



Commission & Committee Handbook

This handbook is subject to change as policies are amended or modified. The City does not give legal advice. This handbook is not intended to be legal advice. Version 1 (1/23/2025)



Welcome

Thank you for volunteering to serve the City of Ashland. Advisory Commissions and Committees play a critical role in providing recommendations and advice to City Council and City Management on various matters of public interest and administrative functions. The City hopes you find this handbook helpful in understanding your role on the Commission or Committee as well as the role of the staff liaison. You will also find information on conflicts of interest, laws that apply to public bodies and parliamentary procedures. The time you spend on a commission or committee is appreciated and the expertise you bring to the Commission or Committee is valued. We are **Better Together**.

RESPONSIBILITIES AND ROLES

RESPONSIBILITIES OF COMMISSIONS AND COMMITTEES

All Commissions and Committees should regularly solicit public testimony under guidelines established by the City Council and Ashland Municipal Code. Public forums should be held for issues with major public impact. Though this Handbook refers to Commission and Committees, the outlined policies and procedures apply to:

- ✓ **Commissions and Committees-** advisory bodies outlined in ORS and/or AMC to provide recommendations to Council or APRC.
- ✓ **Ah Hoc Committees-** temporary advisory group focused on a specific topic with the express goal of providing a recommendation for action to Council and/ or Ashland Parks and Recreation Commission (APRC).
- ✓ **Management Advisory Committees (MAC)-** Committees developed by the City Manager or City Staff on a specific topic to provide subject matter expertise. MACs may be temporary or on-going.
- ✓ **Subcommittees-** temporary group to a specified committee on a particular area or topic. Limited to three-members, a subcommittee only has the authority to gather information for the full committee. It may determine when to meet and what procedures it will use to gather and report information but may make no decisions. Subcommittees must

make notes of their meetings available to staff liaisons to include in agenda packets for the full committee when the full committee is considering a report or recommendation coming from the subcommittee.

ROLE OF THE CHAIR

The Chair is the main facilitator (i.e. Presiding Officer) who runs the meetings, maintains order, and keeps the group on topic. Their duties include:

- ✓ Open the meeting on time and call the meeting to order
- ✓ Announce in proper sequence the business on the agenda
- ✓ Recognize members who are entitled to the floor and ensure all voices are heard
- ✓ State and put to a vote all legitimate questions that arise during the meeting. If a motion is out of order, the Chair should rule it out of order
- ✓ Protect the members from frivolous or delaying motions by refusing to recognize them
- ✓ Enforce the rules regarding debate and keep order
- ✓ Expedite business in a way compatible with the rights of the members
- ✓ Decide all questions of order
- ✓ Respond to inquiries of members
- ✓ Declare the meeting adjourned

ROLE OF THE BOARDS AND COMMISSION MEMBERS

- ✓ Members of the committee, commission, or board (including the Chair) engage in discussion, propose motions, and vote on decisions. Members should make every effort to attend every meeting and be on time.
- ✓ Members will notify staff five (5) in advance of a meeting for known absences.
- ✓ It is recommended that Commission members keep a separate email for committee work due to public records request and retention purposes.
- ✓ Effective members understand the rules of procedure as well as parliamentary procedure and abide by them.
- ✓ Members should address all remarks through the Chair.
- ✓ Members should use their parliamentary knowledge in a constructive manner, rather than hindering or obstructing the business of the meeting
- ✓ Members should be knowledgeable and familiar with the issues before them so they can participate in the meeting by:

1. Introducing motions;
2. Seconding another member's motion;
3. Debating the issue according to the rules or asking questions of information regarding issues; and
4. Voting
 - a. A member may vote but cannot be forced to do so. A member should not vote on questions of direct personal or pecuniary interest not common to other members.

 - b. A member may change a vote before the chair announces the result of the vote. After the result is announced, a majority of the Board or Commission must vote to allow the change.

 - c. A member may request a rising vote by calling "Division" when a voice vote or show of hands is in doubt.

