

**URBAN RENEWAL
AGENCY
of the CITY OF SALEM
RULES OF PROCEDURE**

Revised September 10, 2018

URA RULES OF PROCEDURE

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RULES OF PROCEDURE FOR THE URBAN RENEWAL AGENCY FOR THE CITY OF SALEM

Rule 1: Robert's Rules to Govern. In all cases not provided for by these rules or the provisions of ORS Chapter 192 and ORS Chapter 457, the proceedings of the Board of the Urban Renewal Agency for the City of Salem shall be governed by "Robert's Rules of Order," 11th ed.

Rule 2: Presiding Officer; Executive Director.

(a) The Mayor of the Salem City Council shall be the Chair of the Board, and the Council President shall be the Chair pro tempore for the Board.

(b) The Chair shall preserve order and decorum at all meetings of the Board, shall confine members in debate to the question under discussion, shall state every question coming before the Board, announce the decision of the Board on all subjects and decide all questions of order, subject, however, to an appeal to the Board by a member, in which event a majority vote of the Board shall govern and conclusively determine such question of order.

(c) The member of the Board presiding, whether the member is the Chair, the Chair pro tempore or a member of the Board elected to temporarily preside over the meeting, shall vote on all questions before the Board during the time the member is presiding, with the member's name being called last.

(d) During the absence of the Chair, the Chair pro tempore shall discharge the duties and exercise the powers and authority of the Chair. In the absence of the Chair or the Chair pro tempore, the City Attorney, or the City Attorney's designee, shall call the Board to order, whereupon a temporary Chair shall be elected by the members then present. The Board member so chosen shall discharge the duties and exercise the powers and authority of the Chair. Upon the arrival of the Chair or Chair pro tempore, the temporary Chair shall immediately relinquish the position of presiding officer upon the conclusion of the business immediately before the Board.

Rule 3: Clerk of the Agency. The City Recorder shall be the Clerk for the Agency. The Clerk shall attend all meetings of the Board and maintain minutes thereof, shall keep the official records of the Agency, and such other duties as may be required by these rules, or as the clerk of a public body.

Rule 4: Executive Director. The City Manager shall serve as the Executive Director ex-officio of the Agency, and is the duly authorized administrative officer of the Board.

Rule 5: Regular Meetings

(a) All regular meetings of the Board shall be open to the public, except for executive sessions permitted under ORS Chapter 192.

(b) The Board shall hold one regular meeting each month on any day that is not a holiday. Meetings may be called to order before or after meetings of the City of Salem or the Housing Authority of the City of Salem, but shall adjourn no later than 10:00 p.m.

(c) All regular meetings of the Board shall be held in the Council Chambers of the City of Salem. (Amended by Resolution No. 03-13 URA and 09-2 URA)

Rule 6: Special Meetings and Work Sessions; Executive Sessions.

(a) Special meetings and works session may be called by the Chair, a majority of the members of the Board, or the Executive Director whenever the business of the Urban Renewal Agency so requires. Written notice of the time and purpose of the meeting shall be given to each member of the Board at least 24 hours prior to the meeting; provided, however, that in the case of an actual emergency, a meeting may be called upon such notice as is appropriate under the circumstances, but the minutes of such meeting shall describe the emergency justifying less than 24 hour notice. To the greatest extent practicable, special meetings should be held on the fourth Monday in the month. Work sessions should be scheduled on the second and fourth Mondays of the month.

(b) Executive sessions may be called by the Chair, a majority of members of the Board, the Executive Director, or the Agency's legal counsel. Only Board members, the Executive Director, the Agency's legal counsel and persons specifically invited by the Board, the Executive Director, or the Agency's legal counsel shall be allowed to attend executive sessions. No matter discussed during executive session may be disclosed by any person present during such session. (Amended by Resolution No. 09-2 URA)

(c) Salem City Council Policy A-12 concerning Media at Executive Sessions, as may be amended, is hereby adopted.

Rule 7: Quorum. A majority of members the Board shall constitute a quorum. Should no quorum be present, the members in attendance shall adjourn to the next regular meeting or an earlier time.

Rule 8: Rules of Debate.

(a) The Presiding Officer may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Board member by reason of acting as the Presiding Officer.

(b) Members desiring to speak shall address the Presiding Officer, and, upon recognition by the Presiding Officer, shall confine themselves to the question under debate, avoiding all personalities and indecorous language.

