

## ORDINANCE NO. 739

### AN ORDINANCE AMENDING CHAPTER 2.20 OF THE TROUTDALE MUNICIPAL CODE, COMMITTEES AND COMMISSIONS.

#### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The process for selecting and appointing members to committees has been updated.
2. Chapter 2.20 is being amended to implement changes to the process that will be followed to select and appoint committee members.

#### NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Chapter 2.20 is hereby amended to read as set forth in the Attached Exhibit A.

YEAS: 6

NAYS: 0

ABSTAINED: 0

  
\_\_\_\_\_  
Paul Thalhofer, Mayor

October 30, 2003  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Debbie Stickney, City Recorder

Adopted: October 28, 2003

## Chapter 2.20

### COMMITTEES AND COMMISSIONS

#### Sections:

- 2.20.010 Committees – General
- 2.20.020 Committees – Selection of members.
- 2.20.030 Committees – Officers and duties.
- 2.20.040 Committees – Meetings
- 2.20.050 Committees – Vacancies.
- 2.20.060 Committees – Relationship to city council, staff and others.
- 2.20.080 Budget Committee
- 2.20.090 Citizens Advisory Committee
- 2.20.100 Parks Advisory Committee
- 2.20.110 Planning Commission.

#### 2.20.010 Committees—General.

A. The following are the presently constituted committees of the city with the number of members, appointment process, term and authority for each committee:

##### 1. Budget Committee:

Membership: 6 Councilors, the Mayor and 7 residents and electors or a Troutdale business owner of the City.

Appointment: Appointed by the City Council. Recommended by selection committee of the City Council and the highest ranking officer of the Budget Committee.

Term: 3 Years – staggered terms

Authority: ORS 294.336; Section 2.20.080 of this code.

##### 2. Citizens Advisory Committee:

Membership: 11 residents and electors or a Troutdale business owner of the City.

Appointment: Appointed by the City Council. Recommended by selection committee of the City Council and the highest ranking officer of the Citizens Advisory Committee.

Term: 3 Years – staggered terms

Authority: LCDC Goals 1 and 2; Section 2.20.090 of this code.

##### 3. Parks Advisory Committee:

Membership: 9 residents and electors or a Troutdale business owner of the City.

Appointment: Appointed by the City Council. Recommended by selection committee of the City Council and the highest ranking officer of the Parks Advisory Committee.

Term: 3 Years – staggered terms

Authority: Section 2.20.100 of this code.

##### 4. Planning Commission:

Membership: 7 residents and electors or a Troutdale business owner of the City.

Appointment: Appointed by the City Council. Recommended by the selection committee of the City Council and the highest ranking officer of the Planning Commission.

Term: 4 Years – staggered terms.

Authority: ORS 227.090; Section 2.20.110 of this code.

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

C. The Mayor shall appoint members to non-city committees, which are those

committees that are not created and appointed by the council.

- D. As used in this chapter, "committees" means the regular committees established under subsection A of this section and any committees created and appointed under this subsection 2.20.010B. Committees that are not created or appointed by the council are non-city committees, to which the Mayor shall appoint members. "Committee" does not include the council, any committee comprised solely of the council, or any selection committee for making appointments. As used in this chapter, "highest ranking officer" means the chair of a committee, and if that office is vacant then the vice-chair.
- E. In determining the size of any committee, the mayor and council shall consider its duties and responsibilities and the staffing costs for the committee.
- F. Members of a committee shall receive no compensation for their services, but shall be reimbursed for authorized expenses.
- G. A committee has no authority to make expenditures on behalf of the city or to obligate the city for payment of any sums of money, unless the council specifically authorizes the expenditure by appropriate ordinance or resolution and that ordinance or resolution provides the method by which such funds shall be drawn and expended. (Ord. 642 § 3 Exh. C (part), 1996; Ord. 609-94 § 2 (part), 1994)

#### **2.20.020 Committees-- Selection of members.**

- A. Unless otherwise provided by law, members of committees shall be appointed by the city council. The selection committee shall recommend appointments to the City Council.
- B. The selection committee is comprised of the City Council and the highest ranking officer of the respective

committee, who will serve as chair of the selection committee. The selection committee shall interview all applicants for the position when feasible. The selection committee shall prepare a recommendation, which will be forwarded to the city council for approval at the next available regular council meeting, for appointments to fill all vacant positions and a recommendation for an alternate(s) for each committee if there are suitable candidates from the pool of applicants. If a vacancy occurs on a committee within six months of the last selection process the alternate for that committee shall automatically be chosen to fill the vacancy.

