

1 **ORDINANCE NO. 609-94**

2 **AN ORDINANCE REPEALING CHAPTER 2.20 OF THE TROUTDALE MUNICIPAL**
3 **CODE; AND ADOPTING A NEW CHAPTER 2.20 OF THE TROUTDALE MUNICIPAL**
4 **CODE, RELATING TO CITY COMMITTEES AND COMMISSIONS.**

5 The City Council finds as follows:

- 6 1. The City of Troutdale's commissions, and committees and task forces provides an invaluable
7 service to the City. Their advice on a wide variety of subjects aids the Mayor, City Council,
8 Planning Commission and Budget Committee in the decision making process. It is because
9 of their detailed study and recommendations that many successful City programs exist.
10 Effective citizen participation is an invaluable tool for local government.
- 11 2. Commissions, committees and task forces originate from different sources. Some are
12 established by ordinance. Others are established by direction of the City Council. The City
13 Council has discretion on whether the charter and authority of an advisory group should be
14 set forth by ordinance. In general, the authority of a permanent commission or committee
15 should be set forth in the Troutdale Municipal Code.
- 16 3. The City's commissions, committees and task forces bring together citizen viewpoints which
17 might not otherwise be heard. Persons of wide-ranging interests who want to participate in
18 public service but not compete for public office can be involved in government
19 commissions, committees and task forces.
- 20 4. The City's commissions, committees, and task forces have been formed and reformed
21 throughout the years. The adoption of uniform procedures is necessary. The following
22 policies govern these groups. Some of these advisory groups have specific code provisions
23 applicable to them as well as relevant guidelines set out by ordinance, resolution or state
24 law.

25 Now, therefore, based on the foregoing findings,

26 **BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE:**

27 **Section 1.** Chapter 2.20 of the Troutdale Municipal Code entitled "City Planning Commission"
28 is repealed.

29 **Section 2.** A new Chapter 2.20 of the Troutdale Municipal Code entitled "Committees and
30 Commissions" is adopted to read and provide as follows:

31 **2.20.010. Committees - General.**

32 A. The following are the presently constituted committees of the city with the number of

1 members, appointment process, term and authority for each committee:

2 Budget Committee

3 Membership 6 councilors and the mayor
4 7 electors of the city

5 Appointment Appointed by the council. Recommended by selection committee of
6 the mayor, a councilor and the highest ranking officer of the budget
7 committee.

8 Term 3 years - staggered terms

9 Authority ORS 294.336; TMC 2.20.080.

10 Citizens Advisory Committee

11 Membership 24 electors of the city

12 Appointment Appointed by the mayor with consent of the council. Recommended
13 by selection committee of the mayor, highest ranking officer of
14 planning commission and highest ranking officer of citizens advisory
15 committee.

16 Term 3 years - staggered terms

17 Authority LCDC Goals I and 2; TMC 2.20.090.

18 Parks Advisory Committee

19 Membership 9 electors of the city

20 Appointment Appointed by the mayor with consent of the council. Recommended
21 by selection committee of the mayor, councilor and highest ranking
22 officer of the parks advisory committee.

23 Term 3 years - staggered terms

24 Authority TMC 2.20.100

25 Planning Commission

26 Membership 7 electors of city.

1 Appointment Appointed by the mayor, with the consent of the council.
2 Recommended by the selection committee of the mayor and one city
3 councilor and the highest ranking officer of the planning commission.

4 Term 4 years - staggered terms

5 Authority ORS 227.090; TMC 2.20.110.

6 B. In addition to these committees of the council, the council may, by majority vote of its
7 members, provide for the appointment of any committee that it deems necessary. The
8 committee shall perform the duties prescribed by the council at the time the committee is
9 created.

10 C. As used in this ordinance, "committees" means the regular committees established under
11 subsection A above and any committees appointed under this subsection. "Committee" does
12 not include the council, any committee of the council, or any selection committee for
13 making appointments. As used in this ordinance, "highest ranking officer" means the chair
14 of a committee, and if that office is vacant then the vice-chair and if that office is vacant
15 then the secretary of the committee.

16 D. In determining the size of any committee, the mayor and council shall consider its duties
17 and responsibilities and the staffing costs for the committee.

18 E. Members of a city committee shall receive no compensation for their services, but shall be
19 reimbursed for authorized expenses.