All Commission and Committee members are responsible for ensuring they conduct themselves in a manner that leaves no question as to when they are representing themselves as a City Commission member and when they are representing themselves as a private citizen. It is the responsibility of the Commission or Committee member to be familiar with the City's social media policy. All Commission and Committee members are responsible for adhering to the guidelines outlined in this handbook, the City's Electronic Media and Technology Usage Policy (if applicable), Workplace Fairness Act Policy, Workplace Violence Prevention Policy and the City's Social Media Policy. Any violation of these guidelines and policies may result in immediate removal from the Commission or Committee.

COMMITTEE MEMBER VS COMMUNITY MEMBER

When you are serving on an advisory body, it is important to realize that you have a committee member hat and a community member hat. Both hats are on when you are actively engaged in committee work. When you are not at a committee meeting, however, it is important to delineate which hat you are wearing.

- When you are speaking at a public meeting, make it clear if you are speaking as a community member or as a representative of your committee. Being a “representative of your committee” means that the committee has given you permission to show-up and speak on behalf of the group as a whole. If you haven’t received permission, speak only as a community member.
- When your committee has made a decision (i.e. voted on a motion), it is your responsibility to support that decision, even if you disagree with it. You can speak against it privately as a community member but, when representing the committee, you need to positively represent the decisions of the body as a whole.

RECOMMENDATION PROCESS

Defining Annual Focus Areas

The unique mission of advisory committees is typically defined by the group’s enacting ordinance and/or by the City Council when they form an ad hoc group. Typically, this mission is a general scope, and the advisory body determines what specific topics they want to work on within that scope. There are two pathways that an advisory body defines its focus:

- A. Council Request.** City Council may make a specific request of an advisory body to weigh in on a specific topic.
- B. Annual Work Plan.** Advisory bodies create an annual work plan that is reviewed and approved by City Council every December. The work plan outlines the focus areas for the year and may include specific projects (such as painting utility boxes) and policy areas (such as reducing the use of natural gas in homes). The process of drafting, reviewing, and approving an annual work plan ensures that the advisory body is working on specific topics that City Council would like to see move forward.

C. Bringing Recommendations to Council

When an advisory body is ready to make a recommendation to City Council, the group should make a motion to “recommend [*adoption, implementation, etc.*] to Council.” This signals that you feel the recommendation is ready for Council to review and take action. Once this motion is made, it is the responsibility of the

Council Liaison to request that it is put on a future City Council agenda. When they make that request, the City Manager will figure out what type of meeting is best for the recommendation (study session or general meeting) and will schedule it. The advisory body will be asked to attend the meeting to present their recommendation and why they are recommending it.

Actions that Council Can Take

Once City Council receives a recommendation, they can take any of the following actions:

1. Adopt the policy or action right then-and-there or give staff the direction to prepare the item appropriately for adoption.
2. Direct staff to take additional actions (like refining it, making changes, putting it in ordinance form, etc.) and then bring it back for consideration;
3. Send the recommendation back to the advisory body to do further work or refinement;
4. Decline to move forward.

Once a recommendation goes to City Council and City Council takes an action on that recommendation – **it is no longer in the hands of the advisory body** (unless it has been referred back to you!).

INFORMATION REQUESTS

You're going to need information to help with your discussions as an advisory body. Your staff liaison and council liaison will be able to share a significant amount of institutional knowledge, but questions may come up that they don't know the answer to. Below is the best process for making information requests, when your staff or council liaison do not have the answer:

- **If you want information as an individual, you can submit a [public records request](#).** This helps staff (a) get the request to the right person and manage staff time, and (b) ensures that your request is fulfilled within a reasonable time frame, typically two weeks.
- **If the advisory body wants information that is beyond the scope/knowledge of your liaisons, the advisory body can make a formal request via motion.** The staff liaison will then track down the info and share at the next committee meeting. This helps ensure that we are using

staff time to gather information that is pertinent to the advisory body as a whole.

COMMUNICATION

COMMUNICATIONS TO COUNCIL

The Council relies on various Commissions and Committees to increase the variety of viewpoints and talents brought to bear on City problems. By concentrating on specific areas, Commission and Committee members can expand their level of expertise and can conduct detailed analyses that Council itself may not have the time to pursue.

It is expected that Commission and Committees will adopt positions of advocacy within their specific spheres of interest. However, the Council's role is to take into consideration the many varied, and sometimes conflicting public needs, and render its judgment of what will best serve the public good. The Council must weigh the effect of any given recommendation alongside other City goals, programs, and competing interests.

