



ORDINANCE 2019-005

AMENDING MULTIPLE CHAPTERS OF THE SHERWOOD MUNICIPAL CODE REGARDING CITIZEN BOARDS AND COMMISSIONS

WHEREAS, the City is currently served by a number of citizen boards and commissions, including the Budget Committee, Cultural Arts Commission, Library Advisory Board, Parks and Recreation Board, Planning Commission, and Police Advisory Board; and

WHEREAS, language governing these boards and commissions is currently found in Sherwood Municipal Code Chapter 2.08 (Boards and Commissions Generally), as well as in separate chapters of the Sherwood Municipal Code relating to some, but not all, of the above boards and commissions, specifically Chapter 2.10 (Police Advisory Board), Chapter 2.12 (Library Advisory Board), and Chapter 2.16 (Parks and Recreation Board), and in Resolution 2001-918 (Cultural Arts Commission); and

WHEREAS, the terms governing these boards and commissions are not consistent; and

WHEREAS, it appears to City Council that, to the extent possible, it would be beneficial to standardize the terms governing citizen boards and commissions and locate them in a single chapter of the Sherwood Municipal Code; and

WHEREAS, it further appears to City Council that the City would benefit from the establishment of a Senior Advisory Board; and

WHEREAS, the City Council held public hearings on the proposed ordinance on June 4, 2019 and June 18, 2019; and

WHEREAS, it appears to City Council that the proposed changes to the Sherwood Municipal Code are necessary and appropriate.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. Findings. After full and due consideration of the information presented at the public hearings, the City Council finds that Sherwood Municipal Code Chapters 2.10, 2.12, and 2.16, and Resolution 2001-918, should be repealed in their entirety, and Sherwood Municipal Code Chapter 2.08 should be amended to read as shown in Exhibit A, attached hereto.

Section 2. Approval. The proposed repeal of Sherwood Municipal Code Chapters 2.10, 2.12, and 2.16, and Resolution 2001-918, and the proposed amendment to the Sherwood Municipal Code identified in Exhibit A, are hereby APPROVED.

Section 3. Manager Authorized. The City Manager is hereby directed and authorized to adopt rules and to take such other actions as may be necessary to implement this ordinance, including necessary updates to the Municipal Code.

Section 4. Effective Date. This Ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 18th day of June, 2019.


Keith Mays, Mayor

6/18/2019
Date

Attest:


Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Griffin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brouse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garland	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rosener	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chapter 2.08

CITIZEN BOARDS AND COMMISSIONS

2.08.010 Purpose.

The City Council recognizes the importance of the public involvement process and the contributions citizens can offer. As the recipients of government services, citizens may best be able to identify where efficiencies and improvements may benefit the city. Council has therefore created a system of boards and commissions designed to foster the relationship between the city and its citizens and ensure that the city considers and appropriately weighs the needs and interests of all Sherwood citizens.

2.08.015 Definitions.

Citizen Board and Commission means any commission, board, committee, task force, or other similar group of citizens, established by City Council, including those which are intended to be permanent and those which are created for a temporary period of time, but excluding subcommittees of the City Council.

2.08.020 Establishment of Citizen Boards and Commissions; Suspension; Dissolution.

- (1) Citizen boards and commissions which are intended to be permanent shall be established by ordinance. Citizen boards and commissions which are created for a temporary period of time shall be established by resolution.
- (2) The ordinance or resolution establishing a citizen board and commission shall include a specific statement of purpose that identifies its duties and responsibilities.
- (3) All citizen boards and commissions shall be subject to the provisions of this chapter, except to the extent otherwise specified in the ordinance or resolution establishing a particular citizen board or commission, as they may be amended from time to time, or required by law.
- (4) City Council may suspend the activities of any citizen board and commission by resolution. The suspension may be indefinite or for a specified period of time, as set forth in the resolution.
- (5) The City Council may dissolve any citizen board and commission, except those required by law. Citizen boards and commissions created by ordinance may only be dissolved by ordinance. Citizen boards and commissions created by resolution may be dissolved by resolution.

2.08.025 Role and Authority of Citizen Boards and Commissions.

- (1) The City Council is the elected governing body for the city. Unless otherwise provided by law, citizen boards and commissions are created pursuant to the Council's authority and shall have only those powers and functions expressly delegated by the Council.
- (2) Unless otherwise provided by law or specifically delegated by Council, citizen boards and commissions do not make final decisions, but instead make recommendations, act in an advisory capacity to the Council, and help the Council implement City Council goals.
- (3) No citizen board and commission shall have the authority to expend city funds, or to obligate the city for payment of any sum of money, except as expressly delegated or authorized by prior approval of the City Council.

- (4) In addition to the duties and responsibilities set forth in the resolution or ordinance establishing a citizen board and commission, as it may be amended from time to time, the City Council may by resolution assign other limited duration duties or projects.