20 F. A city committee has no authority to make expenditures on behalf of the city or to obligate
21 the city for payment of any sums of money, unless the council specifically authorizes the
22 expenditure by appropriate ordinance or resolution and that ordinance or resolution provides
23 the method by which such funds shall be drawn and expended.

24 **2.20.020. Committees - Selection of Members.**

25 A. Unless otherwise provided by law, members of committees shall be appointed by the mayor
26 with the consent of the council. The mayor may vote with the council to break a tie on the
27 matter of the consent of the council to any appointment. Recommendations for membership
28 on committees shall be by a selection committee. If the council rejects an appointment by
29 the mayor, the mayor may seek a further recommendation of the selection committee or the
30 mayor may make another recommendation.

31 B. A selection committee for each committee listed in section 2.20.010(A) of this code shall
32 be appointed by the mayor by January 31 and July 31 of each year. Members of the
33 selection committee shall serve a term of six months ending January 31 or July 31. The
34 selection committee shall be composed of those persons identified in section 2.20.010(A)

1 of this code. Council positions on each selection committee shall rotate among the
2 councilors.

3 C. As the need arises to fill any vacancy on a committee, or from time to time as the council
4 directs, the city shall conduct a well planned publicity campaign making use of media, civic
5 interest groups and personal contacts to create an awareness among the public of the
6 opportunity for citizen participation in city government. All releases shall be designed to
7 make known the nature of the committee vacancy, any existing criteria for selection, the
8 method of appointment and any limitations on opportunities to serve. All applicants shall
9 complete a standard application form available from the city recorder.

10 D. The selection committee shall interview all applicants for the position when feasible. If,
11 however, a vacancy exists on a committee within six months of the last selection process,
12 the selection committee may choose from the available pool of applicants who applied
13 during the previous selection process. The selection committee shall forward its
14 recommendation to the mayor and council for consideration at the next regular council
15 meeting.

16 E. No selection committee member shall vote on a recommendation if an applicant is a relative
17 of the member (i.e., the spouse, child, brother, sister or parent of the member) or is a
18 director, officer or owner of a business which employs the member.

19 F. Unless otherwise specified in the law or action creating the committee, a member's term on
20 the committee shall expire on December 31 of the year the member's term has been
21 designated to expire. If no qualified successor has been appointed as of that date, a
22 member's term shall continue until the member's successor is appointed and qualified.

23 G. No elected or appointed official or employee of the city shall be eligible to serve as a
24 member of a city committee except for the mayor and councilor members of the budget
25 committee.

26 H. Unless otherwise specified by the council, the terms of members of a committee shall be
27 staggered so that approximately one-third of the terms of the members end each year.

28 **2.20.030. Committees - Officers and Duties.**

29 A. Each committee listed in section 2.20.010 of this code shall elect officers at its first meeting
30 of each calendar year. Those officers are a chair, vice-chair and secretary.

31 B. The chair of a committee presides over its meetings and is responsible for setting the
32 agendas of those meetings. The chair preserves order at the meetings, recognizes speakers
33 and decides all questions of order. Any ruling of the presiding officer is subject to appeal
34 the entire committee by request of any two members. The chair briefs newly-appointed
35 members on the duties of the members, including a review of public official ethics. The

- 1 chair shall have the right to vote.
- 2 C. The vice-chair acts as the presiding officer of the committee in the absence of the chair.
- 3 D. The secretary of a committee ensures that each meeting is tape recorded and that notice of
4 the meeting is given and minutes kept consistent with the State Open Meetings Law. The
5 city administrator shall provide adequate staffing to the committee to perform these tasks.
- 6 E. Each committee may adopt bylaws on its procedures and may further specify the duties of
7 its officers. In the absence of adopted bylaws, the rules of the council covering order and
8 decorum and procedures apply. All cases not provided for in the bylaws or applicable
9 council rules shall be governed by Roberts Rules of Order (Revised).
- 10 F. Any and all committees appointed pursuant to state law or ordinance of the city shall
11 exercise the functions and perform the responsibilities therein contained, and any committee
12 authorized by council action shall perform the duties prescribed by the council at the time
13 the committee is created. In addition, the council shall adopt a statement of purpose and
14 function for each committee after seeking the views of the committee. This mission
15 statement will be reviewed periodically by the mayor and council.

