

City Council Agenda

Advance Packet

Dated: June 7, 2010

For Monday, June 14, 2010, Council Meeting

Included in this packet is documentation to support the following Agenda item(s):

ORDINANCES

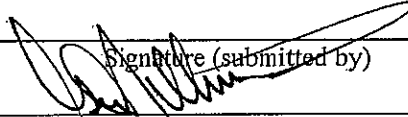
- Ordinance 10-O-668 amending Sections 060, 070, 080, 120, 170, 220 and 250 of BMC Chapter 2.05, Council Procedures, Title 2 Administration and Personnel.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: June 14, 2010

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Amendments to Brookings Municipal Code Chapter 2.05, Council Procedures.

Recommended Motion: Adopt Ordinance 10-O-668 amending Sections 060, 070, 080, 120, 170, 220, 250 and 250 of Chapter 2.05, Council Procedures.

Financial Impact: Approximately \$2500/year reduction in publishing costs.

Background/Discussion:

The City Council earlier discussed removing the Brookings Municipal Code requirement for publishing the City Council agenda in the local newspaper. The City currently pays approximately \$2,500 annually to the Curry Coastal Pilot for advertising in connection with this requirement.

This Ordinance removes the aforementioned requirement from the BMC, and makes the following additional changes to BMC Chapter 2.05 based upon current practice.

1. Clarifies the methods used for public notification for City Council meetings, adding press releases and email as methods of notification.
2. Eliminates the requirement for an annual review of the Ethics Guide for Public Officials with the City Attorney at a regular City Council meeting in April. This City now retains the services of an ethics specialist from the Oregon Ethics Commission to conduct an annual workshop with all employees, elected and appointed officials.
3. Eliminates a provision requiring that all new City Council members receive "copies of all printed materials which are distributed to other members of the Council." Current practice is to provide all City Council members, regardless of when elected or appointed, with the same printed information
4. Eliminates "Land Use Planning in Oregon" by Rohse from the list of required documents to be received by all new Council members. This publication is out of date.
5. Provides that the City Manager may direct any employee to attend any regular, special or executive meeting to confer with the Council on matters relating to the city, removing the provision that the City Council may request the City Manager to direct such attendance.

Attachment(s):

- Ordinance 10-O-668
- Current Code sections with revisions.

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 10-O-668

IN THE MATTER OF ORDINANCE 10-O-668, AN ORDINANCE AMENDING SECTIONS 060, 070, 080, 120, 170, 220 AND 250, OF BROOKINGS MUNICIPAL CODE CHAPTER 2.05, COUNCIL PROCEDURES, TITLE 2, ADMINISTRATION AND PERSONNEL.

Sections:

- Section 1. Ordinance identified.
- Section 2. Amends Sections 060, 070, 080, 120, 170, 220 and 250 of Chapter 2.05.

The City of Brookings Ordains as follows:

Section 1. Ordinance identified. This ordinance amends Section Sections 060, 070, 080, 120, 170, 220 and 250 of Chapter 2.05

Section 2. Amends Sections 060, 070, 080, 120, 170, 220 and 250 of Chapter 2.05: Sections 060, 070, 080, 120, 170, 220 and 250 of Chapter 2.05, Council Procedures, are amended as follows:

2.05.060 Public notice required for meetings.

Public notice, via press release, email, and/or other such means as are appropriate for reasonable communication, shall be given for all City Council meetings. Such notice shall provide the time, place, and the principal subjects anticipated to be covered at any meeting of the city council where a quorum is present excepting an executive session, which shall be noticed as required in Chapter 192 ORS. Interested persons and the news media which have stipulated in writing that they wish to be notified of every meeting must be so notified. Such persons, other than those representing the news media, shall be required to express an interest in remaining on the notification list every six months. [Ord. 00-O-535 § 6.]

