



OFFICIALS HANDBOOK

Elected & Appointed

2023 | *November*



Elected & Appointed Officials Handbook

Table of Contents

Introduction	3
The Athenian Oath	3
Brownsville Oath of Office	3
Section I. Elected & Appointed Officials Conduct with One Another	4
In Public Meetings.....	4
1. <i>Practice Civility & Decorum.</i>	4
2. <i>Honor the Role of the Mayor in Maintaining Order.</i>	4
3. <i>Demonstrate Effective Problem-Solving Approaches.</i>	4
In Private Encounters	4
4. <i>Continue Respectful Behavior in Private.</i>	4
5. <i>Be Aware of the Insecurity (Non-Confidentiality) of Written Notes, Voicemail, and Email.</i>	4
6. <i>Even Private Conversations May Have Public Presence.</i>	4
7. <i>Quick Tips.</i>	5
Section II. Elected and Appointed Officials Conduct with City Staff	5
1. <i>Treat all Staff as Professionals.</i>	5
2. <i>Direct Administrative and Operational Questions to City Management.</i>	5
3. <i>Never Publicly Criticize an Individual Employee.</i>	5
4. <i>Avoid Involvement in Administrative Functions.</i>	5
5. <i>Check with City Staff on Correspondence Before Taking Action.</i>	6
Section III. Officials Conduct with The Public	6
In Public Meetings.....	6
1. <i>Be Welcoming to Speakers and Treat Them with Dignity and Respect.</i>	6
2. <i>Exercise Active Listening.</i>	6
3. <i>Ask for Clarification, Avoid Debate and Argument With the Public.</i>	6
4. <i>Avoid Personal Attacks.</i>	6
In Unofficial Meetings	6
5. <i>Never Make Promises on Behalf of the Council or Staff.</i>	6
6. <i>Speak with One Voice.</i>	7
7. <i>Make no Personal Comments About Other Council Members.</i>	7
The City of Brownsville's Principles of Proper Conduct	7



Elected & Appointed Officials Handbook

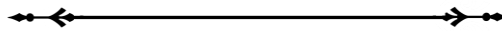
Section IV. Corrective Action Procedures	7
A. <i>Responsible Officers</i>	7
B. <i>Censure</i>	8
C. <i>Performance Correction Measures</i>	8
Section V. Meeting of Council	8
A. <i>Compliance</i>	8
B. <i>Meeting Schedule</i>	8
C. <i>Time of Meeting</i>	8
D. <i>Special Meetings</i>	8
E. <i>Executive Sessions</i>	9
F. <i>Work Sessions</i>	9
G. <i>Attendance</i>	9
Section VI. Agenda	9
Section VII. Minutes	10
Section VIII. Order of Business	10
Section IX. Discussion of Business	11
Section X. Conduct of Business	11
A. <i>Presiding Officer</i>	11
B. <i>Absence of Presiding Officer</i>	12
C. <i>Motion Procedure</i>	12
D. <i>Motion to Postpone or Table</i>	12
E. <i>Point of Order</i>	12
Section XI. Conduct of Hearings	12
A. <i>Scope of Rules</i>	12
Nature and General Conduct of Hearing.....	12
Challenging Participation by a Councilor.....	13
B. <i>Order of Procedure</i>	14
Section XII. Voting	14
Section XIII. Ethics code	15
Section XIV. Legal Advice	16
Section XV. Confidentiality	16
Section XVI. Social Media	16



Elected & Appointed Officials Handbook

Section I. Guidelines for Respectful Interactions.....	16
Section II. Reasons for Removing a Post or Comment	16
Section XVI. Remote Attendance.....	18
Section I. Definitions of Electronic Means	18
Section II. Reasons for Requesting Remote Attendance.....	18
Section III. Limitations of Electronic Attendance	18

CODE OF CONDUCT & COUNCIL RULES PROCEDURE



Introduction

This handbook is written as general conduct guidelines for the elected and appointed officials who serve the City of Brownsville. When the term Council is used, it is often referring also to Board, Committee, or Commission of the City. The Brownsville City Council and all appointed officials shall hold themselves accountable to the following principles and guidelines for Code of Conduct. Examples used for illustrative purposes are not all inclusive of situations that could arise during the general discourse of City business.