(c) A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided. If a member, while speaking, be called to order, the member shall cease speaking until the question of order be determined, and, if in order, shall be permitted to proceed.

(d) A motion to reconsider any action taken by the Board may be made no later than the close of the next following regular meeting of the Board. Such motion must be made by one voting on the prevailing side, but may be seconded by any member, and may be made at anytime during a meeting of the Board.

Rule 9: Duty to Vote.

(a) Each Board member shall vote on each question before the Board, unless a majority of the Board excuses the member, for reasons specifically stated on the record; provided however, no member shall be permitted to vote on any subject in which he or she has a conflict of interest.

(b) Unless a Board member states that he or she is not voting, silence in failing to respond to a call to vote shall be recorded as an affirmative vote.

Rule 10: Substitute Motions. For the purposes of these Rules, a substitute motion is a form of a motion to amend, whereby a main motion is replaced in its entirety by substitution. A majority vote to adopt a substitute motion shall operate as a vote on a main motion, but shall not be construed as a vote on the original motion upon which the substitute motion was proposed.

Rule 11: Decorum.

(a) Presiding Officer. The Presiding Officer shall preserve decorum and decide all points of order, subject to appeal by a member to the Board.

(b) Board Members. Board Members shall preserve order and decorum during meetings, and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these Rules. Board Members shall, when addressing staff or members of the public, 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.

(c) Staff and Public. Members of the administrative staff, employees of the City and other persons attending Board meetings shall observe the same rules of procedure, decorum and good conduct applicable to the members of the Board.

(d) Removal of Any Person. Any person who disrupts a Board meeting by making personal, impertinent, slanderous or unauthorized remarks or who becomes boisterous while addressing the Board or attending a Board meeting shall first be warned by the Presiding Officer that they are “out of order,” and that further disruptions shall be cause to remove the

person from the meeting. If the person continues to cause a disruption after being warned, the Presiding Officer shall direct the Sergeant at Arms to remove the person. In case the Presiding Officer should fail to act, any member of the Board may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Board present, the Sergeant-at-Arms shall be authorized to remove the person or persons, as if the Presiding Officer so directed. Nothing in these Rules shall prevent the immediate removal of a person who poses an immediate threat to the public, members of the Board or staff.

(e) **Enforcement of Decorum.** The City Manager, or such member or members of the Salem Police Department as the City Manager shall designate, shall serve as the Sergeant-at-Arms of the Council meetings and shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum.

Rule 12: Order of Business. The order of business for each regular meeting shall be as follows:

- (1) Opening Exercises (includes call to order, roll call, pledge of allegiance, announcements, ceremonial presentations, and reports from boards, commissions, or committees)
 - (2) Public Comment
 - (3) Consent Calendar (includes approval of minutes, adoption of routine resolutions, and items of business requiring Board action)
 - (4) Public Hearings (includes deliberations, and deliberations from hearings held over from previous meetings)
 - (5) Special Orders of Business (includes consideration of items deferred from the consent calendar, unfinished business from a previous meeting, and any action item which requires a selection among options, consideration of matters of special importance to the Board, new business, and management reports)
 - (6) Information reports (items that require no Board action)
- (Amended by Resolution No. 03-13 URA, 09-2 URA and 18-11 URA)

Rule 13: Agenda.

(a) The Clerk shall prepare an agenda for each regular and special meeting. Agendas and informational material for regular meetings shall be distributed to the Board no later than the Friday preceding the meeting. No Board approval shall be required for an agenda of any regular meeting; agendas for special meetings shall be approved by majority vote of the Board.

(b) **Placement of Items on the Agenda.**

- (1) The Executive Director may place items on the agenda without Board action.
- (2) Any item placed on the consent calendar or matter raised during public comment may be placed on a subsequent agenda as a “special order of business” upon majority vote of the Board.

(c) **Removal of Items from the Agenda.** The Executive Director may remove any item from the agenda at any time prior to the time the meeting is convened.

(d) **Postponement of Consideration Prior to the Meeting.** Any Board Member may request that consideration of an agenda item be postponed to a subsequent meeting, if the Board Member is unable to attend the meeting during which the item has been scheduled for consideration. Any Board Member requesting postponement of consideration shall submit a request to the Executive Director in writing as early as possible. The request to postpone should be honored unless the matter must be acted upon at that meeting due to deadlines or other matters of timing.