2.080.030 Duties and Responsibilities of Citizen Boards and Commissions and Members

- (1) All citizen boards and commissions, and any subcommittees thereof, shall comply with the State of Oregon Public Records Law, Public Meetings Law, ethics laws, and all other applicable laws.
- (2) Members are expected to regularly attend the meetings of the citizen board and commission to which they are appointed.
- (3) A member of any citizen board and commission may testify before the City Council only as an individual citizen, not on behalf of the citizen board and commission to which they are appointed, unless the member has been designated as a spokesperson for the citizen board and commission on the applicable issue or topic by a majority vote of the citizen board and commission.
- (4) If at any time during his or her term of office a member of a citizen board and commission ceases to meet the qualifications for the citizen board and commission, he or she must immediately notify the citizen board and commission chair and staff liaison in writing.

2.08.035 Officers and Subcommittees of Citizen Boards and Commissions.

- (1) In July of each year, every citizen board and commission shall elect a chair and vice-chair from among its members.
- (2) The chair shall:
 - (a) Preside at all meetings.
 - (b) Be responsible for maintaining communication with the City Council liaison and city staff assigned to the citizen board and commission.
 - (c) Ensure that minutes are produced for each meeting if staff is not in attendance.
- (3) The vice chair shall exercise the duties of the chair in the chair's absence.
- (4) Vacancies in office of chair or vice chair due to the mid-term resignation or removal of the officer shall be filled by election of the membership and shall be for the remainder of the vacant term of office.
- (5) A citizen board and commission may request that the City Council establish a subcommittee of the citizen board and commission. Prior to voting to request the Council to approve creation of a subcommittee, the citizen board and commission shall first request and consider a report from staff regarding the costs and time involved in staffing the subcommittee. Any request to form a subcommittee shall be submitted to the City Council in writing and shall contain:
 - (a) An explanation of the function of and need for the subcommittee;
 - (b) The number and any qualifications of its members;
 - (c) The staff analysis of the cost and time involved in staffing the subcommittee; and

- (d) If the subcommittee is a temporary subcommittee, a deadline for completion of the subcommittee's responsibilities.

2.08.040 Meetings; Rules of Procedure.

- (1) Meeting Frequency. Each citizen boards and committee shall meet as needed to accomplish its duties and responsibilities.
- (2) Attendance.
 - a. A member must provide at least 48 hours' notice to both the chair of the citizen board and commission and the staff liaison regarding any planned absence from a scheduled meeting of the citizen board and commission. In the event of an emergency that will cause a member to be absent from a meeting, the member must endeavor to provide as much advance notice to the chair of the citizen board and commission and the staff liaison as is practicable.
 - b. Members are expected to attend meetings in person. When this is not possible, a member may submit a request to participate telephonically or through other electronic means to the chair and staff liaison. Such request must include an explanation as to why this accommodation is being requested. The chair must not unreasonably deny such a request.
- (3) Quorum. A quorum to conduct business shall be defined as a majority of the member positions that are not vacant.
- (4) Voting. Except as otherwise required by law, the concurrence of a majority of members present and eligible to vote shall be necessary to pass any motion or decide any question. A member is not eligible to vote if the member has recused him/herself due to a conflict of interest or bias. Members are required to vote on all motions unless they have recused themselves.
- (5) Rules of Procedure. Robert's Rules of Order shall serve as a guideline for the conduct of citizen board and commission meetings.
- (6) Recommendations. All citizen board and commission recommendations to the City Council shall be in writing. The staff liaison, or other person designated by the citizen board and commission, shall prepare a memorandum to the council stating the citizen board and commission's recommendation, which must be approved by majority vote of the citizen board and commission.

2.08.045 Council Liaisons; Council and Staff Support and Coordination.

- (1) Council Liaisons.
 - a. A Council Liaison shall be appointed for each citizen board and commission in accordance with Council Rules. The purpose of the Council Liaison is to provide a direct line of communication between the citizen board and commission and the City Council. The Council Liaison and the chair of the citizen board and commission shall have a joint obligation to keep the Council and the citizen board and commission informed of relevant city or citizen board and commission information.
 - b. The Council Liaison is not a voting member of the citizen board and commission to which he or she is assigned. However, except to the extent otherwise required by law and rules of procedure when the citizen board and commission is exercising quasi-judicial authority,

he or she may take part in all discussion and debate in any matter before the citizen board and commission.

(2) Other City Council members may attend meetings of any citizen board and commission. A Council member may not speak on behalf of the City Council at a citizen board and commission meeting unless authorized to do so by majority vote of the City Council.

