

CITY of LA GRANDE
ORDINANCE NUMBER 3229
SERIES 2015

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON,
ESTABLISHING PROTOCOL FOR THE CREATION OF VARIOUS AD HOC AND LONG-TERM
ADVISORY COMMITTEES AND COMMISSIONS WITHIN THE CITY OF LA GRANDE, OREGON;
AND REPEALING ORDINANCE NUMBER 3193, SERIES 2011, AND ALL OTHER ORDINANCES
OR PARTS OF ORDINANCES IN CONFLICT HEREWITH;
AND DECLARING AN EFFECTIVE DATE**

WHEREAS, Oregon Revised Statutes govern the creation of several regulatory volunteer Committees and/or Commissions, including but not limited to a municipal Budget Committee, a Library Commission, and a Planning Commission; and,

WHEREAS, the City Council of the City of La Grande, Oregon, recognizes the benefits of public input and as a result has established by Ordinance additional volunteer advisory Commissions, as needed and/or required; and,

WHEREAS, Staff has identified a number of areas in existing establishing Ordinances that require editorial amendments; and,

WHEREAS, the current process for creating, amending and/or repealing Commission Ordinances is lengthy and costly; and,

WHEREAS, the City Council of the City of La Grande, Oregon, concurred by consensus with the Staff recommendation to facilitate future administrative management of Committees and Commissions by developing a single Ordinance containing general language applicable to all Commissions and/or Committees of the Council, including but not limited to the appointment process and proper Commission conduct as governed by the Oregon Public Meetings Laws; and,

WHEREAS, the City Council of the City of La Grande, Oregon, further concurred by consensus with the Staff recommendation to then provide for the creation of Committees and Commissions by Resolution of the City Council of the City of La Grande, Oregon, containing language specific to each particular Commission, including but not limited to Powers and Duties;

NOW, THEREFORE;

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

Section 1. ADVISORY COMMISSION ESTABLISHMENT

a. Advisory Commissions of the City Council of the City of La Grande, Oregon, shall now and hereinafter be established by Resolution of the City Council of the City of La Grande, Oregon.

b. This Ordinance shall set forth and govern general protocol for all Advisory Committees or Commissions established by Resolution of the City Council of the City of La Grande, Oregon, in accordance with the content of the following Sections.

Section 2. COMMISSION APPOINTMENTS

a. Pursuant to Chapter V, Section 21., of the City Charter of the City of La Grande, Oregon, the Mayor shall nominate the Council's Advisory Committee and Commission members, subject to a vote of the Council.

b. Employees of the City of La Grande, Oregon, are typically not eligible for appointment to City of La Grande Advisory Committees or Commissions.

c. All Advisory Committee or Commission appointees shall serve on a voluntary basis, without pay.

d. In most cases, the same applicant shall be appointed to not more than two (2) Advisory Committees or Commissions; except that the same applicant may additionally be appointed to the Budget Committee, which typically meets only once annually.

Section 3. EXPIRATION or VACATION of TERMS

a. Whenever possible, within thirty (30) days following the resignation, removal, or the expiration of the term of any appointed Advisory Committee or Commission member, a successor shall be appointed in accordance with that Committee's or Commission's membership criteria, as set forth in the establishing Resolution passed by the City Council of the City of La Grande, Oregon. Should any Advisory Committee or Commission member resign or be removed, a successor shall be appointed and shall serve for the unexpired period of the vacated term. A member whose term has expired or who has resigned from an Advisory Committee or Commission may continue to serve until a successor is appointed.

b. Any member of an Advisory Committee or Commission may be removed by the City Council as follows:

1. Any member of the City Council may request a member's permanent removal from an Advisory Committee or Commission if the member has acted in such a manner as to bring discredit to the City or has acted in a manner that is clearly in violation of the expectations of the Council, or displayed conduct that is malicious or capricious in nature. The requesting City Councilor shall request to the City Manager that the member be temporarily removed pending City Council action. The requesting City Councilor shall present the reasons for removal at the next regularly scheduled City Council meeting. The Council shall permanently remove or fail to remove the member by majority vote of the full Council.

2. At the request of the Advisory Committee or Commission Chair and/or the City Manager for nonattendance, if it becomes a frequent and regular occurrence. The City Council shall remove or fail to remove the Advisory Committee or Commission member by majority vote of the full Council.

3. The Chair of any Advisory Committee or Commission may, upon receiving a majority vote of the Advisory Committee or Commission, request to the City Manager that the member be temporarily removed pending City Council action. The Chair shall present to the City Council the basis for removal in open Session. The City Council shall remove or fail to remove the Advisory Committee or Commission member by majority vote of the full Council.

4. The City Manager may temporarily remove an Advisory Committee or Commission member and request the member's permanent removal from the Advisory Committee or Commission if the member has acted in such a manner to bring discredit to the City or has acted in a manner that is clearly in violation of the expectations of the Council, or displayed conduct that is malicious or capricious in nature. The City Manager shall present the reasons for removal to the Council at the next regularly scheduled City Council meeting. The Council shall permanently remove or fail to remove the member by majority vote of the full Council.