GENERAL COMMUNICATION GUIDELINES

- ✓ No serial meetings. Serial meetings are defined as a majority of members of a public body having a series of smaller gatherings or communications that result in a majority of the body collectively taking action even if a majority is never part of any one communication. (email guidelines provided by staff liaison)
 - All emails to Commission and Committee members from the staff liaison will be by blind copy to ensure no reply all (equals serial meeting).
 - It is encouraged that all Commission and committee members retain a separate email for Commission and Committee work as that work is subject to public records requests.
- ✓ Treat everyone with respect.
- ✓ Agree to Disagree.
- ✓ Resolve issues and move on, don't re-live the same issues.
- ✓ Share information freely.
- ✓ Keep a balance of "air time" in meetings to avoid domination of ideas.

- ✓ Deal directly and respectfully if a conflict occurs.
- ✓ Share responsibility for information or decisions that come from a meeting.
- ✓ Openly support decision, once it has been made.
- ✓ Encourage and support team members at all levels.
- ✓ Query participants frequently: ask for input and feedback on issues.
- ✓ Be flexible and open for change.
- ✓ Be aware of others discomfort/anxiety.
- ✓ Take responsibility for your feelings, biases and attitudes and know how they can impact your ability to treat others with respect or make the right decision.
- ✓ Have a sense of humor; be able to laugh at the funny moments.

STAFF LIAISONS

STAFF LIAISONS TO COMMISSION AND COMMITTEES

Each Commission and Committee has at least one staff person assigned to the group as a Staff liaison. Staff liaisons assure their Commission or Committee is aware of laws and administrative processes affecting proposed policy and operational recommendations. The Staff Liaison is responsible for ensuring the Commission or Committee is not doing anything to create liability issues for the City. If the Staff Liaison feels that there may be an issue, they shall report it to the City Manager.

The staff liaison's main responsibility is assisting their Commission or Committee in its roles and responsibilities as outlined by ordinance and completion of the Council approved annual workplan.

Other responsibilities include the following:

- ✓ Assist with professional and technical questions.
- ✓ Properly notice meetings.
- ✓ Prepare and distribute Board and Commission letters, reports, agendas and/or minutes.
- ✓ Maintain public records created by the Board or Commission, including minutes or action summaries, reports, recommendations and letters, as required by State law.

- ✓ Notify Board or Commission members of upcoming meetings.
- ✓ Maintain current contact information for the Board or Commission members.
- ✓ Provide the communication framework that fosters collaboration while still acting within the confines of public meeting law.

RELATIONSHIP BETWEEN STAFF AND COMMISSION OR COMMITTEE

If a Commission or Committee desires information or a report that will require more than two hours of staff liaison time, the chairperson will make a request of the City Manager or Department Director approval prior to pursuing the project. The chairperson should inform the staff person with regard to the urgency of the referral. Following this procedure will prevent staff from being diverted from priority projects.

STAFF LIAISON TIME COMMITMENT

The assigned staff liaison is the sole point of contact for the assigned Commission or Committee. Commission or Committee members may not reach out to other staff members. The staff liaison on average will dedicate no more than four hours a week to work on regular Commission or Committee directed needs. Commission and Committees may not initiate grants or dictate City funds be expended. A Commission or Committee may bring forth a recommendation for grant pursual or fund expenditure through the staff liaison to the City Manager for consideration.

The meeting of the Commission or Committee is at the discretion of staff and can be moved as operationally necessary. Staff liaisons will make it a priority to schedule Commission or Committee meetings at regular intervals at the same time and location.

ETHICS AND CONFLICTS OF INTEREST

GOVERNMENT ETHICS

By being a member of a commission or committee, you are a public official per Oregon Law. Public office is a public trust. This concept is enforced through state law in provisions that prohibit public officials from using their positions to enrich themselves, their families or businesses with which they or their close relatives

are associated. An overview of the provision of the government ethics laws will be covered in this section.

For more information, please refer to the Government Standards & Practices Manual or contact the Oregon Government Ethics Commission (www.oregon.gov/ogec).

