

ORDINANCE NO. NS-2160

AN ORDINANCE CREATING COUNCIL RULES FOR THE BEND CITY COUNCIL

Findings

A. Bend Charter Section 15 requires the City Council to adopt rules governing Council proceedings by Ordinance.

B. The Council has previously adopted some rules as part of the Bend Code but wishes to adopt a more complete set of Council Rules to be separate from the Bend Code.

Based on these findings

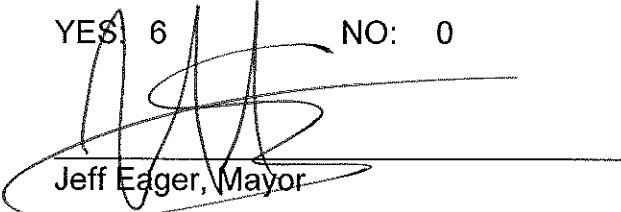
THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The City of Bend Council Rules attached as Exhibit A are adopted as rules to govern Council members and Council procedures.


Read for the first time on April 6, 2011.

Read for the second time and adopted by roll call vote on April 20, 2011.

YES: 6 NO: 0


Jeff Eager, Mayor

ATTEST:


Patricia Stell, City of Bend Recorder

APPROVED AS TO FORM

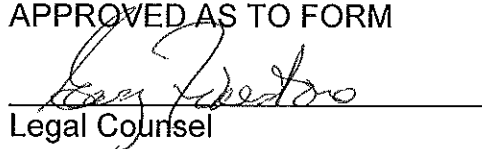

Legal Counsel

EXHIBIT A

**CITY OF BEND
COUNCIL RULES
ADOPTED BY ORDINANCE NS-2160
EFFECTIVE May 20, 2011**

PART 1 – GENERAL COUNCIL RULES

1.005 Authorization, Amendment, and Waiver

These rules are authorized by the City Charter and the Bend Code. The Council shall review these rules periodically. Amendments shall be adopted by ordinance, as required by the Charter. The Council rules are not intended to replace or supersede any applicable federal or state laws or regulations or provisions of the City Charter. The Council may by majority vote in an open Council meeting waive any Council rule for a specific situation.

1.010 Attendance and Presence in the City

Councilors will inform the Mayor and/or City Manager if they will be unable to attend any meetings. If the Mayor will be absent, the Mayor will inform the City Manager and the Mayor Pro Tem. Under the Charter, a council position becomes vacant if the Council member is absent from the City for more than 30 days without Council permission or from all meetings of the Council within a 60-day period.

1.015 Appointed Positions

The Council appoints and can remove the City Manager and the Municipal Judge. The Council will evaluate the City Manager at least once a year. The Council may meet with the Municipal Judge once annually, but will not interfere with the Municipal Judge's exercise of judicial authority and discretion.

1.020 Communication with Staff

All Council members will respect the separation between the Council's role and the City Manager's responsibilities by:

- (1) Not interfering with the day-to-day administration of city business, which is the responsibility of the City Manager.
- (2) Working together as a team within a spirit of mutual confidence and support.
- (3) Respecting the administrative functions of the City Manager and department heads and refraining from actions that would undermine the authority of the City Manager or department heads. The Council will abide by the City Charter in its dealings with the City Manager.
- (4) Limiting individual inquiries and requests for information from staff or department heads to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature will be directed to the

City Manager. Questions from individual Council members requiring significant staff time or resources (two hours or more) should normally require approval of the Council, although the City Manager may determine to follow up on requests from individual Councilors. Council members should normally share any information obtained from staff with the entire Council. This section is not intended to apply to questions by Council members acting in their individual capacity rather than as Council members, nor to questions regarding conflict of interest or similar issues particular to the Council member.

- (5) Limiting individual contacts with City officers and employees so as to not influence staff decisions or recommendations, so as to not interfere with staff work performance, and so as to not undermine the authority of the City Manager, department heads and other managerial and supervisory employees.
- (6) Respecting staff and their roles and responsibilities, even if expressing criticism of an action.
- (7) Nothing in this section precludes Council members from obtaining information and asking questions during Council meetings or from evaluating the performance of the City Manager.

1.025 Conferences and Seminars

Council member are urged to educate themselves about local government. To that end, and as funding allows, Council members are urged to attend the League of Oregon Cities functions at city expense. Requests to attend other government related conferences, training seminars and meetings will be presented to the Council for approval. Council members who serve on committees or the boards of the League of Oregon Cities or other similar associations of local governments will be reimbursed for reasonable expenses not covered by the respective body.