16 **2.20.040. Committees - Meetings.**

- 17 A. Meetings of committee shall be conducted consistent with the State Open Meetings Law.
18 This means that the meetings are open to the public unless an executive session is authorized
19 and needed, proper notice of the meeting is provided and minutes are kept and preserved.
- 20 B. Committees meet at the times stated in the law or order creating or empowering the body.
21 A committee may meet at any other time necessary to accomplish the duties of the
22 committee.
- 23 C. A quorum for conducting business is a majority of the membership of the committee.
- 24 D. Each committee has an obligation to be clear and simple in its procedures and the
25 consideration of questions coming before it. A committee shall avoid involving the finer
26 points of parliamentary rules which may serve only to obscure the issues and arouse the
27 suspicion of the audience at public meetings and the citizens of the city in general.

28 **2.20.050. Committees - Vacancies.**

- 29 A. The office of a committee member becomes vacant upon its incumbent's death, removal
30 from the city (if residency is a qualification), removal from office by the council,
31 resignation, or ceasing to be a qualified elector. The office may be declared vacant by action
32 of the committee or by the council for nonperformance of duties if the incumbent fails to
33 attend three consecutive meetings of the body. Unless any of the absences is excused in

1 advance, each member should notify the chair or staff liaison of expected absence no later
2 than four hours before the meeting of the committee.

3 B. A committee member may resign at any time. A resignation occurs by delivery of a written
4 resignation to the chair, staff liaison or city recorder.

5 C. In the absence of a more specific process of the council to the contrary, a vacancy shall be
6 filled in the manner provided by sections 2.20.010 and 2.20.020 of this code. The
7 committee chair shall notify the city recorder of any vacancy as soon as feasible so that a
8 recruitment process can begin quickly.

9 D. Unless otherwise provided by law, a member of a committee may be removed from office
10 by vote of a majority of the members of the council.

11 **2.20.060. Committees - Relationship to City Council, Staff and Others.**

12 A. Committees may obtain a place on a council agenda for an item of mutual interest by timely
13 request to the city recorder. Other communications to the mayor or council should be routed
14 through the committee chair to the city administrator or the committee staff (or councilor
15 liaison). The council may appoint a councilor liaison to a committee to facilitate
16 communications.

17 B. Committee members are encouraged to keep abreast of proposed and final council actions.
18 The city staff shall inform committees of proposed and final council actions relevant to the
19 business of the committee.

20 C. While the city staff are charged with assisting committees, staff members are responsible
21 to their supervisors, department heads and the city administrator. The city administrator
22 must approve staffing functions for all committees. No committee may employ its own staff.
23 Committees must submit any budget requests to the city administrator consistent with the
24 yearly budget preparation timelines.

25 D. Committee members should note whether they speak for themselves or their committees in
26 written and oral communications to other officials, the public and the news media about city
27 matters. When speaking for their committee, members should circulate a copy of the
28 communication to other committee members before its publication if that is feasible.
29 Communications to public officials and agencies of public business, including lobbying
30 efforts, should be coordinated with the city administrator to assure consistency with adopted
31 city policy. If a committee member writes or speaks as an individual on city matters, and
32 contrary to an adopted committee position, the member should note that difference in the
33 communication.

34 **2.20.080. Budget Committee.**

- 1 A. The budget committee is created and charged with carrying out duties imposed by the State
2 Local Budget Law and any other duties conferred by the council. The city administrator is
3 the budget officer for the city.
- 4 B. The budget committee meets quarterly with the council on an as needed basis to review the
5 budget document for each fiscal year. Any budget request should be given to the city
6 administrator in sufficient time to be included in the budget document.
- 7 C. Appointive members of the budget committee shall not be officers, agents or employees of
8 the city. No interest group has a designated position on the budget committee. Appointive
9 members must be electors of the city.
- 10 D. The terms of the appointive members of the budget committee shall be staggered so that
11 approximately one-third of the terms of the appointive members end each year.