ACTUAL AND POTENTIAL CONFLICTS OF INTEREST

Public officials may face situations in which their actions may, or will, result in pecuniary benefit for themselves, their relatives, or businesses with which they or their relatives are associated. In such cases, the state ethics law describes the proper response. The response depends upon whether the conflict is an **actual** conflict or a **potential** conflict. Keep in mind, however, that under no circumstances may an official use their office for the purpose of benefiting the official, a relative or an associated business.

ACTUAL CONFLICT OF INTEREST

An actual conflict of interest exists when a public official is faced with acting, deciding or recommending an action, and the effect of that action certainly **would** be to the private pecuniary benefit or detriment of the official, the official's relative, or any business with which the person or a relative of the person is associated.

Example: A Councilmember owns one of two well-digging companies in the City. The Council is voting upon whether to adopt a proposed ordinance that would impose licensing fees on well-digging companies. His vote will certainly have the effect of a financial detriment or benefit upon his company.

Example: A systems operation official approves an employment agreement with a technical support company that employs her son. The approval would be to the pecuniary benefit of a business with which her relative is associated.

ORS 244.040(6) also states "No person shall attempt to represent or represent a client for a fee before the governing body of a public body of which the person is a member".

Example: The member of the Planning Commission is prohibited from appearing before that same Planning Commission to represent a client for a fee, but a business partner of the Planning Commission member could represent the same client for a fee.

POTENTIAL CONFLICT OF INTEREST

A potential conflict of interest exists when a public official is faced with acting, deciding or recommending an action, and the effect of that action **could** be to the private pecuniary benefit or detriment of the official, the official's relative, or any business with which the person or a relative of the person is associated.

Example: If the public official as an independent contractor performs services for a business that comes before the public body upon which the official sits, a potential conflict exists. The decisions of the public body could result in private pecuniary benefit to the official.

CONFLICT OF INTEREST EXCEPTIONS

Actions affecting an entire class do not create a conflict of interest. In other words, no conflict exists if the public official's action would affect other members of a large class of people in the same way it would affect the public official.

For example, if the City Council was voting to adopt a City-wide tax cut for retail businesses, Councilmembers who owned retail businesses would not have a conflict because of the exception.

However, if the Council was voting to adopt a tax cut for software companies, and a Councilmember owned one of only three software companies in the City, the Councilmember would have an actual conflict of interest for which the "class" exemption would not apply. In this case, three software companies would not be considered a large enough class to gain the exemption.

Other exceptions include the following:

1. Membership in a particular class required by law as a prerequisite to holding office does not give rise to a conflict of interest. For example, a commission which recommends fees for the use of certain chemicals requires that one of its positions be filled by a representative of a company which uses such substances. That person is not faced with conflict when deliberating upon the amount of a fee.
2. No conflict exists when the pecuniary benefit or detriment arises out of unpaid membership in or membership on the board of directors of a nonprofit corporation which is tax-exempt under section 501(c) of the Internal Revenue Code.

METHODS OF HANDLING ACTUAL OR POTENTIAL CONFLICTS OF INTEREST



In every case in which a public official is met with an actual or potential conflict of interest, the official must disclose the conflict. Elected or appointed officials serving on a board or commission must publicly announce the nature of the conflict. The conflict must be recorded in the official minutes of the public body.

A public official need only announce a conflict of interest once during the course of the particular meeting, even though discussion or action may be interrupted. When faced with an actual conflict of interest, a public official must, after disclosing the conflict, refrain from participating as a public official in any discussion or debate on the issue out of which the actual conflict arises or from voting on the issue.

The public official should make certain that the minutes reflect that the public official did not participate in the discussion or vote.

Rule of Necessity: If the official's vote is necessary to meet a requirement of minimum number of votes to take official action, then the official is eligible to vote, but not to participate as a public official in any discussion or debate on the issue out of which the actual conflict arises.

CAVEAT: If voting under the "rule of necessity" would violate the code of ethics (for example, where a vote would constitute "using" the office to obtain financial gain or avoid financial detriment), then the public official may not vote.

When faced with a potential conflict of interest, a public official must announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official. Following the declaration of the conflict, the official may discuss and vote on the matter.