1.030 Confidentiality

Council members will keep confidential materials, such as materials distributed in executive session and confidential legal memoranda provided by the City Attorney, in complete confidence to ensure that the City's position is not compromised. No mention of confidential information read or heard should be made to anyone other than other Council members, the City Manager, or responsible department heads unless the Council as a whole has decided to waive the privilege to keep the material confidential.

- (1) If the Council in executive session provides direction or consensus to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, pending or likely claim or litigation, or employee negotiations, all contact with other parties shall be made by

designated staff or representatives handling the negotiations or litigation. A Council member will not communicate any executive session discussion outside of the executive session except as authorized by Council.

- (2) All public statements, information, or press releases relating to a confidential matter will be handled by designated staff or the Mayor or a designated Council member.
- (3) The Council, by resolution or motion, may censure a member who discloses a confidential matter.

1.035 Government Ethics Requirements and Reporting

Council members will review and observe the requirements of the State Ethics Law (ORS 244.010 to 244.390) dealing with use of public office for private financial gain. Council members shall give public notice of any conflict of interest or potential conflicts of interest and the notice will be reported in the meeting minutes. Council members shall timely file statements of economic interest with the Government Ethics Commission.

1.040 Ethical Conduct and Fair Treatment

In addition to matters of financial interest, Council members shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims, and transactions coming before the Council. This general obligation includes the duty to refrain from:

- (1) Disclosing confidential information or making use of special knowledge or information before it is made available to the general public.
- (2) Making decisions involving business associates, customers, clients, and competitors.
- (3) Repeated violations of these Council rules.
- (4) Promoting relatives, clients or employees for boards and commissions.
- (5) Requesting preferential treatment for themselves, relatives, associates, clients, coworkers or friends.
- (6) Seeking employment of relatives with the City.
- (7) Actions benefiting special interest groups at the expense of the city as a whole.
- (8) Expressing an opinion contrary to the official position of the Council without so Ordinance NS-2160

stating.

1.045 Expenses, Reimbursement and Compensation

Council members receive a stipend in accordance with the City Charter and will receive no other compensation for serving on the Council. Council members will follow the same rules and procedures for reimbursement as those which apply to City employees, when seeking reimbursement for attendance at authorized conferences or other authorized reimbursement. The City does not reimburse Council members for expenses incurred by their spouses.

1.050 General Conduct

In general, Council members shall conduct themselves so as to bring credit upon the government of the city by respecting the rule of law, ensuring non-discriminatory delivery of public services, keeping informed concerning the matters coming before the Council and abiding by all decisions of the Council, whether or not the member voted on the prevailing side. Abiding by decisions of the Council does not preclude a Council member from advocating for repeal or amendment of the decision.

1.055 Gifts by the Council

On occasion, and within the approved budget, the Council may wish to purchase a gift or memento for someone with City funds. Expenditures of this type require approval of the Council.

1.060 Legal Advice

Requests to the City Attorney for advice requiring extensive legal research shall not be made by an individual Council member except with the concurrence of the majority of the Council.

1.065 Liaison to Boards, Commissions and Committees

The Mayor may appoint Council members to act as liaison to boards, commissions, committees or other bodies that advise the Council. In the event a Council liaison is unable to attend a meeting of the board, commission or committee, the liaison will either contact another Council member to act as liaison for the meeting or ask the Mayor to find a substitute. When attending a meeting of a City board, commission or committee as liaison, Council members will:

- (1) Not attempt to lobby or influence the board, commission or committee on any item under its consideration. It is important for the advisory body to make objective recommendations to the Council on items before them. However, nothing in this section precludes the Council member from explaining what the Council expects from the board, commission or committee, or explaining Council policy.
- (2) Not vote at the body's meeting on any item.
- (3) This rule applies only when the Council member is acting as liaison; it does not apply when the Council member is a member of the board, commission or committee and does not apply to non-city bodies when the Council member is the representative of the City.

1.070 Litigation

The Council will meet in executive session with the City Manager and City Attorney within 30 days of the City's receipt of:

- (1) A statutory notice of intent to sue, or
- (2) A summons and complaint for damages.

This requirement does not apply to cases in which the claim is covered by insurance.