The Athenian Oath

The Athenian Oath was recited by the citizens of Athens, Greece over 2,000 years ago. It is frequently referenced by civic leaders in modern times as a timeless code of civic responsibility. The Athenian Oath reads as follows:

"We will never bring disgrace on this our City by an act of dishonesty or cowardice. We will fight for the ideals and Sacred Things of the City both alone and with many. We will revere and obey the City's laws and will do our best to incite a like reverence and respect in those above us who are prone to annul them or set them at naught. We will strive unceasingly to quicken the public's sense of civic duty. Thus, in all these ways, we will transmit this City not only, not less, but greater and more beautiful than it was transmitted to us."

Brownsville Oath of Office

I, *Councilor Name*, do solemnly swear that I will support the constitution and laws of the United States and of Oregon, that I will, to the best of my ability, faithfully perform the duties of Councilor for the City of Brownsville, during my continuance therein, so help me God. If the person affirms, instead of the last clause of the oath, there shall be stated: "And this I do affirm under the pains and penalties of perjury."



Elected & Appointed Officials Handbook

Section I. Elected & Appointed Officials Conduct with One Another

This Council, Staff and Appointed Officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, each Councilor has chosen to serve in public office in order to preserve and protect the present and the future of the City of Brownsville. This common goal should be acknowledged even as Councilors may “agree to disagree” on contentious issues.

In Public Meetings

1. *Practice Civility & Decorum.* Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, council members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.
2. *Honor the Role of the Mayor in Maintaining Order.* It is the responsibility of the Mayor to keep the comments of the council members on track during all meetings. Council members should honor efforts by the Mayor to focus discussion on current agenda items. If there is a disagreement about the agenda or the Mayor’s actions, those objections should be voiced politely and with reason.
3. *Demonstrate Effective Problem-Solving Approaches.* Councilors have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

In Private Encounters

4. *Continue Respectful Behavior in Private.* The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.
5. *Be Aware of the Insecurity (Non-Confidentiality) of Written Notes, Voicemail, and Email.* Technology allows words written or said without much forethought to be distributed wide and far. *Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speakerphone in a full office? What would happen if this Email message were forwarded to others?* Written notes, voicemail messages and Email should be treated as potentially “public” communication.
6. *Even Private Conversations May Have Public Presence.* Elected and appointed officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations



Elected & Appointed Officials Handbook

will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings will be noticed.

7. *Quick Tips.*

- a. Preserve dignity and self-respect for self and others.
- b. Listen for the message; even if you don't agree with it.
- c. Respect others.
- d. Express your independent perspective.
- e. Participate thoughtfully.
- f. Be willing to delegate and let others make decisions.
- g. Be a community leader.
- h. Control all you should, not all you can.
- i. Use few words after much thought rather than many words after little thought.
- j. Seek to create change and overcome the influence of conventional wisdom.
- k. Recognize when you need outside experts.
- l. Recognize the efforts of others.
- m. Continuously pursue excellence.

Section II. Elected and Appointed Officials Conduct with City Staff

Governance of the City of Brownsville relies on the cooperative efforts of all officials, who set policy, and City Staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

1. *Treat all Staff as Professionals.* Clear, honest communication that respects the abilities, experience and dignity of each individual is expected.
2. *Direct Administrative and Operational Questions to City Management.* Questions of Staff and/or requests for additional information should be directed only to the City Administrator or their designee. The City Administrator should receive a copy of any written request for information when applicable. Materials supplied to an official in response to a request will be made available to all members of the body so that all have equal access to information.
3. *Never Publicly Criticize an Individual Employee.* Officials should never express concerns about the performance of an employee in public or to the employee directly. Comments about staff performance should only be made to the City Administrator through private correspondence or conversation.
4. *Avoid Involvement in Administrative Functions.* Officials must not attempt to influence Staff on the making of appointments, awarding of contracts, selecting of consultants, or other such administrative functions. If the project is brought to the Council or other responsible body, then officials may, of course, discuss these matters



Elected & Appointed Officials Handbook

and issues at that appropriate time.

