendency of a proceeding. (Communication with staff is not an ex-parte contact). Effective declaration of an ex-parte contact shall include identification of the party and disclosure of the nature of the communication.

### **SECTION 11 – COUNCIL STANDING COMMITTEES (DCC 2.050)**

The Mayor shall at the first regular meeting in January of each year, or as soon thereafter as convenient, appoint Council standing committees. Each Council standing committee shall comply with the Council Rules of Procedure, subject to the following exceptions and additions:

- a) The Mayor shall appoint a chair of the Council standing committees to serve as presiding officer.
- b) Council standing committees shall consist of:
  - i. Committee on public works.
  - ii. Committee on public safety.
  - iii. Committee on public building and grounds.
  - iv. Committee on public administration.
- c) At the regular meeting of the council following a committee meeting, the committees shall make a report of their activities.

### **SECTION 12 – COMMUNICATIONS WITH PUBLIC EMPLOYEES**

Except for inquiries relating to City services made as a private citizen, elected officials shall deal with employees of the City who are subject to the direction and supervision of the City Manager solely through the City Manager, and shall not make inquiries to, or investigations of, or give orders to any such employees, either publicly or privately.

## **Appendix A: Adopted Council Policies**

Fraud and Financial Irregularity Policy, adopted 12/3/2012

Economic Development Trust Funding Policy, adopted 12/3/2012

Investment Policy, adopted 8/15/2016

**CITY OF DALLAS**  
**CITY COUNCIL RULES OF PROCEDURE**  
**ACKNOWLEDGMENT**

I have received, read and understand the contents of the City Council Rules of Procedure. I agree to comply with the provisions of the City Council Rules of Procedure.

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_ Date \_\_\_\_\_

(This form should be signed, dated and returned to the City Recorder.)