2.05.070 Written minutes.

The council shall provide for the taking of written minutes of all its meetings under the provisions of Chapter 192 ORS. A summary report of all actions taken by the city council at each of its meetings shall be prepared by the city recorder as soon after each meeting as is practicable and shall be distributed to such interested parties as may be determined by the council. [Ord. 00-O-535 § 7.]

2.05.080 Agenda.

The city manager shall prepare an agenda of the business to be presented at a regular council meeting. Council members shall be given copies of this agenda within 48 hours of the day it is provided to the local media. Additions to the published agenda are not encouraged but may be permitted based on proven need. Non-agenda items brought before the council during a meeting shall normally be for informational purposes only. Unanimous approval of all council members present is a prerequisite for any non-agenda item to be added to the agenda and considered for action. [Ord. 00-O-535 § 8.]

2.05.120 Order of business.

The order of business at regular council meetings shall be as follows except the city manager may delete items listed in subsections (D), (E), (F), (G.1), (H), (I) and (J) of this section when there is no specific business under that item, and may schedule ordinances, resolutions and final orders to follow applicable council business and to accommodate public participation, as deemed appropriate. The presiding officer may also revise the order of business.

- A. Call to order;
- B. Pledge of allegiance;
- C. Roll call;
- D. Ceremonies/appointments/announcements;
- E. Public hearings;
- F. Scheduled public appearances;
- G. Oral requests, communications from the audience:
 - 1. Committee reports;
 - 2. Public comments
- H. Staff reports;
- I. Consent calendar;
- J. Ordinances/resolutions/final orders;
- K. Remarks from mayor and councilors;
- L. Adjournment. [Ord. 08-O-611 § 2; Ord. 00-O-535 § 12.]

2.05.170 Conflicts of interest.

Members of the council and all other persons who serve the city in any capacity (e.g., officer, employee, agent, or otherwise) shall perform their duties in accordance with Oregon's ethics laws as provided in Chapter 244 ORS.

- A. Each newly elected or appointed member of the council shall be given a copy of the latest edition of the Ethics Guide for Public Officials prior to the member's participation in any decision-making process. It shall be the duty of the city manager to distribute the guide in a timely manner.
- B. Elected officials, appointed officers or employees of the city who have a potential or actual conflict as deemed by ORS 244.020(1) and (7) relative to any matter or ordinance coming before the city council shall declare such conflict immediately upon introduction of the item to the city council by the presiding officer. Disclosure of such potential or actual conflict shall be made a part of the record of the proceedings. Nothing in this section authorizes a public official to vote if the official is otherwise prohibited from doing so. [Ord. 00-O-535 § 17.]

2.05.220 Orientation of new council members.

To ensure an orderly transition or continuance of legislative authority, all newly elected or appointed council members shall be formally advised of current council affairs and procedures.

- A. Within seven days of election or upon appointment to the council of any new member, the city manager shall schedule one or more study sessions for the sole purpose of the orientation of the new member.

B. Within seven days of election or upon appointment to the council, new members shall be given:

1. The City Charter;
2. Oregon Ethics Guide for Public Officials;
3. Brookings comprehensive plan and land development code;
4. Selected ordinances and resolutions;
5. Current city budget and the most recent audit;
6. Roster of city officials and standing committees. [Ord. 06-O-572 § 1; Ord. 00-O-535 § 22.]

2.05.250 Employee attendance at meetings.

A. City Manager. The city manager shall attend all meetings of the council unless excused by the mayor or the council. The manager may take part in all discussions concerning the welfare of the city. He/she shall have the authority to make recommendations to the council and when doing so shall present all reasonable alternatives for council consideration.

B. City Attorney. The city attorney, either in person or by deputy, shall attend at least one regular monthly meeting of the council unless excused by the mayor or the council and shall attend all other special meetings, study sessions and events as may be directed by the city manager, mayor or the council.

C. Officers and Employees. The city manager may direct any employee to attend any regular, special or executive meeting to confer with the council on matters relating to the city. [Ord. 00-O-535 § 25.]