1.075 Presiding Officer - Election and Duties

- (1) At the first meeting in January of odd numbered years, the Council shall elect from its membership a Mayor, who shall immediately become the presiding officer following the election.
 - (A) In addition to acting as the presiding officer, the Mayor shall also perform all duties as defined in the City Charter.
- (2) At the first meeting in January of odd numbered years, the Council shall also elect from its membership a Mayor pro tem, who shall serve as the presiding officer at any time the Mayor is not available.
- (3) After a vote on a motion, the presiding officer shall announce the result of the vote.
- (4) The presiding officer shall decide all procedural questions. A procedural decision may be overruled by a majority vote of the Council.

- (5) The presiding officer shall sign all ordinances and resolutions adopted by the Council.

PART 2 COUNCIL MEETINGS

2.005 Absence for Portion of a Hearing

For quasi-judicial hearings, a Council member who was absent during the presentation of evidence cannot participate in any deliberations or decision regarding the matter unless the Council member has reviewed all the evidence and testimony received.

2.010 Addressing the Council

- (1) Written communications. Any person may address the Council in writing.
- (2) Oral communications. Any person may speak on any matter on the agenda after being recognized by the presiding officer, except when applicable law or code provisions restrict public comment. The right to speak on a matter is terminated when the public hearing is closed or Council deliberation begins.
- (3) Visitors Section. During the visitor's section of the agenda, any person may address the Council on items not listed in the Council agenda that are properly the subject of Council consideration. The right to address the Council does not extend to providing testimony on a matter subject to a public hearing after closure of a public hearing and before the final decision.

2.015 Agenda

The City Manager shall prepare a written agenda for all regular Council meetings, including work sessions. A packet including the agenda and materials on agenda items will normally be available to the Council at least three days before each regularly scheduled Council meeting. The City Manager or Mayor may change the agenda at any time prior to the start of the Council meeting, and the presiding officer may change the agenda after the start of the meeting. A change in the agenda after the start of the Council meeting is a procedural decision.

- (1) A Councilor who wishes to have an item placed on the written Council agenda will advise the City Manager at least one week prior to the meeting. The City Manager shall determine whether the item is to be placed on the agenda as an action item or as a discussion item.

- (2) A Council member who wishes to have staff undertake major research or drafting to prepare an action item shall raise the issue at a Council meeting, and the City Manager will take direction from the Council as a whole. The Council should consider requests from individual Council members in light of Council goals and priorities and staff workload and availability. Direction to proceed with an item does not commit the Council or any individual Council member to supporting an action when it comes before Council for a final decision.
- (3) The agenda will be in any form chosen by the City Manager, subject to direction by the Council.
- (4) Work sessions are any regular, special or emergency sessions used to present information to Council, to allow the Council to prepare for business sessions or to allow preliminary discussion on upcoming Council items. The Council may take formal action at a work session, but action items will not normally be scheduled for work sessions.

2.020 Call to Order - Presiding Officer

- (1) Prior to calling a meeting to order, the Presiding Officer will determine whether a quorum of the Council has been established. Once it has been determined that a quorum exists, the Presiding Officer will call the meeting to order.
 - (A) In the absence of the Mayor or Mayor Pro Tem, the City Recorder, shall call the Council to order, and a temporary presiding officer shall be elected by the members of the Council present.
 - (B) The Mayor or Mayor Pro Tem shall assume the duties of presiding officer from any temporary presiding officer if they arrive after the start of a meeting, but the temporary presiding officer shall preside until the end of any pending agenda item.
- (2) In the event a quorum of the Council has not been established, the Presiding Officer will adjourn the meeting immediately. If at any point during a meeting a quorum of the Council no longer exists, the Presiding Officer will adjourn the meeting with no further action.
- (3) Council members, the City Manager, City Attorney and the City Recorder are required to attend Council meetings unless excused.
- (4) The City Manager may make recommendations to the Council and shall have the right to take part in all Council discussions but shall have no vote.
- (5) The City Attorney will have the right to take part in Council discussion, and will, upon request, give an opinion, either written or oral, on legal questions. The City

Attorney, if requested, shall act as the Council's parliamentarian, but will have no vote.