(3) City Staff Support.

a. The city manager shall assign staff to provide technical information, guidance, and clerical support for each citizen board and commission. The primary staff person(s) assigned to a citizen board and commission will be designated as the staff liaison(s).

b. A staff liaison is not a voting member of the citizen board and commission to which he or she is assigned. However, except to the extent otherwise required by law and rules of procedure when the citizen board and commission is exercising quasi-judicial authority, he or she may take part in all discussion and debate in any matter before the citizen board and commission.

2.08.050 Appointment and Removal of Citizen Board and Commission Members.

(1) Appointments.

a. Members of citizen boards and commissions shall be appointed in accordance with Council Rules.

b. If a position becomes vacant for any reason before the expiration of a term of office, the appointee shall fill the vacancy for the remainder of the term.

c. Appointees must meet the qualifications for the citizen board and commission, if any.

d. All members must reside within the Sherwood city limits, unless otherwise provided for a specific citizen board and commission.

e. When making or approving appointments, the mayor and council may consider special expertise of applicants and the geographic diversity of the membership of citizen boards and commissions.

f. A citizen may not serve on more than one citizen board and committee simultaneously without approval of the City Council by resolution. This provision shall not apply to subcommittees.

g. A citizen serving on more than one citizen board and committee may not be the chairperson of more than one simultaneously.

(2) Removal. Members of citizen boards and commissions serve at the pleasure of the City Council and may be removed at any time, with or without cause, in accordance with Council Rules.

2.08.055 Term of Office.

(1) The term of office for members of each citizen board and commission shall be a period of three years, unless otherwise provided herein, in the ordinance or resolution establishing a citizen board and commission, as it may be amended from time to time, or required by law.

- (2) All terms of office shall expire on June 30th, unless otherwise provided herein, in the ordinance or resolution establishing a citizen board and commission, as it may be amended from time to time, or required by law.
- (3) Notwithstanding the foregoing, initial terms of office for members of a newly created citizen board and commission which is intended to be permanent shall be staggered so that a majority of the positions do not become vacant in the same year and so that an equal or approximately equal number of positions become vacant each year.
- (4) Members of citizen boards and commissions in office at the time that this ordinance is enacted shall continue in office until June 30th of the year in which their term of office was scheduled to expire. The length of the subsequent term of office may vary from the requirements in subsection (1) above, as specified at the time of appointment, if necessary to ensure that a majority of the positions on the citizen board and commission do not become vacant in the same year and that an equal or approximately equal number of positions become vacant each year

2.08.060 Budget Committee.

The Sherwood Budget Committee is hereby established for the purposes, and with the composition and duties and responsibilities, set forth in Oregon Local Budget Law (ORS Chapter 294).

2.08.065 Cultural Arts Commission.

- (1) Purpose. The Sherwood Cultural Arts Commission is hereby established for the purpose of advising the City Council and city administration on arts and cultural programming, policies, planning, and management.
- (2) Composition.
 - a. The commission shall consist of nine members.
 - b. Eight of the commission members must be residents of the City of Sherwood. One commission member must reside within the 97140 zip code, but need not be a resident of the City of Sherwood.
- (3) Duties and Responsibilities. The commission shall:
 - a. Identify needs and facilitate arts initiatives that serve the City, expanding and enriching the cultural life of Sherwood.
 - b. Develop cultural arts policies and make recommendations to City Council with regard to public art and arts programming.
 - c. Promote the utilization of the Sherwood Center for the Arts as a venue for performances and events, promoting cultural tourism.

2.08.070 Library Advisory Board.

- (1) Purpose. The Sherwood Library Advisory Board is hereby established for the purpose of advising the City Council and city administration on library policies, planning, and management.
- (2) Composition.
 - a. The board shall consist of nine members.
 - b. Eight of the board members must be residents of the City of Sherwood. One member must be a non-resident of the City of Sherwood, but must be a resident of both Washington County and the Sherwood Public Library service area as then designated.

- c. Per ORS 357.465(3), the term of office for Library Advisory Board members shall be four years.

(3) Duties and Responsibilities. The board shall:

- a. Evaluate community needs and resources on a regular basis and incorporate relevant findings into a statement of purpose guiding the provision of library services.
- b. Establish long-range plans, goals, and objectives for the library and the improvement and maintenance of the library building.
- c. Regularly review and advise the City Council and city administration on specific programs and policies relative to library goals and objectives.
- d. Promote public participation and awareness programs designed to increase the use of the library.
- e. Advise the City Council and city administration on library rules, regulations, and other matters relative to the library.
- f. Undertake additional responsibilities relative to the library system as may be designated by the City Council or requested by the city administration.

2.08.075 Parks and Recreation Advisory Board.

- (1) Purpose. The Sherwood Parks and Recreation Advisory Board is hereby established for the purpose of advising the City Council and city administration on parks and recreation policies, planning, and management.

- (2) Composition. The board shall consist of nine members.