- C. No selection committee member shall vote on a recommendation if an applicant is a relative of the member (i.e., the spouse, child, brother, sister or parent of the member) or is a director, officer or owner of a business which employs the member.
- D. As the need arises to fill any vacancy on a committee, or from time to time as the council directs, the city shall conduct a well planned publicity campaign making use of media, civic interest groups and personal contacts to create an awareness among the public of the opportunity for citizen participation in city government. All releases shall be designed to make known the nature of the committee vacancy, any existing criteria for selection, the method of appointment and any limitations on opportunities to serve. All applicants shall complete a standard application form available from the city recorder.
- E. Unless otherwise specified in the law or action creating the committee, a member's term on the committee shall expire on December 31st of the year the member's term has been designated to expire. If no qualified successor has been appointed as of that date, a member's term shall continue until the member's successor is appointed and qualified.
- F. No elected or appointed official or employee of the city shall be eligible to serve as a member of a committee except

for the mayor and councilor members of the budget committee.

- G. Unless otherwise specified by the council, the terms of members of a committee shall be staggered so that approximately one-third of the terms of the members end each year. (Ord. 609-94 § 2 (part), 1994)

### **2.20.030 Committees--Officers and duties.**

- A. Each committee listed in Section 2.20.010 of this code shall elect officers at its first meeting of each calendar year. Those officers are a chair and vice-chair.
- B. The chair of a committee presides over its meetings. The chair preserves order at the meetings, recognizes speakers and decides all questions of order. Any ruling of the presiding officer is subject to appeal by the entire committee by request of any two members. The chair shall have the right to vote.
- C. The vice-chair acts as the presiding officer of the committee in the absence of the chair.
- D. The city administrator shall provide adequate staffing to the committee to ensure that notice of the meeting is given, each meeting is tape-recorded and minutes are kept consistent with the State's Open Meetings Law.
- E. Each committee may adopt bylaws on its procedures and may further specify the duties of its officers. In the absence of adopted bylaws, the rules of the council covering order and decorum and procedures apply. All cases not provided for in the bylaws or applicable council rules shall be governed by Roberts Rules of Order (Revised).
- F. Committees shall exercise the authority and perform the duties and responsibilities delegated to the committee by state laws, council action or as specified in this chapter. (Ord. 609-94 § 2 (part), 1994)

### **2.20.040 Committees--Meetings.**

- A. Committee Meetings shall be conducted consistent with the state's Open Meetings Law. This means that the meetings are open to the public unless an executive session is authorized and needed, proper notice of the meeting is provided and minutes are kept and preserved.
- B. Committees meet at the times stated in the law or order creating or empowering the body. A committee may meet at any other time necessary to accomplish the duties of the committee.
- C. A quorum for conducting business is a majority of the membership of the committee.
- D. Each committee has an obligation to be clear and simple in its procedures and the consideration of questions coming before it. A committee shall avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues and arouse the suspicion of the audience at public meetings and the citizens of the city in general. (Ord. 609-94 § 2 (part), 1994)

### **2.20.050 Committees - Vacancies.**

- A. The office of a committee member becomes vacant upon its incumbent's death, removal from the city (if residency is a qualification), removal from office by the council or resignation. The office may be declared vacant by action of the committee or by the council for nonperformance of duties if the incumbent fails to attend three consecutive meetings of the body. Unless any of the absences are excused in advance, each member should notify the chair or staff liaison of expected absence no later than four hours before the meeting of the committee.
- B. A committee member may resign at any time. A resignation occurs by delivery of a written resignation to the chair, staff liaison or city recorder.
- C. In the absence of a more specific process of the council to the contrary, a vacancy shall be filled in the manner provided by Sections 2.20.010 and 2.20.020 of this code. The committee chair or staff liaison shall notify the city recorder of any vacancy

as soon as feasible so that a recruitment process can begin quickly.

