

COTTAGE GROVE CITY COUNCIL PROCEDURAL RULES – Proposed 2023 Update

The Cottage Grove City Charter requires the City Council to adopt Council Rules by resolution to govern its meetings and proceedings. These rules will decide questions and give direction on meetings, conduct, agendas and other matters.

1. Council Authority.

The Council has the right to require persons attending or participating in any meeting of the Council or addressing the Council to conform to the Rules of the Council and directions of the Mayor or Presiding Officer.

2. Meetings.

All meetings of the Cottage Grove City Council will be open to the public with the exception of Executive Sessions held under the provisions of the State of Oregon Public Meetings Law. All meetings will be held in a location accessible to the public and in accordance with the Oregon Public Meetings Law. All meetings will be noticed in accordance with the Oregon Public Meetings Law.

The types of meetings are:

- 2.1. Regular Meetings. The Council will hold regular meetings, no less than once a month, normally on the second and fourth Monday of each month at 7:00 pm in the Cottage Grove City Council Chambers. If deemed necessary, City Council meetings may be moved to a different location within the City limits upon notice to the public. Meetings will be limited to two hours unless an agreement to extend is approved by a majority of the Council or the Presiding Officer. Extensions should be limited to 30-minute increments, after which time a new vote would be required to further extend for an additional 30 minutes.
- 2.2. Agenda Sessions. The Council may hold Agenda Session meetings prior to a Regular Meeting for the purpose of reviewing the Regular Meeting agenda. Agenda Sessions are for Council discussion and review only, no public input will be accepted and the Council shall not vote or make any commitment regarding future votes. The Council may ask for additional information from City Staff regarding any agenda item.
- 2.3. Work Sessions. Work sessions of the Council may be held as "information only" meetings, for the Council to hold a general discussion or to receive detailed reports regarding specific topics or projects. Work Sessions are for Council discussion and review only; no public input will be accepted and the Council shall not vote or make any commitment regarding future votes.
- 2.4. Special Meetings. Special Meetings of the Council may be called with at least 24 hours' notice. Special meetings of the Council are held on other dates or times than Regular Meetings to accommodate Council business.
- 2.5. Emergency Meetings. An Emergency Meeting of the Council may be called with less than 24 hours' notice pursuant to Oregon Public Meeting Laws. The meeting notice and minutes of the meeting must identify the specific emergency that exists. The Council shall only discuss business directly associated with the actual emergency. Only the matters creating a need for the emergency meeting

shall be discussed or acted upon during the meeting. No other business of the Council shall be conducted or discussed.

2.6. **Executive Sessions.** Executive Sessions may be held during Regular, Special, Emergency or Work Session Meetings if the Executive Session complies with all applicable provisions of the Oregon Public Meetings Law. The Council shall not vote or make any commitment regarding future votes during an Executive Session, although the Council may reach a consensus in Executive Session which must be confirmed by a formal vote taken in open session. The Mayor and Councilors are expected to maintain the confidentiality of the information discussed in an Executive Session.

3. **Calling a Meeting.**

An Agenda Session, Special or Emergency Meeting of the Council, may be called by the Mayor, or in the absence of the Mayor, by the Council President or three Councilors. A member of the Council desiring to call an Agenda Session, Special or Emergency meeting shall first contact the Mayor or, in the Mayor's absence the Council President. The Mayor or Council President will contact the City Manager, who will contact other members of the Council, determine if a quorum is available, and determine whether all applicable Oregon Public Meetings Law requirements are met. The City Manager may schedule an Agenda Session, Work Session, Special or Emergency meeting when the Manager determines that such a meeting is needed to carry out Council business. Future Agenda, Special, Emergency or Work Session Meetings may also be set by the Council at a Regular, Special or Emergency Meeting.

4. **Cancellation of Meeting.**

Upon a majority vote of the Council present at any Council meeting, a future Regular Meeting may be canceled when deemed appropriate. If there is no business to transact or a quorum of the Council cannot attend and there is no urgent necessity to have the meeting, the Mayor, ~~upon the recommendation of the City Manager,~~ may cancel the meeting. ~~Council members will be notified of the cancellation prior to notice being given to the public.~~ Notice of cancellation will be given at least 72 hours prior to the scheduled meeting.

5. **Quorum.**

The Mayor, or in the Mayor's absence, the Council President, shall call the meeting to order at the hour designated for the meeting. If a quorum is not present, the City Manager shall attempt to inform the absent member or members, except those known to be unavoidably detained, that their presence is required. If the absent member or members do not appear after the notice, the members present shall adjourn until a specific time or until the next regular meeting or compel attendance of the absent member or members.