- (6) The Recorder will attend all Council meetings, keep the official minutes. The City Recorder will perform other duties as may be needed for the orderly conduct of meetings.
- (7) Department directors or other staff will attend Council meetings upon request of the City Manager or Council through the City Manager.
- (8) Meetings shall follow the published agenda, unless the Presiding Officer or Council changes the agenda. Any changes in the agenda will be announced by the Presiding Officer.

2.025 Cell phones and Pagers

Cell phones, pagers and other communications shall be silenced during Council meetings.

2.030 Conflict of Interest

A Council member shall not participate in any matter where there is a financial conflict of interest. Under state law, an actual conflict of interest is defined as one that would result in the private financial benefit of the Council member, a relative or a business with which the Council member is associated. A potential conflict of interest is one that could result in private financial benefit. A Council member must publicly announce potential and actual conflicts of interest, and, in the case of actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue unless allowed by state law. A Council member who is not participating because of a conflict of interest shall leave the Council table after declaring the conflict.

2.035 Consent Agenda

In order to make more efficient use of meeting time, the City Manager will place all items of a routine nature on which no debate is expected on a consent agenda. Any item placed on the consent agenda will be disposed of by a single motion "to adopt the consent agenda" which shall not be debatable. Any member of the Council can remove an item from the consent agenda by voice request prior to the vote to adopt the consent agenda. Any matter removed from the consent agenda will be discussed and considered as an action item at the meeting.

2.045 Decorum

- (1) Council members may not delay or interrupt the orderly proceedings of the

Ordinance NS-2160

Council, disturb any member while speaking, or refuse to obey the orders of the Council or its presiding officer

- (2) Except in case of injury or illness, persons shall not rest their feet on chairs or tables, or stand on chairs or tables.
- (3) Any member of the audience who disrupts a Council meeting may be barred from the meeting by the presiding officer.
- (4) The Chief of Police or other designated member of the Police Department will carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings.

2.050 Exhibits

Exhibits presented before the Council in connection with its deliberations on a legislative, quasi-judicial or other substantive matter shall be accepted by the Council and made part of the record. The exhibit shall be provided to the City Recorder.

2.055 Ex Parte Contacts

For quasi-judicial hearings, Council members will endeavor to refrain from having ex parte contacts relating to any issue of the hearing. Ex parte contacts are any contacts with persons other than staff or other council members outside the formal hearing process relating to the subject matter of the quasi-judicial hearing. Ex parte contacts include both oral and written communication. If a Council member has an ex parte contact prior to any hearing, the Council member will reveal the contact at the beginning of the hearing. The Council member shall describe the substance of the contact. After all declarations of ex parte contacts, the presiding officer shall announce the right of interested persons to rebut the substance of the communication or otherwise challenge the participation of the Council member who had the ex parte contact.

2.060 Manner of Addressing Council

- (1) Each person addressing the Council shall provide the City Recorder with a completed testimony form.
- (2) All remarks shall be addressed to the Council as a body and not to any particular member.
- (3) No question shall be asked of a Councilor except through and with the permission of the presiding officer

2.065 Meetings

Ordinance NS-2160

- (1) Unless provided otherwise by ordinance, the City Council shall hold regular meetings on the first and third Wednesdays of each month at such time as the Council shall determine. If the regular meeting falls on a holiday, the meeting shall be held on the day following or canceled.
- (2) Council meetings shall be held in the Council Chambers of City Hall or other place as the Council determines.
- (3) In the case of an emergency, an emergency meeting may be called by the City Manager, the Mayor, or two Councilors, consistent with state law. The minutes of the emergency meeting shall describe the emergency justifying less than 24 hours notice. The City will attempt to contact the media and other interested persons to inform them of the meeting. Council members are responsible to inform staff of how they can be reached when out of town.
- (4) The City Recorder shall be advised of all special and emergency meetings of the City Council.
- (5) Public notice of all meetings shall be provided by the City Recorder.
- (6) Executive Sessions. An executive session (meeting closed to the public) may be held in accordance with state law. Care will be taken to ensure that proper and timely notice is made in accordance with statutory requirements. Executive sessions may be held during regular, special or emergency meetings, so long as appropriate statutory requirements are met.
 - (A) No formal actions can be taken during an executive session. When the Council reconvenes in open session, formal action may be taken. Only the Council, City Manager, City Recorder and specific staff members, news media representatives and others specifically invited can attend an executive session.
 - (B) A major reason for allowing members of the news media to attend executive sessions is to ensure that the issues discussed are proper subjects and actions under the state laws related to executive sessions and to keep them informed concerning the background of deliberations so they have a better understanding of any decisions made as a result of the meeting. Members of the press shall be told that they may not report the substance of an executive session.
 - (C) Minutes or a recording of executive sessions are required.
 - (D) Material discussed during an executive session should not be disclosed outside the executive session or other privileged communications.