CAVEAT: A public official may not take official action after declaring a potential conflict of interest if such action would violate any provision of the code of ethics.

MEETING AND RECORDS LAW

OREGON PUBLIC MEETINGS LAW

The Public Meetings Law, ORS 192.610–192.690, was enacted by the Oregon Legislature in 1973 and establishes state policy the public is entitled to know how

public organizations operate. Almost all deliberations and decisions of public bodies are open to attendance by interested persons.

The Public Meetings Law apply not only to the state, but also the cities and counties despite any conflicts with their charters, ordinances or other rules. The Public Meetings Law applies to meetings of the “governing body of a public body.” A “public body” is the state or local government council, board, commission, bureau, committee, subcommittee or advisory group.

PUBLIC MEETING

Public Meetings Law defines a meeting as the convening of any governing body “for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter”.

QUORUM REQUIREMENTS

A quorum is reached by the presence of 51% of the number of members of the governing body. A gathering of less than a quorum is not a meeting under the meetings law. The law applies to committees, subcommittees and other advisory groups that are charged by the Council with making recommendations. The recommendations must be the result of formal votes taken at meetings at which a quorum was present.

Before calling the meeting to order, it is the duty of the Chair to know whether a quorum is present. If there is not a quorum, the meeting is called to order, the absence of a quorum is announced, and the meeting either may be adjourned, or may continue only for the purpose of discussing study session items.

Members who are present may use the time for discussion, but no action may be taken. In the absence of a quorum, adjourning and rescheduling the meeting is generally best practice, but there may be situations where proceeding forward just on the study session items may be appropriate. Please confer with the staff liaison for guidance before moving forward without a quorum.

A VOTE FOR A DECISION MAY NOT BE TAKEN IN THE ABSENCE OF A QUORUM.

A recess may be called to provide time to call absent members in hope of obtaining a quorum for an important meeting. A motion may be made to fix the time to which to adjourn, which provides for a continuation of business scheduled for the meeting. The requirement of a quorum serves to protect against an unrepresented action taken by a small number of individuals on

behalf of the entire meeting body. Any actions taken without a quorum can be declared null and void at the next meeting.

NOTICE OF MEETINGS

All Commission and Committee meetings will be noticed 72 hours in advance. Staff liaisons are responsible for the noticing of meetings.

MEETING MINUTES

Minutes must be kept of all standing and ad-hoc commission and committees. The staff liaison will either assign responsibility to a commission member or committee member to take minutes or be responsible for the taking of the minutes. Minutes shall include members present; motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition, results of all votes and the vote of each member by name, the substance of any discussion on any matter, and a reference to any document discussed at the meeting. The City Recorder shall dictate the style of minutes the City produces.

OREGON PUBLIC RECORDS LAW

Oregon Public Records Law represents the public's right to information. Under these laws, the written record of public business is available to any person, regardless of the person's identity, motive, or need, with some important exceptions. Thus, the basic **assumption** of Public Records Law is that every document is subject to a public record request and will be disclosed. Only records that fall under limited categories will be withheld from public disclosure. The burden to prove the exception applies falls on the public body or public official, not on the person asking for the record. Exceptions to Public Records Law are known as "exemptions." Despite the lengthy catalogue of exemptions contained in Public Records Law, it must always be viewed in favor of disclosure, unless the law expressly prohibits disclosure.

Public Records Law (ORS 192.311 to 192.478) applies to all "public bodies," including governing bodies, officers, departments, commissions, etc. Based on the above definition, all City Councils are subject to the Public Records Law and the Law will by extension apply to all departments, committees and agencies of the City.

RECORDS COVERED BY PUBLIC RECORDS LAW

Public Records Law applies to "...every state officer, agency, department, division, bureau, board and commission; every county and City governing body, school district, special district, municipal corporation, and any board, department, commission, Council or agency thereof, and any other public agency of this state." A "public record" is **"any writing that contains information relating to the conduct of the public's business...prepared, owned, used or retained by a public body regardless of physical form or characteristics."** In ORS 192.311(5)(a), "writing" is broadly defined to incorporate all formats, from handwriting to electronic. Handwritten notes taken during Council meetings and all forms of electronic communications including e-mails, so long as the record contains information relating to the conduct of public business are considered public records.