6. **Attendance, Excused Absences.**

Members of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for their inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager or City Recorder, who shall convey the message to the Mayor. If the Mayor is unable to attend, he or she shall contact the City Manager or City Recorder. Absent Council members who do not follow the above process will be considered unexcused, which shall be so noted in the minutes.

7. Rules of Order.

The Council has an obligation to be clear and simple in its procedures and the consideration of the questions coming before it. The Rules of Order should be liberally construed to that end. Council members should avoid invoking the fine points of parliamentary procedure when such points serve only to obscure the issues before the Council and/or confuse the audience at public meetings and citizens in general.

7.1. Presiding Officer. The Mayor or in the Mayor's absence, the Council President, shall serve as the Presiding Officer. The Presiding Officer shall preserve decorum and decide all points of order, subject to appeal by the Council.

7.2. Pro-tem Presiding Officer. In event of the absence of the Mayor and the Council President, the City Manager shall call the Council to order and call the roll of the members. If a quorum is present, those Councilors present shall elect, by majority vote, a Pro-tem Presiding Officer for that meeting. Should the Mayor or Council President arrive, the Pro-tem Presiding Officer shall relinquish the chair immediately upon the conclusion of the item of business then under consideration before the Council.

7.3. Council Discussion/Debate. Every Councilor desiring to speak shall first address the Presiding Officer, and await recognition to obtain the floor. No persons other than members of the Council and the person having the floor shall enter into any discussion, either directly or through a member of the Council without the permission of the Presiding Officer.

No Councilor shall address the Presiding Officer or demand the floor while a vote is being taken.

Councilors should limit their remarks on a subject to five minutes unless granted additional time by the majority of the Council. Members of the Council should refrain from speaking more than once upon any subject until other members of the Council have had a chance to speak to the topic. After all Councilors have had their opportunity to speak, the Presiding Officer will entertain Council action as necessary.

Councilors desiring to question administrative staff shall address questions to the City Manager, who shall be entitled to either answer the inquiry or designate a staff member to do so.

A Councilor, once recognized by the Presiding Officer, shall not be interrupted while speaking, unless called to order by the Presiding Officer or a point of order is raised by any member of the Council while they are speaking. In this case the speaker shall immediately cease speaking until the point is determined. If the Presiding Officer rules that the speaker is in order, the speaker shall be permitted to proceed speaking; if ruled to be out of order, the speaker shall remain silent or shall alter their remarks to comply with the ruling.

All members shall accord the utmost courtesy to each other, staff and the public and refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities. Members shall confine their questions to the particular matters before the assembly and, in debate, shall confine their remarks to the issue before the Council.

Members shall be removed from the meeting for failure to comply with the decisions of the Presiding Officer and/or for continued violations of the rules of the Council. If the Presiding Officer fails to act,

any member may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Council shall require the Presiding Officer to act.

All members of the Council shall give undivided attention to the discussions and business of the Council during Council meetings. Members shall refrain from personal conversations or correspondence with other members of the Council, staff or public.

7.4. Right to Appeal. Any Councilor may appeal a ruling or inaction (hereinafter a "decision") of the Presiding Officer to the Council. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the Presiding Officer may briefly explain the decision; but there shall be no debate on the appeal and no other question than, "Shall the decision of the Presiding Officer stand as the decision of the Council?" If the majority of the members vote Aye, the ruling of the Presiding Officer is sustained; otherwise, it is overruled.

7.5. Excusal During the Meeting. No Councilor may leave the Council meeting while in regular session without permission from the Presiding Officer.

Commented [DC1]: Does Council want this? Doesn't appear to be current practice.

8. Minutes of Council Meeting.

Written minutes shall be taken for all meetings of the Council, except Executive Sessions for which minutes may be kept in the form of audio recordings. No transcript of Executive Session minutes must be made unless otherwise required by law. The written minutes of Council meetings shall comply with ORS 192.650, governing the required content of minutes. need not be verbatim transcripts, but shall give a true reflection of the matters discussed at the meeting and the views of those participating in the discussions.

9. Agenda.

The City Manager shall prepare an agenda of the business to be presented at Council meetings. For Regular Meetings no item of business shall be added to an agenda after 5:00 p.m. on the Tuesday Wednesday of the week preceding the week of the Regular Meeting for which the agenda has been prepared. For all other meetings no agenda item can be added after public notice of the meeting has been given. The Council shall consider only matters that appear on the agenda for the meetings. The Mayor and members of the Council shall endeavor to have subjects they wish considered submitted in time to be placed on the agenda. Items meeting the deadline may be placed on the agenda by any of the following methods:

Commented [DC2]: Mindy, does this work?