2.070 Minutes

Minutes shall be prepared with sufficient detail to meet their intended uses. Verbatim minutes are not required.

- (1) Council meeting minutes shall contain:
 - (A) The name of Council members present
 - (B) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
 - (C) The result of any votes, including ayes and nays and the names of the Council members who voted.
 - (D) The substance of the discussion on any matter.
 - (E) Reference to any document discussed at the meeting.
- (2) The Council may amend the minutes to more accurately reflect what transpired at a meeting. Upon receipt of the minutes in the Council agenda packet, the Council members should read them and if possible submit any changes, additions or corrections to the City Recorder in order that the recording of the meeting can be reviewed and a corrected copy can be prepared prior to the meeting for approval. Under no circumstances shall the minutes be changed following approval by the Council, unless the Council authorizes the change by majority vote.

2.075 Motions

When a motion is made, it shall be clearly and concisely stated by its mover. Council members are encouraged to exercise their ability to make motions and to do so prior to debate in order to focus discussion on an issue and speed the Council's proceedings. The presiding officer will state the name of the Council member who made the motion and the name of the Council member who made the second. When the Council concurs or agrees to an item that does not require a formal motion, the presiding officer will summarize the agreement at the conclusion of discussion. The following rules shall apply to motions during proceedings of the Council:

- (1) A motion may be withdrawn by the mover at any time without the consent of the Council.
 - (2) If a motion does not receive a second, it dies. Certain motions can proceed without a second, including nominations, withdrawal of motion and agenda
- Ordinance NS-2160

order.

- (3) A motion that receives a tie vote fails.
- (4) A call for the question is intended to close the debate on the main motion and does not require a second and is not debatable. A call for the question fails without a majority vote. Debate on the main subject resumes if the motion fails.
- (5) A motion to amend can be made to a motion that is on the floor and has been seconded. An amendment is made by inserting or adding, striking out, substituting or any combination of striking out and inserting.
- (6) A motion to adjourn cannot be amended.
- (7) A motion to amend an amendment is in order.
- (8) Amendments are voted on first, then the main motion if voted on as amended.
- (9) Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
- (10) The motion maker, presiding officer, City Recorder, City Manager or City Attorney should repeat the motion prior to the vote.

2.080 Participation in Council Meetings

Any Councilor desiring to be heard during a Council meeting should normally be recognized by the presiding officer and shall confine his or her remarks to the subject under consideration or to be considered. Council members will speak one at a time, allowing one another to finish. The presiding officer may allow flexibility in the application of this rule.

2.085 Participation by Presiding Officer

- (1) The presiding officer shall have all rights and privileges of a Council member.
- (2) A Council member may speak to the question at issue after being recognized by the presiding officer.
- (3) A Council member shall not be interrupted when speaking except on a question of order. If a member is called to order the member shall cease speaking until the question of order is determined.

- (4) The following procedure will be followed for adoption of ordinances.
 - (A) The Council will vote on a motion for first reading of a proposed ordinance.
 - (B) At the next meeting, the Council will vote on a motion for second reading and adoption of the ordinance.
 - (C) All ordinances will take effect 30 days after the roll call vote on an ordinance unless an emergency has been declared.
- (5) Resolutions will be adopted by a motion and roll call vote. Resolutions take effect immediately upon passage unless otherwise stated in the resolution.
- (6) No ordinance or resolution will be presented to the Council without review by the City Attorney and the City Manager.
- (7) A motion to reconsider any action taken by the Council may be made only on the day the action was taken. The motion must be made by a Council member of the prevailing side, but may be seconded by any member.
- (8) Council members have the right to have the reasons for their dissent from, or protest against, any action of the Council entered into the minutes.

2.090 Non-Participation

A Council member will not participate in a quasi-judicial decision if the Council member is biased to the extent that the Council member cannot decide the matter by applying the applicable standards and criteria to the facts of the situation as presented to the Council. A Council member shall not participate in any quasi-judicial matter in which the Council member has a personal interest in the outcome, unless that personal interest is shared by a class of persons. A Council member shall not participate in any decision when participation in the decision is contrary to state law. Any person may challenge the participation of a Council member at the start of the proceeding. If a challenge is made, the Council member may choose to withdraw. If the Council member does not withdraw, the remainder of the Council will decide by motion whether the Council member will participate. A Council member who is not participating shall not sit at the Council table.