12 **2.20.090. Citizens Advisory Committee.**

- 13 A. The citizens advisory committee is created and charged with the functions of a committee
14 for citizens involvement under state laws and regulations pertaining to land use
15 comprehensive planning, including Statewide Planning Goal 1. In that capacity the citizens
16 advisory committee shall review all legislative amendments to the city's comprehensive plan
17 and land use regulations. The planning commission may seek the advice of the citizens
18 advisory committee on quasi-judicial amendments to the comprehensive plan. The citizens
19 advisory committee shall also periodically review and advise the planning commission and
20 council on the citizen involvement program. The citizens advisory committee will report
21 recommendations on land use issues to the planning commission.
- 22 B. The citizens advisory committee shall also perform any other duties or functions assigned
23 by the council. Those duties shall be specified by motion or resolution of the council. In this
24 regard the citizens advisory committee operates to provide policy guidance to the council
25 on matters of public interest and to act as a liaison between neighborhoods and interest
26 groups and the city's elected and appointed officials. The citizens advisory committee will
27 report recommendations to the council regarding issues assigned by the council.
- 28 C. The citizens advisory committee shall be composed of 24 members: 20 shall be appointed
29 as representatives of geographic districts of the city; four shall be appointed as at-large
30 representatives of particular interest groups. Each representative of a geographic district
31 shall be an elector of the city and a resident of the geographic district. An at-large
32 representative may be an elector of the city, an owner, employee or agent of a business
33 operating within the city, or an officer or board member of a non-profit, public or
34 municipal corporation operating within the city.

1 D. The council, by resolution, shall divide the city into five geographic districts of roughly the
2 same population. Each geographic district has four representatives on the citizens advisory
3 committee.

4 E. At-large representatives shall be appointed with an economic interest, property interest or
5 demonstrated interest and expertise in each of the following areas: the downtown
6 commercial area; the commercial/industrial area north of Historic Columbia River Highway;
7 natural resources, community resources and recreational interests within the city; and
8 community service facilities (including schools, churches, and governmental service
9 providers).

10 F. The citizens advisory committee shall meet at least once every three months and at other
11 times deemed necessary by the committee.

12 **2.20.100. Parks Advisory Committee.**

13 A. The parks advisory committee is created and charged with evaluating and making
14 recommendations to the city's elected and appointed officials on matters relating to
15 recreational land and publicly owned lands, including parks, and open spaces and
16 environmentally sensitive public and private lands. The parks advisory committee reviews
17 and recommends expenditures of parks funds for capital or construction projects.

18 B. The parks advisory committee shall meet monthly and at those other times deemed necessary
19 by the parks advisory committee.

20 **2.20.110. Planning Commission.**

21 A. The planning commission is created and charged with the powers and duties specified in
22 ORS 227.090 and other provisions of state law relating to planning commission authority,
23 and all powers which are now or in the future granted to the planning commission by the
24 ordinances of the city or general laws of the state. The planning commission acts regarding
25 the subdivision of land, the use of land, and the location of public facilities and decides
26 permits and adjudications and adopts and recommends policies concerning the planning and
27 development of the city and the surrounding area. The planning commission may make
28 studies, hold hearings and prepare reports and recommendations on its own initiative or at
29 the request of the council.

30 B. The planning commission shall meet monthly and at other times deemed necessary by the
31 planning commission.

32 C. No member of the planning commission may be removed by the council unless a hearing
33 is provided and misconduct or nonperformance of duty is shown. Nonperformance includes
34 an unexcused absence from three consecutive meetings of the planning commission.

1 D. No more than two voting members of the planning commission may engage principally in
2 the buying, selling or developing of real estate for profit as individuals, or be members of
3 any partnership, or officers or employees of any corporation that engages principally in the
4 buying, selling or developing of real estate for profit. No more than two members shall be
5 engaged in the same kind of occupation, business, trade or profession.

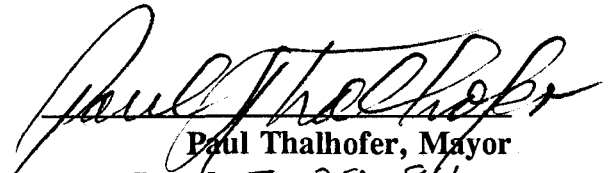
6 E. A planning commission member shall not participate in any planning commission proceeding
7 or action in which any of the following has a direct or substantial financial interest:

- 8 1. The member or the spouse, brother, sister, child, parent, father-in-law, mother-in-
9 law of the member;
- 10 2. Any business in which the member is then serving or has served within the previous
11 two years; or
- 12 3. Any business with which the member is negotiating for or has an arrangement or
13 understanding concerning prospective partnership or employment.

14 Section 3. The provisions of TMC 2.20.090 contained in section 2 of this ordinance do not
15 become effective until any necessary amendment to the Troutdale Comprehensive
16 Plan reflecting those provisions is adopted and approved.

17 PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 26th
18 DAY OF July, 1994.

19 YEAS: 6
20 NAYS: 0
21 ABSTAINED: 0

22 
23 Paul Thalhofer, Mayor
24 Dated: 7-28-94

25 ATTEST:

26 

27 George Martinez

28 Deputy City Recorder

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