- 9.1. A majority vote of the Council;
- 9.2. Consensus of the Council;
- 9.3. By any Council Member in a request to the City Manager which is approved by the Mayor and City Manager (the agenda item will identify the Council Member who requested the item to be placed on the agenda);
- 9.4. By the City Manager or City Attorney.

No item shall be added to the agenda after the applicable deadline without the unanimous vote of the Council present at the meeting.

10. Order of Business.

The order of business at Regular Meetings shall be as follows (not all items will be on every Regular Meeting agenda):

- 10.1. Call to Order
- 10.2. Roll Call/Pledge of Allegiance
- 10.3. Items to be added to the agenda
- 10.4. Special Presentations
- 10.5. Appearance of Interested Citizens
- 10.6. Public Hearings
- 10.7. Consent Agenda
- 10.8. Resolutions and Ordinances
- 10.9. Business from the City Council
- 10.10. Business from the City Manager
- 10.11. Business from the City Attorney
- 10.12. Items removed from the Consent Agenda
- 10.13. Executive Session
- 10.14. Adjournment

11. Appearance of Interested Citizens.

There shall be a period of time, not to exceed 30 minutes (unless increased with Council approval), near the beginning of each Regular Meetings for questions or statements on items which are and are not on the agenda. This time is not for the purpose of receiving: 1) comments on agenda items for which a public hearing was or will be scheduled, 2) cumulative comments on a topic received in one meeting, or 3) repetitive comments on issues addressed in prior meetings. Comments shall be limited to three (3) minutes or less per person ~~with Council approval.~~

Members of the public wishing to speak in person or virtually must sign up to do so in advance. All interested citizens may sign up on the provided City form before 5 pm the day of the meeting. Interested citizen attending a Council meeting in person may also sign up at the Council Chambers' entrance prior to the Call to Order. Time permitting within the 30-minute overall limit for public comment, the Council with unanimous consent may permit additional comment from the public without advanced sign-up as provided for in these rules.

At the close of public comment, the Mayor may recognize the City Manager as to whether there are any immediate or future responses to issues raised. This may also be an opportunity for the Council by consensus or majority vote to modify the Issue Tracker by the addition, deletion, or change to items.

12. Public Hearings.

Prior to each public hearing, the Presiding Officer shall announce the nature of the matter to be heard and then ask for the staff report. After the staff report, the Presiding Officer will declare the hearing to be open and invite any member of the audience to come forward to be heard. If appropriate, the Presiding Officer may first ask those persons in favor of the stated matter to come forward, followed by those speaking in opposition. The Presiding Officer may, with the approval of Council, limit the total time of the public hearing, the number of speakers and/or the time each speaker may speak at the public hearing. No limit on the total time of the public hearing or the number of speakers will be imposed for quasi-judicial public hearings; but the Presiding Officer may, with the approval of the Council, limit the time each speaker may speak. The Presiding Officer shall announce all such restrictions prior to the commencement of the hearing.

Commented [DC3]: If legally permissible, should this be limited for non-parties to the Hearing to 3 minutes apiece?

13. Consent Agenda.

In order to make more efficient use of meeting time, the City Manager may place resolutions, proclamations and similar items that are routine in nature and on which no debate is expected on a "consent agenda." Any item placed on the consent agenda shall be removed at the request of the Mayor or a Councilor prior to the time a vote is taken on the consent agenda items. All remaining items on the consent agenda shall be disposed of by a single motion "to adopt the consent agenda," which shall not be debatable. Adoption of the consent agenda shall be by the affirmative vote of all members of the Council present at the time the vote is taken and shall have the same effect as a separate vote for each item. If there are any dissenting votes, each item on the consent agenda shall be voted upon separately in the usual manner.

14. Action Items.

Items for Council action under Resolutions and Ordinances, Business from the City Council, Business from the City Manager and Business from the City Attorney will be taken individually.

15. Adoption of Ordinances.

Per City Charter Section 16, the Council may adopt an Ordinance at a single meeting by the unanimous approval of all Council members present, provided the proposed Ordinance is available in writing to the public at least one week before the meeting. To ensure that Council members know whether an Ordinance may be adopted at a single meeting, if a proposed Ordinance was available for review at least one week in advance of the meeting at which it will be considered, staff will include within that Ordinance's agenda memo the phrase "This Ordinance could be adopted at one meeting." If the Ordinance was not available for review at least one week in advance of the meeting, staff will include in the agenda memo the phrase "This Ordinance cannot be adopted at one meeting."