5. *Check with City Staff on Correspondence Before Taking Action.* Before sending correspondence, council members should check with the City Administrator to see if an official City response has already been sent or is in progress.

Section III. Officials Conduct with The Public

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual officials toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

In Public Meetings

1. *Be Welcoming to Speakers and Treat Them with Dignity and Respect.* Because personal concerns are often the issue of those who come to present to the various public bodies, officials should remember that how they treat the speaker will either help them relax or push their emotions to a higher level of intensity. Please treat others as you would want to be treated.
2. *Exercise Active Listening.* It is disconcerting to speakers to have officials not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as “smirking,” disbelief, anger or boredom.
3. *Ask for Clarification, Avoid Debate and Argument With the Public.* A speaker should be allowed to complete their presentation before the Mayor, Chair or officials start asking questions. However, an official may ask the Mayor or Chair for a “point of order” if the speaker is off the topic or exhibiting behavior or language the official finds inappropriate. If speakers become flustered or defensive by questions, it is the responsibility of the Mayor or Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by officials to members of the public should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker.
4. *Avoid Personal Attacks.* Officials should be aware that their body language and tone of voice, as well as the words they use, can appear intimidating, aggressive or confusing. Focus on maintaining self-control.

In Unofficial Meetings

5. *Never Make Promises on Behalf of the Council or Staff.* It is inappropriate to overtly or implicitly promise official action, or to promise Staff will do something



Elected & Appointed Officials Handbook

specific such as fix a pothole, replace flowers, fix a leak, etc.

6. *Speak with One Voice.* Officials will frequently be asked to explain a Council or a Board action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of the facts or City policies as they relate to the aforementioned action. Objectively present the collective decision or direction, even when you may not agree. If you feel the need to express your own opinion, state it in terms such as: "I would have preferred "x" but the Council or Board wanted "y" so that's what we will be doing." Explaining official decisions, without giving your personal criticism of the official actions, will serve to strengthen the community's image of the City of Brownsville.
7. *Make no Personal Comments About Other Council Members.* It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other officials. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by elected and appointed officials of the City. **It is a serious and continuous responsibility.**

The City of Brownsville's Principles of Proper Conduct

- ★ Keep promises.
- ★ Be dependable.
- ★ Build a solid reputation.
- ★ Participate and be available.
- ★ Demonstrate patience.
- ★ Show empathy.
- ★ Hold onto ethical principles under stress.
- ★ Always listen.
- ★ Study thoroughly.
- ★ Maintain integrity.
- ★ Overcome discouragement.
- ★ Go above and beyond, time and time again.
- ★ Show respect for one another as individuals.
- ★ Honor the validity of different opinions.
- ★ Uphold the democratic process.
- ★ Respect for the community we serve.

Section IV. Corrective Action Procedures

- A. *Responsible Officers.* The Mayor, Council President, City Administrator and/or the City Attorney shall be responsible for the enforcement of the rules and provisions contained herein. Any member may bring concerns to the above referenced officers. Any of the officers may employ the assistance of any Councilor for this purpose. Upon



Elected & Appointed Officials Handbook

receiving an official complaint or witnessing inappropriate conduct, a combination of the above officials shall take administrative action. Administrative action shall include the serving of verbal warnings, issuing written reprimands or recommending Council take official legislative action in the form of resolution in an effort to correct the offending behavior.