RECORDS RETENTION REQUIREMENTS

Oregon Public Records Law requires that public records must be retained as set forth in the Secretary of State's Record Retention Manual. This manual sets the retention periods based on the information contained within the public record, NOT based on the medium of the record. Nearly every record has a retention period, ranging from one year to permanent. The City Recorder is the City's resource person for questions regarding retention of public records.

DISCLOSURE OBLIGATIONS AND PROCEDURES

Public Records Law requires a designated records officer and a public records disclosure policy. The City Recorder is the City's public records officer and has an established policy for records requests. The records request form is available online on the City's website at <https://ashlandoregon.gov/>.

PUBLIC RECORDS EXEMPTIONS

ORS 192.345 and 192.355 outline the exemptions to Public Records Law. Section 192.501 outlines "conditional exemptions", noting records may be withheld from disclosure "unless the public interest requires disclosure." The City's decision to apply a conditional exemption must indicate that the need for confidentiality outweighs the public interest in disclosure. Conditional exemptions include, but are not limited to, records pertaining to litigation, trade secrets, criminal investigations, personnel examinations, private business operations, real estate

appraisals (prior to acquisition or sale), employee relations or personnel discipline actions.

ORS 192.355 lists additional conditional exemptions for records such as internal advisory communications, information of a personal nature and confidential submissions.

The exemptions are stated in absolute terms and do not require a balancing of interest because the state legislature has already determined that the confidentiality interests outweigh public disclosure interests as a matter of law.

PARLIAMENTARY PROCEDURE

Parliamentary Procedure is the basic method of conducting business. Business is brought before an assembly by means of a motion. The Committee shall replicate the motion format outlined in AMC Chapter 2.04.040(c), and the general governance structure outlined by Roberts Rules of Order, Newly Revised.

BASIC PRINCIPLES

1. All members must receive a notice of the meeting no less than 72 hours prior to the meeting through the City's adopted noticing process
2. There must be quorum present at the meeting
 - If you can not attend a meeting the Commission or Committee member will notify the staff liaison five days in advance of the meeting
 - Staff Liaisons will perform a quorum check three days prior to the meeting
 - If there is no quorum the Chair, with the assistance of the Staff Liaison will determine if the meeting will be cancelled or held for discussion purposes (no decision shall be made without a quorum)
3. There can be only one main motion or resolution before the assembly at a time
4. Motions have a definite and logical order of precedence
5. Every member has the right to express his/her opinion fully and freely without interruption, and must be given the opportunity to do so
6. A question must be decided by taking a vote, decided by the majority, and that vote becomes the decision of the assembly; a subject, once decided, may not be presented again in the same form
7. Action cannot be taken outside the scope of the organization's object or purpose

QUORUM

Before calling the meeting to order, it is the duty of the Chair to know whether a quorum is present. See the Oregon Public Meetings Law Section of this handbook for additional information regarding quorum.

MOTIONS

A motion is the means by which business is brought before an assembly. A motion is sometimes referred to as "the question". The following steps are essential in handling a motion.

TO OBTAIN THE FLOOR

1. Address the Chair by proper title
2. Receive recognition from the Chair
3. State the motion by saying "I move that..."
4. Another member seconds the motion
5. Chair repeats the motion and then says "It has been moved and seconded that (motion)...Is there any discussion?"
6. Members discuss the motion
7. When discussion ceases, Chair requests the roll call
8. Chair announces the result of the vote

A motion is a formal proposal and once made and seconded, the Chair places the question before the meeting body by restating the motion. Exact wording is of the utmost importance in recording motions and amendments. Motions require a second before being opened for discussion or being put to a vote. If there was no second to the motion, the motion dies.

TYPES OF MOTIONS

Main Motion: A main motion is a motion brought before the body for its consideration on a particular subject. Only one main motion can be considered at a time.

Amendment: There are three basic processes of an amendment:

- (1) Insert a word or add words
- (2) Strike out words or a paragraph
- (3) Combine both of these.

An amendment needs a second and is debatable. It needs a majority vote to pass. To amend a pending motion is the most widely used form of a subsidiary motion. An amendment must be germane or closely related to the subject of the main motion.