The following Ordinance adoption procedure shall be followed:

15.1. At the First Meeting for Ordinance consideration:

15.1.1. The Presiding Officer will introduce the item on the agenda and ask for the staff report on the proposed ordinance.

15.1.2. Staff report is presented.

15.1.3. The Presiding Officer calls for citizen comments. If a Public Hearing was held to receive comments on the ordinance no additional comments will be received. Comments will be restricted to no more than 30 minutes total and limited to 5-3 minutes per person, or less with approval of the Council.

15.1.4. The Presiding Officer will ask Council if the Council has any questions of staff. This provides an opportunity for Council to clarify any related issues. Communications will be conducted through the Presiding Officer.

15.1.5. The Presiding Officer will request an Ordinance Number.

15.1.6. The Presiding Officer will call for Council discussion. Councilors will seek recognition from the Presiding Officer and express individual opinions. Discussion items may include ordinance amendments or a motion to postpone. If a motion to postpone passes, discussion is stopped and will resume at this same point in the subsequent meeting designated by the motion.

15.1.7. After all Councilors present have had an opportunity to speak, the Presiding Officer will entertain a motion to adopt the Ordinance. A Councilor may move to adopt the Ordinance. Any such motion will be followed by a second and a roll call vote. Passage requires approval by at least a majority of the Council.

15.1.8. Based upon the vote, the Presiding Officer will announce that "Ordinance #___ will be placed on the next meeting agenda for final passage"; "Ordinance # ___ has failed and will not be adopted"; or if the vote was unanimous and the Ordinance was available to the public at least one week before the meeting, the Presiding Officer will announce, "Ordinance # ___ has been adopted."

15.2 If required, at the Second Meeting:

15.2.1. The Presiding Officer will introduce the item on the agenda for final adoption and ask for the Staff report.

15.2.2. Staff report is presented.

15.2.3. The Presiding Officer calls for citizen comments. If a Public Hearing was held to receive comments on the ordinance no additional comments will be received. Comments will be restricted to no more than 30 minutes total and limited to 5-3 minutes per person, or less with Council approval.

15.2.4. The Presiding Officer asks Council if there are any questions of staff or Council discussion.

15.2.5. The Presiding Officer will call for Council discussion. Councilors will seek recognition from the chair and express individual opinions. Discussion items may include ordinance amendments or a motion to postpone. If a motion to postpone passes, discussion is stopped and will resume at this same point in the subsequent meeting designated by the motion.

15.2.6. After all Councilors present have had an opportunity to speak, the Presiding Officer will entertain a motion, and a Councilor may move to adopt the Ordinance. Any such motion will be followed by a second and a roll call vote.

15.2.7. Based upon the vote, the Presiding Officer will announce that "Ordinance #___ has been adopted"; or "Ordinance # ___ has failed to be adopted."

16. Voting Generally.

Members shall not explain their vote during roll call.

17. Duty to Vote.

Every Council member who is present will vote for or against the question before the Council unless the Council excuses that Council member from voting. A Council member may refrain for just legal cause without being excused by the Council. Council members must announce the legal reason or justification for abstaining from voting. ~~Failure to vote for or against by a present Council member will be treated as an affirmative vote for the record.~~

Commented [DC4]: Does this reflect current practice?

18. Reconsideration of Actions Taken.

A member who voted with the majority may move for reconsideration of an action at the same or the next following Regular Meeting. Once a matter has been reconsidered, no motion for further reconsideration shall be made without unanimous consent of the entire Council.

~~**19. Sergeant-at-Arms.**~~

~~The Sergeant at Arms shall be the Police Chief or an appropriate designee. The Sergeant at Arms shall assist the Presiding Officer, as appropriate, to maintain order and decorum at all meetings.~~

Commented [DC5]: CM may provide a Sergeant at Arms as deemed necessary, but should not be addressed in rules as it likely conflicts with Charter prohibition on interference with CM's role.

20. Administrative Staff and City Employees Addressing Council or Public.

Members of the City Staff desiring to address the Council shall first be recognized by the Presiding Officer and shall address the remarks to the Presiding Officer. The staff may respond to questions or comments by the Council or members of the public with permission of the Presiding Officer, and shall always do so in a polite, tactful manner.