- B. *Censure.* The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Councilor act in any manner constituting a substantial violation of these rules or other general laws, the Council, by majority vote, may discipline that Councilor to the extent provided by law, including public reprimand. To exercise such inherent right, the Council has the right to investigate the actions of any member of the Council. Such investigation shall be referred to the Council to discuss any finding that reasonable grounds exist that a substantial violation has occurred. The alleged offender must be notified of a finding that reasonable ground exists that a substantial violation has occurred. The accused shall have the right to present a defense to the allegations. Upon finding that a substantial violation has occurred, the Council may, upon vote of the balance not accused, proceed with censure or impose a proper sanction.
- C. *Performance Correction Measures.* The responsible officers shall determine the appropriate measure to deal with the inappropriate behavior exhibited by the official. Depending on the severity of the offense, the responsible officers shall determine which measure(s) to employ. They may decide to verbally warn the member, provide a written warning, move for Council legislative action or cause the member (if appointed) to be removed from office. Councilors may not be removed from office by the Council, however anyone can start a recall of any official according to State Law. All corrective measures taken shall be reported to the affected body and to the Council.

Section V. Meeting of Council

- A. *Compliance.* All meetings of the Council shall comply with the Oregon State Public Meetings Law, which is hereby incorporated by reference into these rules.
- B. *Meeting Schedule.* The Council will meet in regular session on the fourth Tuesday of each month unless Council cancels or reschedules the meeting.
- C. *Time of Meeting.* Regular sessions will convene at 7:00 p.m. All regular sessions will be adjourned no later than 10:30 p.m. unless extended by consent of each and every Councilor present at that meeting.
- D. *Special Meetings.* Special meetings may be called by the Mayor or three or more Councilors. Twenty-four (24) hour notice shall be given to the remaining Councilors, the City Administrator and the Public. Public notice shall be given by posting said notice on the front door of City Hall. The notice shall specify the meeting time and place and a description of the business to be discussed at the meeting. If a special meeting is called to deal with an emergency involving danger to life or property, notice



Elected & Appointed Officials Handbook

is not required. No general legislation may be considered at a special meeting except that for which the meeting is called.

- E. *Executive Sessions.* An executive session (a meeting closed to the public) may be held in accordance with the Public Meetings Law. The Mayor may call any regular, special or emergency meeting into executive session by citing the specific provision of ORS 192.660 which authorizes the session. Representatives of the news media shall be allowed to attend executive sessions. The Mayor shall instruct any media representatives present not to disclose the substance of any discussion during executive session. No final decision shall be made in executive session. To make a final decision, the presiding officer shall either call the meeting into open session or place the decision on the agenda of a future open session.
- F. *Work Sessions.* Work Sessions of Council shall be held in accordance with Oregon Public Meetings Laws and shall be called by either the Mayor, City Administrator or three Councilors whenever circumstances require such a session.
- G. *Attendance.* Councilors shall inform the City Administrator if they are unable to attend any meeting. Additionally, the Mayor shall inform the Council President, as well as the City Administrator, regarding any absence by the Mayor. Excessive or unexcused absence can result in corrective action by Council.

Section VI. Agenda

The City Administrator shall prepare an agenda of the business to be presented at a regular Council meeting. The items on the agenda should follow the formal order of business prescribed in these rules. The City Administrator, Mayor, Council members or the Public may request that a matter be placed on the agenda. The City Administrator shall have the discretion of placing an item on the agenda for the upcoming meeting or a subsequent meeting because of time constraints or time needed for compilation of materials. Requests for placement of an item on the agenda must be received by the City Administrator by 5:00 p.m. on the Wednesday prior to a regularly scheduled meeting.

An item may be added to the agenda at the beginning of any meeting by the City Administrator, the Mayor or any Councilor subject to approval by a majority of the Council present at the meeting.

Purpose: In order to maintain professionalism, respect, and public clarity, Council agrees to the following:

Council Process

▶ Regular Session Meetings

- ★ Under Agenda Item 7. Department Reports, G. Council
 - Members reporting under this item on Council agenda shall only report on liaison or committee assignments.