(3) Duties and Responsibilities. The board shall:

- a. Evaluate community needs and resources on a regular basis and incorporate relevant finding into a proposed statement of purpose guiding the provision of parks and recreation services in the city.
- b. Make recommendations to City Council regarding long-range plans, goals, and objectives for the acquisition and development of new city parklands and the improvement and maintenance of existing parks.
- c. Develop and recommend to the city administration and City Council annual budget appropriations supporting and prioritizing parks and recreation operational and capital programs.
- d. Regularly review and advise the City Council and city administration on specific programs and policies relative to parks and recreation goals and objectives.
- e. Coordinate and/or review plans and activities undertaken by volunteer agencies and individuals that are directed toward the improvement of city parks, beautification of other areas of the city, and organizing of recreation programs.
- f. Provide a liaison between the city and corporate, civic, fraternal, nonprofit, and other groups related to scheduling and conduct of community-wide events and activities.
- g. Consider land use planning issues as they relate to parks, and use of landscaped areas and/or parks dedicated by new subdivisions and construction.
- h. Implement public participation and awareness programs designed to combat vandalism and misuse of city parks, thoroughfares, public facilities, greenways, and similar areas.
- i. Assist in the development and review of parks rules and regulations and parks activity and use permits.
- j. Meet with local sports organizations to identify needs and concerns and develop findings and recommendations for City Council.
- k. Undertake additional responsibilities relative to the city parks and recreation system as may be designated by the City Council or requested by city administration.

2.08.080 Planning Commission.

The Sherwood Planning Commission is hereby established for the purpose of advising the City Council on general land use and transportation planning issues; long-range capital improvement programs; and acting as a hearings body for applications for permits, land use applications, and land use appeals, and other matters as directed by the City Council, and for the purposes set forth in ORS Chapter 227 and Sherwood Municipal Code Chapter 16.06. The commission's composition and duties and responsibilities shall be as set forth in, and the commission shall in all other respects be governed by the terms set forth in, ORS Chapter 227 and Sherwood Municipal Code Chapter 16.06.

2.08.085 Police Advisory Board.

- (1) Purpose. The Sherwood Police Advisory Board is hereby established for the purpose of advising the City Council and city administration on police department policies, planning, and management.
- (2) Composition.
 - a. The board shall consist of nine members.
 - b. At least six members must be residents of the City of Sherwood. The remaining members must reside within the 97140 zip code, but need not be residents of the City of Sherwood
 - c. When making appointments to the board, the city will endeavor to include representatives from:
 - i. Sherwood businesses.
 - ii. The Sherwood faith community.
 - iii. The Sherwood Police Foundation.
 - iv. The Sherwood youth community.
 - v. The Sherwood School District.
- (3) Duties and Responsibilities. The board shall:
 - a. Assist the police department in establishing:
 - i. Priorities for the delivery of police services, including types, levels, and quality of police services;
 - ii. The department's strategic plan and goals;
 - iii. Recommended strategies for the future; and
 - iv. Public policy on policing.
 - b. Seek opportunities to educate the community about police work and the purpose of law enforcement.
 - c. Be a component of the Sherwood community, with the goal of promoting public safety.
 - d. Establish and maintain coordinated and cooperative working relationships between residents, the business community, faith community, youth population, schools, other agencies, and the Sherwood Police Department.
 - e. Invite and encourage public input regarding the above and advise the Chief of Police on the above matters and make recommendations to the City Council when appropriate.

2.08.090 Senior Advisory Board.

- (1) Purpose. The Sherwood Senior Advisory Board is hereby established for the purpose of advising the City Council and city administration on senior services programming, policies, planning, and management.
- (2) Composition.
 - a. The board shall consist of nine members.
 - b. Eight of the board members must be residents of the City of Sherwood. One board member must reside within the 97140 zip code, but need not be a resident of the City of Sherwood.

(3) Duties and Responsibilities. The board shall:

- a. Evaluate community needs and resources on a regular basis and incorporate relevant findings into a statement of purpose guiding the provision of senior services in the city.
- b. Assist the City Council and city administration in developing long-range plans, goals, priorities, and objectives for the delivery of senior services, including types, levels, and quality of services, through the Marjorie Stewart Senior Community Center and other local senior services.
- c. Assist the City Council and city administration in creating public policy on senior safety, housing, transportation, health, and other needs.
- d. Regularly review, and advise the City Council and city administration on, specific programs and policies relative to senior services goals and objectives.
- e. Promote public participation and awareness of programs to increase the use of the senior services in and around Sherwood, including at the Marjorie Stewart Senior Community Center.
- f. Establish and maintain coordinated and cooperative working relationships between residents, the business community, faith community, youth population, schools, other agencies, the city government including the Marjorie Stewart Senior Community Center, and other local senior services.
- g. Undertake additional responsibilities relative to senior services as may be designated by the City Council or requested by the city administration.