- D. Unless otherwise provided by law, a member of a committee may be removed from office by vote of a majority of the members of the council. (Ord. 609-94 § 2 (part), 1994)

**2.20.060 Committees--  
Relationship to city council,  
staff and others.**

- A. Committees may obtain a place on a council agenda for an item of mutual interest by timely request to the city recorder. Other communications to the mayor or council should be routed through the committee chair to the city administrator or to the committee staff liaison. The council may appoint a councilor liaison to a committee to facilitate communications.
- B. Committee members are encouraged to keep abreast of proposed and final council actions. The city staff shall inform committees of proposed and final council actions relevant to the business of the committee.
- C. While the city staff are charged with assisting committees, staff members are responsible to their supervisors, department heads and the city administrator. The city administrator must approve staffing functions for all committees. No committee may employ its own staff. Committees must submit any budget requests to the city administrator consistent with the yearly budget preparation timelines.
- D. Committee members should note whether they speak for themselves or their committees in written and oral communications to other officials, the public and the news media about city matters. When speaking for their committee, members should circulate a copy of the communication to other committee members before its publication if that is feasible. Communications to public officials and agencies of public business, including lobbying efforts, should be coordinated

with the city administrator to assure consistency with adopted city policy. If a committee member writes or speaks as an individual on city matters, and contrary to an adopted committee position, the member should note that difference in the communication. (Ord. 609-94 § 2 (part), 1994)

**2.20.080 Budget committee.**

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

**2.20.090 Citizens advisory  
committee.**

- A. The citizens advisory committee is created as a primary element of the city's citizen involvement program which is established under state laws and regulations pertaining to land use comprehensive planning, including Statewide Planning Goal 1. The citizens advisory committee shall review all legislative amendments to the city's comprehensive plan and all major amendments to land use regulations not reviewed by any other council-sanctioned

citizen committee. The planning commission may seek the advice of the citizens advisory committee on quasi-judicial amendments to the comprehensive plan. The citizens advisory committee may periodically review and advise the planning commission and council on the citizen involvement program. The citizens advisory committee will report recommendations on land use issues to the planning commission.

- B. The citizens advisory committee shall also perform any other duties or functions assigned by the council. Those duties shall be specified by motion or resolution of the council. In this regard the citizens advisory committee operates to provide policy guidance to the council on matters of public interest and to act as a liaison between neighborhoods and interest groups and the city's elected and appointed officials. The citizens advisory committee will report recommendations to the council regarding issues assigned by the council.
- C. The citizens advisory committee shall be composed of eleven members appointed at large to represent the citizenry of the city. Each member shall be a resident and elector or a Troutdale business owner of the city. Although representation on the citizens advisory committee is not based on geographical districts, when appointments are made to the citizens advisory committee, consideration shall be given to geographical distribution of its membership.
- D. The citizens advisory committee shall meet whenever there is a land use matter requiring its review and at other times deemed necessary by the committee. (Ord. 642 § 3 Exh. C (part), 1996; Ord. 609-94 § 2 (part), 1994)

#### **2.20.100 Parks advisory committee.**

- A. The parks advisory committee is created and charged with evaluating and making recommendations to the city's elected and appointed officials on matters relating to recreational land and publicly owned lands, including parks, and open spaces and environmentally sensitive public and private lands. The parks advisory committee reviews and recommends expenditures of parks funds for capital or construction projects.
- B. The parks advisory committee shall also serve as the City's tree board for purposes of satisfying requirements as a Tree City USA and for carrying out all the duties assigned to the tree board.
- C. The parks advisory committee shall meet at times deemed necessary by the parks advisory committee. (Ord. 609-94 § 2 (part), 1994)

#### **2.20.110 Planning commission.**

- A. The planning commission is created and charged with the powers and duties specified in Oregon Revised Statutes Section 227.090 and other provisions of state law relating to planning commission authority, and all powers which are now or in the future granted to the planning commission by the ordinances of the city or general laws of the state. The planning commission acts regarding the subdivision of land, the use of land, and the location of public facilities, and decides permits and adjudications and adopts and recommends policies concerning the planning and development of the city and the surrounding area. The planning commission may make studies, hold hearings and prepare reports and recommendations on its own initiative or at the request of the council.
- B. The planning commission shall meet whenever there is a land use matter that requires their review.
- C. No member of the planning commission may be removed by the council unless a hearing is provided and misconduct or nonperformance of duty is shown. Nonperformance includes absence from

three consecutive meetings of the planning commission.

- D.** No more than two voting members of the planning commission may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit. No more than two members shall be engaged in the same kind of occupation, business, trade or profession.
  - E.** A planning commission member shall not participate in any planning commission proceeding or action in which any of the following has a direct or substantial financial interest:
    - 1.** The member or the spouse, brother, sister, child, parent, father-in-law, mother-in-law of the member;
    - 2.** Any business in which the member is then serving or has served within the previous two years; or
    - 3.** Any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
- (Ord. 609-94 § 2 (part), 1994)