Second Amendment: A secondary amendment must relate to the primary amendment and cannot introduce a totally different subject. The second amendment must be made by motion and seconded. After discussion, Chair takes the vote on the second amendment first; announces the vote; and proceeds to take the vote on the primary amendment; and then takes the vote on the main motion as amended if the amendments pass.

Previous Question: Previous question is the motion used to bring the body to an immediate vote on one or more pending questions. It closes debate and stops further amendment. It is out of order when another has the floor. It must be seconded and is not debatable and non-amendable. Previous question requires a two-thirds vote (super majority). If a motion for the previous question fails to gain the two-thirds vote, debate continues as if the motion had not been made.

Division of the Assembly: When a member doubts the correctness of a vote taken by voice, he or she may call for division of the assembly by calling out "Division". No second is needed, and the Chair must immediately take the vote again and ask the member to either raise their hands or to rise.

Reconsider: A motion to reconsider is in order during the meeting after a motion has been acted upon, either at the same meeting or the next meeting. It must be made by a member who voted on the prevailing side, i.e. if a motion fails to pass, reconsideration must be moved by one who voted against the motion. It is debatable and requires a majority vote.

Point of Order: When a member believes the parliamentary rules are being violated, he or she can make a "point of order" by calling upon the Chair to request the parliamentarian for the rule which the Chair should enforce.

Division of the Question: If a question contains more than one part, each of which could stand as a separate question, a motion may be made to divide the

question and vote on each part separately. The motion to divide requires a second and may be amended but is not debatable.

Lay on the Table: The motion to “lay on the table” enables the Board or Commission to lay the pending question aside temporarily in such a way that (1) there is no set time for taking the matter up again; and (2) its consideration can be resumed at the will of the majority. By adopting the motion to “lay on the table”, a majority has the power to halt consideration of the question immediately without debate.

This motion takes precedence over all subsidiary motions. It is out of order when another has the floor. It must be seconded and is non-debatable and non-amendable, but it is appropriate for the maker of the motion to explain the reasons for the motion. It requires a majority vote.

Take from the Table: When a matter is taken from the table, everything is in the same condition as it was when laid on the table. A motion that has been taken from the table can be laid on the table again when an unforeseen matter requires immediate attention. If a matter is laid on the table, it remains there until taken from the table or until the close of the next regular meeting. If not taken up by that time, the motion dies.

To consider another motion on the same subject, it is necessary first to take the question from the table and then move the new proposal as a substitute or to make whatever other motion is appropriate to the cases.

Adjourn: This means to close the meeting immediately. It requires a second and it is non-debatable and non-amendable. It requires a majority vote. Members should not leave their seats until this motion is made. If an hour has been set by adoption of the Board or Commission, no motion to adjourn is necessary when the hour arrives. The Chair declares the meeting adjourned. When it appears there is no further business, the Chair can ask if there is any further business to be considered, instead of waiting for a motion. If there is no response, the Chair can say, “Since there is no further business, the meeting is adjourned.”

Fix the Time to Which to Adjourn: The object of this motion is to set the time and place for another meeting to continue business of the session with no effect on when the present meeting will adjourn. It is appropriate to use this motion when

there are no existing provisions for another meeting. It must be seconded and is debatable. It can be amended and a vote on it can be reconsidered.

AMENDING A MOTION

Changing the wording of a motion is amending it. Sometimes, starting over can eliminate the need to amend a motion. However, if the matter becomes more complex or significant time has been spent considering alternatives, following the rules for amending a motion ensure a fair and orderly process for making and deciding on a comprehensive motion. The main motion and some secondary motions can be amended. Here are some rules to remember:

- ✓ The motion to amend requires recognition and a second and must be stated by the Chair. It is debatable and may be amended. The amendment must be voted on; then another amendment is in order, each acted on in order. The fact that the amendment has been acted on does not mean that the main motion is also acted on. After all amendments are acted on, the final vote is on the main motion as amended.
- ✓ If the amendment has failed to carry, it cannot be made again.
- ✓ An amendment improves the main motion. The purpose is to express more clearly and definitely the intent of the motion; therefore an amendment cannot change one form into another.
- ✓ An amendment is debatable in all cases except where the motion to be amended is un-debatable.
- ✓ An amendment is out of order if it nullifies the proposition or if it makes it dilatory.
- ✓ An amendment is out of order if it strikes out words NOT consecutive or if it strikes out and inserts in separate places.
- ✓ No amendment is in order that increases the modification of the rule to be amended.
- ✓ The word "Substitute" is used correctly when referring to a paragraph not to a word. A completely reworded motion is a substitute.