(e) **Consent Calendar.** To expedite the Agency's business, the approval of minutes, and other routine agenda items shall be placed on the Consent Calendar. All items on the Consent Calendar will be approved by a single motion, unless the item is pulled for separate consideration. Any item on the Consent Calendar may be pulled for separate consideration by any member of the Board. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, or a determination that debate on a proposed course of action is deemed desirable, any questions to staff on any item, and any item where a Board Member must declare a conflict of interest.

(f) **Special Orders of Business.** Except as otherwise required by these rules, items removed from the Consent Calendar for separate consideration shall be considered as a Special Order of Business and part of the next scheduled item on the agenda. Agenda items that are deferred from the Consent Calendar, unfinished business held over from a previous meeting, require the selection from among options, of special importance to the Board, or a special report from the Executive Director shall be treated as Special Orders of Business.

(g) **Public Hearings.** Unless otherwise required by law or Board motion, public hearings shall be scheduled by the Executive Director, and may be rescheduled without further action by the Board.

(h) **New Business.** The agenda shall provide a time when any Board Member may bring before the Board any new business that the Board Member feels should be deliberated upon by the Board. Any Board Member requesting an item of new business be placed on the agenda should submit the request to the Executive Director, in writing, not later than 9:00 a.m. the Tuesday preceding the Board meeting. Any item of new business provided after this deadline as an addition to the agenda shall not be acted upon at the meeting where first presented. (Amended by Resolution No. 09-2 URA)

Rule 14: Resolutions. All resolutions shall be in writing and shall be numbered consecutively for each calendar year in the order in which the resolution was introduced. Each number shall be preceded with the last two digits of the year in which the resolution is introduced. All resolutions may be placed on the Consent Calendar by title only and may be adopted as a group; provided, however, any member of the Board may remove the resolution from the Consent Calendar, and have the matter placed under Special Orders of Business. (Amended by Resolution No. 09-5 URA)

Rule 15: Public Comment. Up to thirty minutes is available for members of the public to comment on agenda items, other than public hearings, and on matters of general interest to the Urban Renewal Agency. Each person's comments will be limited to three minutes. Persons appearing in person shall be allowed to speak first during public comment, followed by persons appearing remotely. If the number of citizens who have signed up for public comment indicates that the time for comments would require more than thirty minutes, additional time may be provided upon majority vote by the Board. (Amended by Resolution No. 09-5 URA)

Rule 16: New Business. The agenda shall provide a time when any Board member may bring before the Board any new business that the Board member feels should be deliberated upon by the Board. These matters need not be specifically listed on the agenda, but formal action on such matters shall be deferred until a subsequent Agency meeting, except that immediate action may be taken upon a vote of two-thirds of all members of the Board. (Amended by Resolution No. 09-5 URA)

Rule 17: Public Hearings.

(a) All public hearings on any matter before the Agency shall be held at evening meetings only.

(b) The Presiding Officer shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The Presiding Officer shall then declare the hearing open and invite any member of the general public to address the Board.

(c) Each person addressing the Board shall have three minutes to present testimony. The person shall, prior to giving testimony, state the name and address or ward. All remarks shall be addressed to the Board as a body and not to any member thereof.

(d) No person other than the Board and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Board, without the permission of the Presiding Officer. No question may be asked of a Board member except through the Presiding Officer.

(e) Upon being recognized by the Presiding Officer, any member of the Board may question any person who testifies.

(f) The Presiding Officer may exclude or limit cumulative, repetitious, or immaterial matter. The Presiding Officer may order the testimony, alternating those speaking in favor and those in opposition, or having all speaking in favor testifying, followed by all those in opposition. The Presiding Officer, with the approval of Board, may further limit the time or number of speakers at any public hearing; provided that the Presiding Officer shall state any such restrictions prior to the commencement of the testimony. In the event large numbers of interested persons appear to testify, the Presiding Officer, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the clerk to note the numbers in the minutes of the Agency.

Rule 18: Committees. The Board may, by resolution, create committees to assist in the conduct of

the affairs of the Urban Renewal Agency, with such powers and duties as the Board may specify which are not inconsistent with ORS Chapter 457. Members of the committee shall be appointed by the Board. Any committee so created shall cease to exist upon the accomplishment of the purpose for which it was created, or when abolished by a majority vote of the Board. No committee so appointed shall have powers other than advisory to the Board except as otherwise specified by resolution creating the committee. (Amended by Resolution No. 09-5 URA)

Rule 19: Disqualification of Board Members.