Elected & Appointed Officials Handbook

- ★ Under Agenda Item 13. Council Questions & Comments
 - Councilors commenting on non-agenda items will have a three-minute time limit.
 - Councilors shall provide Staff & Council with a written preview of non-agenda items, as part of the Council agenda packet, as a courtesy.
- ★ Conducting Personal Advocacy Meetings
 - Councilors or officials of the City may from time to time decide to conduct a public meeting that expresses their personal perspectives and beliefs. These types of meetings may cause public confusion. To remediate any public confusion, officials must disclose the nature of the meeting with anyone attending the meeting in writing through a Statement of Purpose. The Statement of Purpose should be posted for everyone to see.
- ★ Require a Statement of Purpose that is shared with officials and Staff prior to any such meeting.

Section VII. Minutes

- A. Written minutes of all open regular and special meetings shall be prepared by a person designated by the City Administrator and shall be approved by the council at the next meeting and made available for public inspection once approved. Minutes shall be signed by the presiding officer with that signature attested to by the City Administrator. All meetings shall be recorded. The recordings shall be kept in accordance with State Law.
- B. Written minutes shall include the names of all Councilors present, all motions, resolutions, orders, ordinances and measures proposed and their disposition, the results of all votes, with the vote of each Councilor by name unless the vote is unanimous, the substance of the discussion of any matter and references to any documents discussed.

Section VIII. Order of Business

- A. Regular meetings shall be conducted in the following order of business, subject to the right of the Mayor, with Council consent, to alter the order of business:
 1. **Call to Order**
 2. **Roll Call**
 3. **Approval of Minutes from Previous Meeting**
 4. **Public Hearings** – All public hearings may be subject to notice requirements as listed in the Brownsville Municipal Code and State Law, unless there are none, and then a Notice of Public Hearing shall be placed in a local newspaper a



Elected & Appointed Officials Handbook

minimum of one time within the seven (7) days prior to the meeting. A copy of this Notice of Public Hearing shall also be posted at City Hall during that time.

5. **Citizen Input** – The purpose of this item is to allow citizens to address the Council on matters related to city government and properly the object of Council consideration. The citizen shall move to the podium, state their name and address for the public record and be allotted a three (3) minutes per citizen. Unless the Mayor, prior to the Citizen Input period, decides to allocate more time. The Council shall not act on issues raised during this portion of the agenda.
6. **Departmental Reports** – Reports by Staff members as deemed appropriate by the City Administrator.
7. **Legislative Actions** – Adoption of Ordinances and Resolutions.
8. **Action Items** – Items requiring a vote of the Council, other than the adoption of Ordinances and Resolutions.
9. **Discussion Items** – Updates from City Administrator concerning on-going projects, discussion of proposed policy changes, discussion of proposed projects, etc.
10. **Adjournment**

Section IX. Discussion of Business

- A. The right to discuss the business before the Council is reserved exclusively for the Mayor, Councilors, the City Administrator and the City Attorney, with the following exceptions:
 1. Public Hearings; and,
 2. Citizens wishing to speak on non-agenda items.
- B. The presiding officer shall recognize any Staff member or member of the audience for discussion of any matter before the Council at their discretion.
- C. No person shall be permitted to speak or present evidence until recognized by the presiding officer and given permission to speak or present their evidence. All comments, evidence or questions from the floor will be addressed to the presiding officer. In the case of questions, the presiding officer will request input from appropriate sources such as Staff, Councilors, or Presenters. Citizens shall be limited to three (3) minutes unless they are a part of the official agenda for the meeting in an effort to keep orderly meetings.

Section X. Conduct of Business

- A. **Presiding Officer.** The Mayor shall preside at all meetings of Council. In the absence of the Mayor, the Council President shall preside. The Council President shall be



Elected & Appointed Officials Handbook

elected at the first meeting of each odd-numbered year per the Brownsville Municipal Code.