21. Public Members Addressing the Council.

A public member desiring to address the Council shall stand and wait to be recognized by the Presiding Officer. After recognition, the person's name and address ~~(address only required in such cases as necessary; e.g. quasi-judicial hearings)~~ shall be stated for the record and the remarks shall be subject to the limitations established by ~~the Council~~ these rules. All remarks and questions shall generally be addressed to the Presiding Officer and not to any individual Councilor, staff member or other person. No person shall enter into discussion without being recognized by the Presiding Officer.

Commented [DC6]: No consensus on this matter seemed to appear during Council discussion

22. Order and Decorum.

22.1 Any of the following shall be sufficient cause ~~for the Sergeant at Arms or virtual meeting monitor to~~, at the direction of the Presiding Officer, ~~to cause the remove removal of~~ any person from the Council Chambers, meeting hall, or virtual meeting platform for the duration of the meeting:

22.1.1. Failure by a member of the public to refer to City employees, representatives, and officials by their proper title;

22.1.2. Use of unreasonably loud, disruptive or threatening language.

22.1.3. Making of loud or disruptive noise.

22.1.4. Engaging in threatening, violent or distracting action.

22.1.5. Willful injury of furnishings or of the interior of the Council Chambers or meeting ~~hall~~facility.

22.1.6. Refusal to obey the rules of conduct provided within these rules, including the limitations on occupancy and seating capacity.

22.1.7. Refusal to obey an order of the Presiding Officer.

Before ~~the Sergeant at Arms is directed to remove~~removal of any person from the meeting ~~hall~~facility or virtual platform for inappropriate conduct, if reasonable, that person shall be given a warning by the Presiding Officer to cease the conduct.

If a meeting is disrupted by members of the audience, the Presiding Officer or a majority of the Council present may order that the Council Chambers or other meeting ~~facility hall~~facility or virtual platform be cleared and a recess called until order is restored.

22.2. Virtual Meeting Attendance and Participation.

The City's ~~virtual platform monitor~~, may mute or turn off any member of the public's video at any time for violation of these Council Rules. In addition to complying with these Council Rules, members of the public appearing virtually shall:

1. Sign up to attend and to speak during "Appearance of Interested Citizens" or scheduled hearings on the provided City form by 5 pm on the day of the meeting;

22.2.2. Remain on mute during Council meeting, except when called upon for public comment;

22.2.3. Turn off video, unless presenting to the Council, at which time participants shall be stationary and will ensure their background and dress is appropriate to address the Council;

22.2.4. Conduct no unlawful activity during virtual attendance; and

22.2.5. Present all visual presentations to the ~~virtual platform monitor~~City in advance.

23. Seating Capacity and Safety Requirements.

The safe occupancy and seating capacity of the Council Chambers in compliance with all federal and state public health laws, regulations, and guidance, including Executive Orders and guidance from the Oregon Health Authority, and as further determined by the Fire Marshal shall be posted within the Council Chambers. The limitations on occupancy and seating capacity shall be complied with at all times.

Aisles shall be kept clear at all times. Members of the audience shall abide by the seating plan in the Council Chambers, ~~and shall not pass beyond the restraining barriers unless requested to do so by the Presiding Officer.~~

Members of the media may sit in the area designated in the seating plan posted in the Council Chambers, subject to their ability to present media identification.

24. Code of Ethics.

Council members shall comply with all applicable provisions of the State of Oregon's Government Ethics Laws (ORS Chapter 244). In the event of conflict between ORS Chapter 244 and these rules, state law will control.

24.1. Conflicts of Interest. In every case in which a Council member is faced with an actual or potential conflict of interest, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the nature of the conflict, shall remove himself or herself from the Council ~~meeting facility~~ and refrain from participation in both the discussion and the vote on the issue.

24.1.1. An actual conflict of interest means any Council member action, decision, or recommendation that would grant a private pecuniary benefit or avoid a private pecuniary detriment to the Council member, the Council member's relatives, or any business with which the Council member or Council member's relative is associated. ORS 244.020(1).

2. A potential conflict of interest means any Council member action, decision, or recommendation that could grant a private pecuniary benefit or avoid a private pecuniary detriment to the Council member, the Council member's relatives, or any business with which the Council member or Council member's relative is associated. ORS 244.020(13).