(a) A member of the Board shall not participate in discussion of any matter before the Board, and shall refrain from voting on the matter same when:

(1) Any of the following has a direct or substantial financial interest in the matter before the Board: the Board member or his or her spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which he or she is then serving or has served within the previous two years, or any business with which he or she is negotiating for, or has an arrangement or understanding concerning prospective partnership or employment; or

(2) The Board member owns property within an area affected by a proposal before the Board, unless the ownership would qualify for a “class exemption” under SRC 12.015 and the result of the action will not result in a conflict of interest under SRC 12.015; or

(3) The Board member has a direct or indirect personal interest in the proposal before the Board; or

(4) Participation would constitute a conflict of interest as defined in SRC 12.050; or

(5) The Board member was not present during the public hearing on the proposal before the Board; provided, however, if the Board member has reviewed the record from the hearing, including tape recordings of the proceedings, and declares as such for the record, the Board member may participate in discussion and vote on the matter.

(b) Board members shall reveal any ex parte contacts with regard to any matter at the commencement of the public hearing on the matter. If such contacts have impaired the Board member's impartiality or ability to vote on the matter, he or she shall so state and shall abstain from participating in the hearing and voting on the matter. (Amended by Resolution No. 09-5 URA)

Rule 20: Resolutions, Motions and Contracts.

(a) Resolutions, and other matters or subjects requiring action by the Board must be introduced and sponsored by a member of the Board, except that the Executive Director or City Attorney may present resolutions and other matters or subjects to the Board.

- (b) The yeas and nays shall be taken upon the passage of all resolutions and motions and entered upon the official record of the Agency.
- (c) An affirmative vote of at least a majority of a quorum of the Board shall be necessary to pass a resolution or motion. In the event of a tie in votes on any motion, the motion shall be considered lost.
- (d) When passed by the Board, a resolution shall be attested by the Clerk; and it shall be immediately filed and thereafter preserved in the office of the Clerk.
- (e) Any member of the Board may request formal written legal opinions, relating to Agency business, from the City Manager. Upon receiving requests for a written legal opinion, the City Manager shall request same from the City Attorney; and upon return receipt thereof, the City Manager shall distribute the written legal opinion to all members of the Board.
- (f) Any member of the Board may, for purposes of inquiry, request informal opinion or advice on Agency legal matters directly from the City Attorney. (Amended by Resolution No. 09-5 URA)

Rule 21: Designation of "Guest Board Member."

- (a) Each Board member shall be allowed to designate a person as "Guest Board Member" to fill the seat of the Board member at a regular meeting in the event of his or her absence. The person so designated can serve in this capacity only once each year. Employees of the City of Salem and the spouses and immediate family members of city employees are not eligible for designation as Guest Board Members.
- (b) A Board member shall make such designation by giving notice of the name and address of the person so designated to the Chair and the City Manager. Upon receiving such notification, the City Manager shall cause to have delivered to the person the agenda packet for such Agency meeting.
- (c) No person filling the seat of a Board member pursuant to this rule may make or second any motion or vote on any matter coming before the Board. Guest Board Members shall not attend executive sessions of the Agency. At any regular meeting where a Guest Board Member is filling the seat of a Board member, the Chair shall, at the beginning of the meeting, introduce the person to the other Board members and to the public. At any one regular meeting, no more than two Guest Board Members may attend. (Amended by Resolution No. 09-5 URA)

Rule 22: Suspension and Amendment of Rules.

- (a) Any provision of these rules may be temporarily suspended by a vote of two-thirds of the Board members present. The vote on any such suspension shall be taken by yeas and nays and entered upon the record.

(b) These rules may be amended, or new rules adopted, by a majority vote of all members of the Board, provided that the proposed amendments or new rules have been introduced into the record at a prior Agency meeting. (Amended by Resolution No. 09-5 URA)

RESOLUTIONS AMENDING URA RULES OF PROCEDURE
(URA Rules first adopted by Resolution No. 03-1 URA)

1. 03-13 URA Amending Rules of Procedure for the conduct of public meetings
2. 09-2 URA Amending Rule 5: Regular Meetings, Rule 6: Special Meetings, Rule 12: Order of Business, and Rule 13: Agenda
3. 09-5 URA Deleting Rule 14: Consent Calendar
4. 15-4 URA Adopting Revised Urban Renewal Agency Rules of Procedure
5. 17-2 URA Amending Rule 5: Regular Meetings
6. 18-11 URA Amending Rule 12: Order of Business