- B. *Absence of Presiding Officer.* In the absence of the Mayor and the Council President, the Council shall elect a Councilor to serve as presiding officer as its first order of business. Any Councilor may call a meeting to order for the purpose of electing a presiding officer.
- C. *Motion Procedure.* When a motion is moved and seconded, it shall be stated by the Presiding Officer for discussion. A motion once made may not be withdrawn by the mover without the consent of the Councilor seconding it. No Councilor shall be allowed to speak more than once on a particular question until every other Councilor has had an opportunity to do so.
- D. *Motion to Postpone or Table.* A motion to postpone or table may be debated and amended and may specify a time when the question will be considered. A motion to table precludes all amendments or discussion and if the motion prevails, consideration of the question may be resumed only upon the motion of a member voting with the majority.
- E. *Point of Order.* Any member may raise a point of order at any time and the Presiding Officer shall determine all points of order, subject to the right of any Councilor to appeal the decision to the full Council.

Section XI. Conduct of Hearings

- A. *Scope of Rules.* The rules contained in this section shall govern the conduct of administrative and quasi-judicial hearings held by the Council including, but not limited to, those held pursuant to land use matters of the City.

Nature and General Conduct of Hearing.

1. The Council when conducting any such hearing shall afford persons entitled under the Brownsville Municipal Code, such as the land use ordinances, to notice of hearing, an opportunity to be heard, to present and rebut evidence to an impartial tribunal, and to have a decision based on substantial evidence.
2. No person in attendance shall be disorderly, abusive or disruptive of the orderly conduct of the hearing and any person may be removed from the hearing for such conduct.
3. No person offering testimony shall speak more than once without obtaining permission from the presiding officer.
4. No person shall testify without first standing, receiving recognition from the Presiding Officer and stating his or her name and residence or business address.
5. No person shall present irrelevant, immaterial or unduly repetitious testimony or



Elected & Appointed Officials Handbook

evidence; provided, however, that reports and documents prepared by City personnel shall be deemed relevant, material and the weight or competency thereof shall be determined by the Council, Board, Committee or Commission.

6. There shall be no audience demonstrations, such as applause, cheering, display of signs, or other conduct disruptive to the hearing.
7. The Presiding Officer, Councilors, City Administrator, City Attorney and with the approval of the Presiding Officer, any other employee of the City, may question and cross-examine any person who testifies.

Challenging Participation by a Councilor

8. Any proponent, opponent of, or other party interested in a matter to be heard by the Council may challenge the qualification of any Councilor to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Councilor's bias, prejudice, personal interest, or other facts from which the party has concluded that the Councilor will not participate and make a decision in an impartial manner.

★ Such challenge must be made prior to the commencement of the public hearing and shall be incorporated into the record of the hearing.

9. No Councilor shall participate in discussion or vote on the matter when for any reason the Councilor determines he or she cannot participate in the hearing and decision in an impartial manner.
10. No employee of the City who has a financial or other private interest shall participate in discussion with, or give an official opinion to, the Council on the matter without first declaring for the record the nature and extent of such interest.
11. The general public has a right to have Councilors free from pre-hearing or ex parte contacts on matters heard by them. Council also recognized that a public right is free access to public officials on any matter. Therefore, Councilors shall reveal any significant pre-hearing or ex parte contacts with regard to any matter as early as possible under the circumstances in the hearing on the matter. If such contacts have impaired the Councilors' impartiality or ability to vote on the matter, the Councilor shall so state reasons for the record and shall abstain from voting on the matter.
12. Notwithstanding any provision of this or any other rule:
 - a. An abstaining or disqualified Councilor may be counted for purposes of forming a quorum; and
 - b. A Councilor may represent himself or herself, a client or any other member of the public at a hearing; provided, that said Councilor abstains from the vote on the matter, removes himself or herself from the Council area and



Elected & Appointed Officials Handbook

joins the audience, and makes full disclosure of his/her status and position at the time of addressing the Council.