2.100 Question of Procedure

Questions of procedure not specifically provided for in this code or in the Charter shall be governed by *Robert's Rules of Order*

Ordinance NS-2160

2.110 Ordinances and Resolutions

All ordinances and resolutions must be reviewed as to form and legality by the City Attorney.

2.115 Executive Sessions

(1) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the City may require that specified information be undisclosed.

(2) Currently Recognized News Media Organizations. The following entities are recognized as news media organizations eligible to attend executive sessions because they have an established history of meeting the requirements of this policy:

- The Bulletin
- The Source
- Cascade Business Journal
- COTV
- KTVZ Television
- KOHD Television
- KEZI Television
- KLCC
- Bend Radio Group
- Combined Communications
- Oregon Public Broadcasting
- Oregonian
- KPOV
- KBNZ
- Horizon Broadcasting

No other entity shall be permitted to attend an executive session unless it is recognized through the process described in Section 3 below.

(3) Recognition of Other News Media Organizations.

(A) The following entities are recognized as news media organizations eligible to attend executive sessions:

(1) A general or associate member newspaper of the Oregon Newspaper Publishers Association, a broadcast member of the

Oregon Association of Broadcasters or a member of the Associated Press; or

- (2) A newspaper that the City uses for publication of public notices and that meets the requirements of ORS 193.020; or
- (3) An entity recognized by the City as being a news source that:
 - (a) Is organized and operated to regularly and continuously publish, broadcast, transmit via the Internet or otherwise disseminate news to the public, and that regularly reports on activities of the [public body] or matters of the nature under consideration by the [public body]; and
 - (b) Is a well-established entity that is committed to complying with the requirement that confidential executive session information be undisclosed. In making this determination, the City may consider and weigh any factors that it deems to be relevant, including whether the entity has an available process for correcting errors, including violations of executive session statutes, by a person with authority to take corrective measures.

(B) The entity seeking recognition as a News Media Organization has the burden of proof to establish that it meets the standards of this section. A determination that the entity is not recognized shall be based upon written findings addressing the criteria in this section.

(4) Attendance at Executive Sessions.
Representatives of recognized News Media Organizations may attend executive sessions if State law requires the City to allow their attendance.

- (A) In making its determination whether to recognize the person as a representative of the news media organization, the City may require:
- (1) A press badge or identification issued by the recognized news media organization, plus proof of identity (such as a driver's license); or
 - (2) A recently published news article in the recognized news media organization publication or broadcast, with the person's byline, or a masthead showing the person's name as a member of the news gathering staff of the news media organization, plus proof of identity; or

- (3) A letter on letterhead from an editor of the recognized news media organization in which the editor states that the reporter is covering the meeting for the news media organization, plus proof of identity.
 - (B) Representatives of the news media are not permitted to attend executive sessions involving deliberations with persons designated to carry on labor negotiations. ORS 192.660(4). If the executive session is being held for the purpose of conferring with counsel about current litigation or litigation likely to be filed, the City shall exclude any member of the news media from attending if the member is a party to the litigation to be discussed or is an employee, agent or contractor of a news media organization that is a party to the litigation. ORS 192.660(5).
 - (C) The City may require that a request to attend an executive session be made in writing on a form provided by the City. The form shall require disclosure of the person's name, and the entity for which he or she is a news reporter, and shall require submission of evidence described in Subsections 3(a) (1), (2) or (3) of this policy. The form shall also include a certification that the person is gathering news for a recognized news media organization, that the information given is true and that the person agrees to comply with ORS 192.660(4).
 - (D) The City may consider any relevant evidence provided or gathered in making its decision as to whether a person shall be recognized as a representative of a recognized news media organization.
- (5) Recording Devices Prohibited.
Cameras, tape recorders and other recording devices shall not be used in executive sessions, except for the official executive session tapes made by City staff.
- (6) Exclusion Based on a Direct Personal Interest.
A person who has a direct personal interest in the subject of the executive session may be barred from attending.
- (7) Application to Boards and Commissions.
These policies and procedures shall apply to the City and all of its boards and commissions.