



# City Council Rules of Procedure

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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. Regardless whether appointed or elected, each Councilor shall sign that they have reviewed and received a copy of these rules within 30 days of taking office. 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, or 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 twenty-four 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 ensure 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 Manager 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 Participation by Telephone or Other Electronic Media

All in-person City Council meetings are recorded and broadcast in real time over the internet. Members of the public may participate during the public comment portion of the meeting by calling into the meeting via a designated telephone number listed on the published agenda.

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 only 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 executive sessions at which media attendance is provided under the Public Meetings Law, the media must be provided with access to the telephonic or electronic communication meeting.

#### 4.7 Cancellation of Meeting

Upon a majority vote of the whole number of the City Council, a meeting may be canceled 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, subject to section 4.10.

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 Council. 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 or otherwise, 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 Manager 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 any person needing accommodation 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 shall lead the Council and audience in the Pledge of Allegiance.
- d) **Introductions, Recognition, Proclamations** – This is the opportunity for the Council to be introduced to new city staff, mayoral proclamations, or special recognitions/awards be shared.
- e) **Public Comment**– 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. Participants must state their name and address for the record prior to addressing the Council. Testimony will be limited to five minutes, unless a shorter time is announced by the Mayor. 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.
- f) **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.
- g) **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.
- h) **Items Removed from Consent Agenda** – Any item removed from the consent agenda will be discussed, and if appropriate, acted upon.
- i) **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.
- 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. This includes a monthly financial report.
- 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 video record the meetings of the City Council for back up reference. Draft 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 recording of the meeting and bring corrections forward to the City Council at the next regular meeting with the recording 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 deliberation , 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 effects 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, in consultation with the appointee, 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**

The council has adopted other policies not contained in these Council Rules. To view a copy of these policies, please contact the City Manager's office.

**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.)