- B. **Order of Procedure.** The Presiding Officer, in the conduct of the hearing, shall comply with the appropriate City ordinance and/or State law for specific types of hearings so regulated. For administrative hearings not subject to other City ordinances or State law, the hearing will be conducted in the following manner:
1. **Commence the Hearing.** Announce the nature and purpose of the hearing and summarize the rules for the conduct of the hearing.
 2. **Call for Abstentions.** Any Councilor announcing a decision to abstain shall identify the reasons for abstaining and shall not participate in discussion of the matter or vote on the matter.
 3. **Staff Report.** The City Administrator, or designee, shall summarize the nature of the matter, explain any graphic or pictorial displays which are a part of the record, and provide such other information as may be requested by the Council.
 4. **Written Communications.** Written communications addressing any matter before the Council shall be received by the City by 5:00 p.m. on the Wednesday immediately preceding a regularly scheduled Council meeting unless, for good cause, the Council waives the time period by vote or consensus of Council.
 5. **Audience Participation.** Those present wishing to speak in favor of the proposed action will be allowed to speak, followed by those opposed to the proposed action.
 6. **Close of Hearing and Deliberation by Council.** The Presiding Officer shall conclude the hearing and the Council shall deliberate the matter. The Council shall either make its decision or continue its deliberations to a subsequent meeting, the time and place of which must then be announced. The subsequent meeting shall be for the purpose of continued deliberation, and the Presiding Officer shall not allow additional submission of testimony, except upon approval by the Council.

Section XII. Voting

- A. **Requirement.** The concurrence of a majority of those present and voting at a meeting, provided that a quorum is present, is required to determine any matter before the Council. Each Councilor present must vote on all questions before the Council unless the member has a conflict of interest which would disqualify the member from voting. The Mayor is a voting member of Council by authority of Chapter IV of the City Charter. If a member abstains, the reasons for the abstention shall be entered in the record.
- B. **Roll Call Vote.** At the request of any Councilor, or as a requirement of any ordinance, any question shall be voted on by roll call.



Elected & Appointed Officials Handbook

- C. **Tie Vote.** In the case of a tie vote on any proposal the proposal shall be considered lost.
- D. **Motion to Reconsider.** A motion to reconsider any action may be made only at the same meeting where the action was taken, by a Councilor on the prevailing side of the question. Any Councilor may make a motion on the same question at any subsequent meeting.
- E. **Record of Votes.** Unless the vote is unanimous, the ayes and nays of each Councilor shall be entered in the minutes.

Section XIII. Ethics code

- A. Councilors shall review and be bound by the requirements of the State Ethics Law dealing with use of public office for private financial gain. Councilors shall give public notice of any potential conflict of interest and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Councilors 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. Violation of Council rules in fact or intent;
 - 4. Appointing relatives, clients or employees to 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. Participating in decisions of Boards and Commissions where there is a possibility of appeal of the matter to the Council;
 - 9. Expressing an opinion which is contrary to the official position of the Council without so stating.
- B. Councilors shall conduct themselves so as to bring credit upon the government of the City by respecting the rule of law, ensuring non-discriminatory performance of public services, being informed concerning the matters of Council consideration and abiding by all decisions of the Council, whether or not the member voted on the prevailing side.



Elected & Appointed Officials Handbook

Section XIV. Legal Advice

Requests to the City Attorney for advice requiring legal research shall not be made by a member of the Council except with the concurrence of the Council. Before requesting research or other action by the City Attorney, the Council is encouraged to consider consulting with the City Administrator to ascertain whether the request or action can be accomplished more cost-effectively by alternate means. Outside a Council meeting, a Councilor should make requests of the City Attorney through the City Administrator. Exceptions to this are issues related to the performance of the City Administrator. The City Attorney shall in either case provide any written response to the full Council and the City Administrator.

Section XV. Confidentiality

Elected and Appointed Officials shall keep all written materials provided to them on matters of confidentiality under law in complete confidence to ensure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other officials, the City Administrator or City Attorney.

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 Councilor will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.

Section XVI. Social Media

Council members may choose to welcome public contributions on various social media platforms. Members should strive to encourage friendly and respectful dialogue and should always be ever mindful of their position in the community and hold themselves to a higher standard for all personal conduct. The following guidelines should be used as examples by its members for the good of the order:

Article I. Guidelines for Respectful Interactions

- ★ Engage all content professionally.
- ★ Be mindful of public perception.
- ★ Encourage public to attend Council & other public meetings.
- ★ Share procedures for getting on meeting agendas.
- ★ Guide people to the City website for more information and content.
- ★ Guide the public to the proper channels for engaging Council in meaningful dialogue.