Commented [DC7]: Fix numbering

24.2 Each Council member is encouraged to conduct themselves so as to bring credit upon the City as a whole and to set an example of good ethical conduct for all citizens of the community. Council members should constantly bear in mind these responsibilities to the entire electorate and refrain from actions benefitting any individual or special interest group at the expense of the City as a whole. Council members should likewise do everything in their power to ensure impartial application of the law to all citizens and equal treatment of each citizen before the law, without regard to race, national origin, sex, age, social station, religion, marital status, familial status, domestic partnership status, sexual orientation, source of income, and disability status.

24.3 If a Council member represents the City before another public body, governmental agency, community organization, or with the media, the Council member should always present the majority position of the Council. Personal opinions and comments may be expressed only if it includes the clarification that these statements do not represent the position of the City Council. Communications of personal opinions or comments should not be accompanied with a statement of the author's status as a member of the Council.

Commented [DC8]: While common and best practice, in my opinion, not sure that this clarification is needed. Preceding sentence seems to cover it fine.

24.4 Individual Council members are not authorized to direct or interfere with City staff operations. Access to City employees, contractors, and facilities in a Council member's official capacity must be pre-approved by the City Manager or the City Manager's designee.

Commented [DC9]: This is unclear to me. A council member has an official capacity when acting as a full board. I am unclear what, if any, individual authority they might have. Moreover, there is no reason to restrict access to staff, etc. by Councilors any more than we restrict the public.

5. If a Council member wishes to use personal social media accounts to present information that is representative of the City, that Council member must always present the majority position of the Council. Personal social media includes blogs, Twitter, Facebook and all forms of electronic communications media.

The main point to be made here is in the first sentence plus a prohibition on taking an inordinate amount of time away from staff's normal operating functions by virtue of the Council member's presence.

Commented [DC10]: Fix numbering

24.6. If a Council member wishes to use personal social media accounts as a communication tool for that Council member's personal opinions and comments, that Council member must clarify that their statements do not represent the position of the City Council and ensure compliance with Oregon's Public Records and Meetings laws. Personal social media includes personal blogs, Twitter, Facebook and all forms of electronic communications media.

Commented [DC11]: Not sure what is intended here

24.7. Council members are not authorized to post to City social media accounts. City social media includes City blogs, Twitter, Facebook and all forms of electronic communications media.

Commented [DC12]: Reminder. This would appear to mean that "liking", etc. could be violation of this provision.

24.8. Council members must maintain compliance with the City's Electronic Communications Policy.

Commented [DC13]: Sounds great, but do we have one?

25. Flags, Signs and Posters.

No flags, posters, placards or signs, unless authorized by the Presiding Officer, may be carried or placed within the Council Chambers, any meeting hall-facility in which the Council is officially meeting, or any meeting hall-facility in which a public meeting is being held. This restriction shall not apply to armbands, emblems, badges or other articles worn on personal clothing of individuals, provided that such devices are of such a size and nature as not to interfere with the vision or hearing of other persons at the meeting, and providing that such devices do not extend from the body in a manner likely to cause injury to another.

26. News Media.

The provisions of these rules shall not be construed to prevent news media representatives from performing their duties so long as the manner of performance is not unreasonably disruptive of the meeting.

27. Effect of Rules.

These rules shall repeal, rescind and replace all other rules and procedures of the Council which may have been formally adopted by resolution or informally adopted by past practice or implied policies. These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business.

These rules of procedure do not grant rights or privileges to members of the public or third parties. The City Council may, by a majority vote, temporarily waive any of the provisions herein.

28. Censure.

28.1. The Council has the inherent right to make and enforce its own rules and to ensure the compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules or other general laws, the Council, by majority vote, may discipline that Council member to the extent provided by law or City Charter, including public reprimand.

28.2. To exercise such inherent right, the Council has the right to investigate the actions of any member of the Council. Such investigation shall be referred to the Council, either in open meeting or in executive session, if permissible by law, to discuss any finding that reasonable grounds exist that a substantial violation has occurred.

28.3. Pursuant to Section 33i of the City Charter, after a public hearing, a majority of the Council may remove a Council member from office for attempting to directly or indirectly coerce the City Manager or candidate for the office of manager in the appointment or removal of any City employee, or in administrative decisions regarding City property or contracts.

Commented [DC14]: There are other grounds for removal in the City Charter. Does it add value to include this particular ground?

29. Failure to Follow Rules.

Failure to follow the rules of the Council in conducting business or to abide by the rules of procedure does not invalidate the decisions of the Council nor will it be grounds to later challenge the validity of the decision.

30. Amendment/Review.

These rules may be amended in the manner adopted by Council. The Council will endeavor to review these rules at least every other year after adoption.