WAYS TO AMEND A MOTION

- ✓ By adding words at the end
- ✓ By inserting a word or consecutive words
- ✓ By striking out a word or consecutive words

- ✓ By striking out a word or consecutive words and inserting a word or consecutive words
- ✓ By substitution (replacing the motion with a similar motion)

Correct way to state amendment:

"I move to amend the motion by (one of the ways listed above)..."

MOTIONS NOT SPECIFICALLY CLASSIFIED

There are some motions that are not specifically classified. The ones most commonly used are:

- ✓ *To make a nomination:* This is a motion not formally moved, but an assumed motion "That...be elected." A member rises and, without recognition, says, "I nominate..." No second is required but as an assumed motion, it is debatable.
- ✓ *To fill a blank:* This is closely related to the motion to amend. While there can be only one primary and one secondary amendment pending at the same time, there are times when a number of choices would have more advantages, such as, selecting a date, time, place, amount, number of persons, or names, or places.
- ✓ A member may move that a blank be spent for books: or a blank may be created by a motion to strike out a date, time, place, amount, number, names, etc. and insert a blank. If the motion to strike out and insert a blank has carried, then any number of members may suggest, without a second, a different date, time, amount, etc. Each suggestion can be debated if necessary. When all suggestions have been made, a vote is taken on the suggestions until one suggestion receives a majority vote, then that suggestion is placed in the blank and the remaining suggestions are not voted upon. The motion with the blank filled is then considered.
- ✓ 3. *Call up the motion to reconsider:* If the Chair neglects to announce the reconsideration of a motion, any member may 'call up' the consideration by rising and obtaining the floor and saying, "I call up the motion to reconsider the vote taken on the motion (state the motion)..." No second is necessary. The Chair then proceeds to state the motion by saying, "The motion to reconsider the vote on (state the motion)...is called up. Those in favor of reconsidering the vote on the motion will please say Aye." pause "Those opposed will please say no." If the Ayes have it, the motion is open



to debate (if it is a debatable motion). After debate, a vote is taken on the motion that was reconsidered.

| Commission or Committee | Guiding Documents |
|--------------------------------|--------------------------------------------------------------------|
| City Council | Charter, Ashland Municipal Code, Comprehensive Plan, Land Use Code |

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|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Ashland Parks & Recreation Commission | Charter, Ashland Municipal Code, Comprehensive Plan, Land Use Code |
| Ashland Senior Advisory Committee (ASAC) | Charter, Ashland Municipal Code, Comprehensive Plan, Land Use Code |
| Recreation Division Advisory Committee (RDAC) | Charter, Ashland Municipal Code, Comprehensive Plan, Land Use Code |
| Trails Advisory Committee (TAC) | Charter, Ashland Municipal Code, Comprehensive Plan, Land Use Code |
| Planning Commission | Ashland Municipal Code, Comprehensive Plan, Land Use Code |
| Climate & Environment Policy Advisory Committee (CEPAC) | Ashland Municipal Code, Climate & Energy Action Plan (CEAP) |
| Historic Preservation Advisory Committee (HPAC) | Ashland Municipal Code, |
| Housing & Human Services Advisory Committee (HHSAC) | Ashland Municipal Code |
| Public Arts Advisory Committee (PACC) | Ashland Municipal Code |
| Social Equity and Racial Justice Advisory Committee (SERJAC) | Ashland Municipal Code |
| Transportation Advisory Committee (TAC) | Ashland Municipal Code, Transportation Plan |
| Building Appeals Board | Ashland Municipal Code, Land Use Code, https://ashland.municipal.codes/AMC/15.04.200 |
| Demolition Review Board | Ashland Municipal Code, Land Use Code, https://ashland.municipal.codes/AMC/15.04.200 |