Article II. Reasons for Removing a Post or Comment



Elected & Appointed Officials Handbook

- ★ Off subject or out of context comments or posts.
 - ★ Threatening, harassing or discriminatory comments or posts.
 - ★ Content demeaning in nature.
 - ★ Content containing profanity.
 - ★ Content containing sexual statements and/or images.
 - ★ Content revealing sensitive personal information.
 - ★ Contains content that promotes discrimination.
 - ★ Incites or promotes violence or illegal activities.
 - ★ Content that could compromise individual or public safety.
-

The City advises all officials of the organization to observe these digital participation guidelines when participating in online conversations regarding the City of Brownsville.

Guidelines | Core Principles

1. Honesty about who you are.
2. Clarity that your opinions are your own.
3. Respect & humility in all communication.
4. Good judgement in sharing only public information.
5. Awareness that what you say is permanent.

Make it clear that the views expressed are yours. Somewhere on your platforms include the following statement: “I am an official of the City of Brownsville, but this is my own opinion and not the opinion of the City.

You speak for yourself, but your actions reflect on the City. Realize that people will form an opinion based on your behavior online.

Disclosure. Do not disclose any confidential information or non-public City information like personal information of other members.

The Internet is a public space. Consider that everyone will see your post no matter how obscure. Reporters, colleagues, Staff, friends, family – anyone can see what you have posted. Once posted, many things are permanent. Be sure you mean what you say and say what you mean, carefully.

Mind your manners. Acknowledge differences of opinion, and respectfully withdraw from discussions that go off topic or become profane. You know you have your opinion, but so do others.

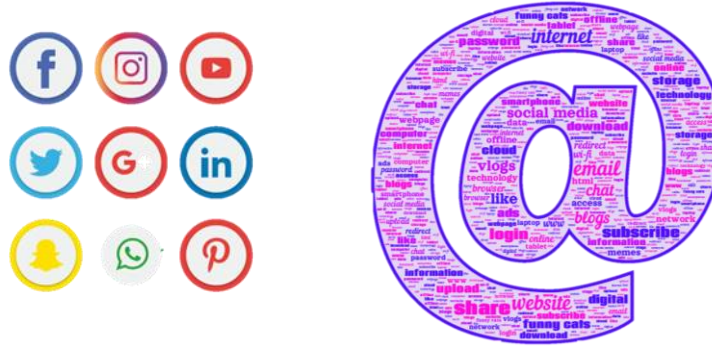
An official response may be needed. If you spot a potential issue that may need to be officially addressed, please contact the Public Information Officer. Issues can often be resolved more effectively if they are identified quickly. The City encourages public participation at all public meetings.



Elected & Appointed Officials Handbook

When in doubt, ask. If you have any questions about what is appropriate, play it smart and check with the City Administrator before posting.

Post thoughtfully. Give your words a thorough read before posting. Remember, only post it if you would say it out loud. Always substantiate your claims.



Section XVI. Remote Attendance

Council members make every attempt to attend all Council sessions, however, sometimes physical attendance is not possible. Council members should feel personal responsibility to the electorate to participate at Council all sessions. If necessary, Councilors may join a session of Council by electronic means. This policy should not be used in lieu of physical attendance and should be used only under certain circumstances.

Section I. Definitions of Electronic Means

- ★ Engaging by telephonic means.
- ★ Utilizing personal cell phones.
- ★ Computerized communication services such as Skype or other electronic video and audio services.
- ★ Using necessary amplification methods.

Article II. Reasons for Requesting Remote Attendance

- ★ Health related emergencies of a member or member's family.
- ★ Work related trip.
- ★ Other possible requests could include a vacation on a limited basis.

Article III. Limitations of Electronic Attendance

- ★ Members cannot pick up verbal cues.
- ★ Members cannot pick up non-verbal cues.
- ★ Meaning is lost in translation.



Elected & Appointed Officials Handbook

END OF HANDBOOK