

ORDINANCE NO. 813

AN ORDINANCE AMENDING THE TROUTDALE MUNICIPAL CODE CHAPTER 2.20 COMMITTEES AND COMMISSIONS

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. In order to better enable the Historic Landmarks Commission, due to the very specialized tasks that this commission will be addressing, to have a quorum, the number of members on the Historic Landmarks Commission should be reduced from 7 to 5.
2. Changing the composition of the Public Safety Advisory Committee membership from requiring several positions to represent specific interest groups to having all positions designated as "residents at large" or "Troutdale business owners" and reducing the term from 4 years to 3 years will allow more successful recruitment for vacant positions.
3. Amendments to the language in Section 2.20.010(C) of the Troutdale Municipal Code relating to appointments to non-city committees is necessary to conform to the language in Section 18 of the City Charter.

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

Section 1. The Troutdale Municipal Code Chapter 2.20 Committees and Commissions is hereby amended as shown in Attachment A.

YEAS: 7

NAYS: 0

ABSTAINED: 0


Mayor Jim Kight


Date


Debbie Stickney, City Recorder

Adopted: May 22, 2012

Chapter 2.20 - COMMITTEES AND COMMISSIONS*

Sections:

- 2.20.005 - Definitions
- 2.20.010 - Committees—General.
- 2.20.020 - Committees—Selection of members.
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- 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.
- 2.20.095 - Historic landmarks commission.
- 2.20.100 - Parks advisory committee.
- 2.20.110 - Planning commission.
- 2.20.120 - Public safety advisory committee.

2.20.005 – Definitions

- A. Committees – As used in this chapter, “committees” means the regular committees established under Section 2.20.010(A), and any committees created and appointed under 2.20.010(B). Committee does not include the council, any committee comprised solely of the council, or any selection committee for making appointments.
- B. Highest Ranking Officer – As used in this chapter “highest ranking officer” means the chair of a committee, and if that office is vacant then the vice-chair.

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 electors 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 chapter.
2. Citizens advisory committee:	
Membership	11 residents and electors of the city or Troutdale business owners.
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 chapter.
3. Historic landmarks commission:	
Membership	5 residents and electors of the city or Troutdale business owners.
Appointment	Appointed by the city council. Recommended by the Historic Landmarks Commission selection committee of the city council and the highest ranking officer of the landmarks commission.
Term	4 years—staggered terms.

Authority	Troutdale Comprehensive Land Use Plan Goal 5 and Section 2.20.095 of this chapter.
4. Parks advisory committee:	
Membership	9 residents and electors of the city or Troutdale business owners.
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 chapter.
5 Planning commission:	
Membership	7 residents and electors 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 chapter.
6 Public safety advisory committee:	
Membership	9 residents and electors of the city or Troutdale business owners.
Appointment	Appointed by the city council. Recommended by the selection committee of the city council and the highest ranking officer of the public safety advisory committee.
Term	3 years, staggered terms.
Authority	Section 2.20.120 of this chapter.

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. Committees that are not created or appointed by the council are non-city committees. The mayor shall appoint councilors and others to represent the city before and on non-city committees, which includes community and intergovernmental organizations.

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

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

F. 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 fund shall be drawn and expended.

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 during the year 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.

2.20.030 - Committees—Officers and duties.

A. Each committee listed in Section 2.20.010 of this chapter 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 manager 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.

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.

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 chapter. 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.

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 manager 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 manager. The city manager must approve staffing functions for all committees. No committee may employ its own staff. Committees must submit any budget requests to the city manager 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 manager 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.

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 manager 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 manager 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 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.

2.20.095 - Historic landmarks commission.

A. The historic landmarks commission is created and charged with duties as specified in [the] Troutdale Development Code chapter 4.200 Historic Landmark Protection. The historic landmarks commission assists the city council in promoting historic preservation in the city. The historic landmarks commission acts regarding major alterations, demolition or relocation of historic landmarks, the designation of historic landmarks, the maintenance of the historic resource inventory, and makes recommendations to the planning commission pertaining to conditional use requests within designated historic landmarks. The historic landmarks commission may make studies, hold hearings and prepare reports and recommendations on its own initiative or at the request of the council.

B. The city council shall consider individuals for the historic landmarks commission that have demonstrated an interest in historic preservation and ideally have experience, training, special expertise or knowledge in the field of historic preservation, local history and culture, archaeology, architecture, the arts, or other related fields. A member of the planning commission may serve as an ex-officio member of the historic landmarks commission.

C. The historic landmarks commission shall meet whenever there is a historic resource matter that requires their review.

D. No member of the historic landmarks commission may be removed by the city council unless a hearing is provided and misconduct or non-performance of duty is shown. Non-performance includes absence from three consecutive meetings of the historic landmarks commission.

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

1. The member or the spouse/domestic partner, 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;
3. Any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.

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.

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/domestic partner, 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.

2.20.120 - Public safety advisory committee.

A. The public safety advisory committee is created and charged with evaluating and making recommendations to the city's elected and appointed officials on matters relating to public safety, including law enforcement, fire and medical services. The public safety advisory committee is not charged with reviewing use of force complaints or citizen's complaints against public safety personnel.

B. The public safety advisory committee shall meet at times deemed necessary by the public safety advisory committee, however they will meet at least once per quarter.

C. The public safety advisory committee will be a committee of nine members. The city council shall endeavor to appoint a Troutdale business owner, a member of the Troutdale faith community, a Troutdale multifamily housing resident, a Reynolds School District employee, and a high school or college student as well as members at large. All members of the committee will also be a resident and elector of the city or a Troutdale business owner except in the event that a high school student, who is not an elector, is appointed.

D. The public safety 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 public safety advisory committee operates to provide policy guidance to the council on matters of public safety and to act as a liaison between public safety and interest groups and the city's elected and appointed officials.