First Reading: _____

Second Reading: _____

Passage: _____

Effective Date: _____

Signed by me in authentication of its passage this _____, day of _____, 2010

ATTEST:

Mayor Larry Anderson

City Recorder Joyce Heffington

Bold -- new language ~~Strike-out -- deleted language~~

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Public notice, **via press release, email, and/or other such means as are appropriate for reasonable communication, shall be given for all City Council meetings.** ~~Such notice shall provide~~ giving the time, place, and the principal subjects anticipated to be covered at **any meeting of the city council's** where a quorum is present ~~regular or special meetings, including~~ **excepting an executive session, which** shall be noticed ~~provided~~ as required in Chapter 192 ORS. Interested persons and the news media which have stipulated in writing that they wish to be notified of every meeting must be so notified. Such persons, other than those representing the news media, shall be required to express an interest in remaining on the notification list every six months. [Ord. 00-O-535 § 6.]

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2.05.080 Agenda.

The city manager shall prepare an agenda of the business to be presented at a regular council meeting. ~~which shall be published in the Curry Coastal Pilot prior to the meeting.~~ Council members shall be given copies of this agenda within 48 hours of the day it is delivered. **provided to the newspaper local media.** Additions to the published agenda are not encouraged but may be permitted based on proven need. Non-agenda items brought before the council during a meeting shall normally be for informational purposes only. Unanimous approval of all council members present is a prerequisite for any non-agenda item to be added to the agenda and considered for action. [Ord. 00-O-535 § 8.]

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- E. Public hearings;
- F. Scheduled public appearances;
- G. Oral requests, communications from the audience:
 - 1. Committee reports;
 - 2. Council liaisons;
 - 3.2. Public comments;

- H. Staff reports;
- I. Consent calendar;
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Members of the council and all other persons who serve the city in any capacity (e.g., officer, employee, agent, or otherwise) shall perform their duties in accordance with Oregon's ethics laws as provided in Chapter 244 ORS.

~~A. During a regular council meeting in the month of April each year the city attorney shall review the latest edition of the Ethics Guide for Public Officials with council and staff.~~

~~B. A.~~ Each newly elected or appointed member of the council shall be given a copy of the latest edition of the Ethics Guide for Public Officials prior to the member's participation in any decision-making process. It shall be the duty of the city manager to distribute the guide in a timely manner.

~~C. B.~~ Elected officials, appointed officers or employees of the city who have a potential or actual conflict as deemed by ORS 244.020(1) and (7) relative to any matter or ordinance coming before the city council shall declare such conflict immediately upon introduction of the item to the city council by the presiding officer. Disclosure of such potential or actual conflict shall be made a part of the record of the proceedings. Nothing in this section authorizes a public official to vote if the official is otherwise prohibited from doing so. [Ord. 00-O-535 § 17.]

2.05.220 Orientation of new council members.

To ensure an orderly transition or continuance of legislative authority, all newly elected or appointed council members shall be formally advised of current council affairs and procedures.

~~A. Immediately upon election or appointment to the council, new members shall thenceforth be given copies of all printed materials which are distributed to other members of the council.~~

~~B.A.~~ Within seven days of election or upon appointment to the council of any new member, the city manager shall schedule ~~the necessary one or more~~ study sessions for the sole purpose of the orientation of the new member.

~~C.B.~~ Within seven days of election or upon appointment to the council, new members shall be given:

1. The City Charter;
2. **Oregon** Ethics Guide for Public Officials;
3. Brookings comprehensive plan and land development code;
4. Selected ordinances and resolutions;
5. Current city budget and the most recent audit;
- ~~6. Land Use Planning in Oregon, Rehse;~~
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C. Officers and Employees. ~~Any member of the council may request that~~ The city manager **may** direct any employee to attend any regular, special or executive meeting to confer with the council on matters relating to the city. [Ord. 00-O-535 §.25.]