Section 4. MEETINGS

Commissioners shall schedule meetings and shall meet regularly and in compliance with ORS 192.620, the Oregon Public Meetings Law, as follows:

1. Customarily, Notice of all Advisory Commission meetings must be published in the newspaper, currently *The Observer*, or its successor, hereinafter referred to as "Newspaper," a minimum of one week prior to the date on which the meeting is scheduled. The Notice must include the meeting date, time, location, and nature of the Commission business to be discussed. Paid display advertising is not required. Any meeting scheduled without timely and proper advertising shall be postponed until such time that proper and timely advertising of the meeting can occur. Posting a

meeting Notice only on the City's Web Site or Department Web Page does *not* satisfy this legal requirement.

2. A copy of the Agenda shall also be provided by hard copy or electronic mail to the City Recorder, together with a copy of the notification to the *Newspaper*, at the same time the Notice is provided to the *Newspaper*.

3. All meetings of the Commission shall be scheduled in nondiscriminatory locations accessible to individuals with mobility and other impairments; and a good faith effort shall be made to provide reasonable accommodations for hearing impaired persons, upon request.

4. Special meetings may be called by the Chair, a majority of the Commission members, the City Manager, or the Mayor. In accordance with ORS 192.620, the media shall be notified immediately. An Agenda for such special meeting shall be provided to Commissioners not less than twenty-four (24) hours prior to the meeting and shall be served by telephone, electronic mail, FAX, or personal delivery at each Commissioner's home or business. A copy of the Agenda, together with a copy of the notification to the *Newspaper*, shall also be provided by hard copy or electronic mail to the City Recorder at the same time the Notice is provided to the *Newspaper*.

5. During their first meeting of each calendar year, Commissioners shall elect from among their membership one individual to serve as Chair and one individual to serve as Vice Chair for the balance of that year. Nothing shall preclude the same individual from serving for more than one year; but the election shall still be held on an annual basis. Commissioners typically may not serve as Chair or Vice Chair more than two (2) consecutive years without a break in service, unless no other Commissioners are willing to serve in that capacity.

6. At the discretion of the City Manager, Advisory Committees and Commissions will be provided with administrative staff support specifically for the scheduling of meetings; Agenda and Minute preparation; and distribution of Agendas and Minutes. The Chair shall be required to secure the approval of the City Manager prior to requesting the assistance of staff on tasks or projects beyond the scope of those routine duties which are considered typically appropriate to Commission support.

7. All Advisory Committee or Commission meetings shall be open to the public; Advisory Committees or Commissions shall *not* meet in Executive Session.

Section 5. MINUTES

a. The Oregon Public Meetings Law requires that Minutes shall be provided for all Regular, Special, or Emergency meetings of the Advisory Committee or Commission and shall include at a minimum the following information: the proper name of the Advisory Committee or Commission; the time, date, and location of the Advisory Committee or Commission meeting; all members present (if guests are present, those names may be reflected but shall remain separate from the names of the Commissioners who are present); and Commissioners absent. While a verbatim transcript is not required, the substance of discussion on any item during an Advisory Committee or Commission meeting shall be described in enough detail to ensure that the nature of the discussion is clear to the reader.

b. All official Advisory Committee or Commission actions must be taken by a public vote subsequent to the introduction of a Motion, with a Second; and the vote of each member must be recorded in the Minutes, together with the name of the Advisory Committee member/Commissioner having introduced the Motion. Voting may *not* be by proxy nor electronic mail. Oregon State Statute permits an Advisory Committee member/Commissioner to be connected to a meeting telephonically, provided other Advisory Committee members/Commissioners, members of the audience, and media may "listen" to the meeting by speakers or other devices. An Advisory Committee member/Commissioner connected to a meeting telephonically shall be so for the entirety of the meeting and may not select only those items in which the Advisory Committee member/Commissioner is particularly interested in voting.

c. Unless otherwise authorized by Oregon State Statute, or Resolution or Ordinance of the City Council of the City of La Grande, Oregon, all Committee/Commission actions are advisory in nature and shall be forwarded to the City Council as an Advisory Committee or Commission recommendation on the next available Regular Session Agenda, if appropriate, as determined by the City Manager; or, in the case of the Urban Renewal Advisory Commission, the Urban Renewal District Manager.

d. A copy master of each set of Advisory Committee/Commission Minutes shall be provided to the City Recorder for distribution to the City Council subsequent to formal Advisory Committee/Commission approval of the Minutes.

Section 6. POWERS and DUTIES

The specific powers and duties of each Commission shall be set forth in the establishing Resolution for Commissions; except that all Commissions may determine and establish such other rules and regulations for the conduct of the Commission as the members shall deem advisable; provided, however, that such rules and regulations shall not be in conflict with this Ordinance nor any other City, State, or Federal law.


Section 7. SAVING CLAUSE

It is the intent of this Ordinance that all existing Advisory Commissions shall remain in full force and effect and shall be formalized in a Resolution establishing Commissions during the Council's Regular Session on October 7, 2015.

Section 8. SEVERABILITY. If any court of competent jurisdiction declares any Section of this Ordinance invalid for any reason, such decision shall be deemed to apply to that Section only and shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part declared invalid.

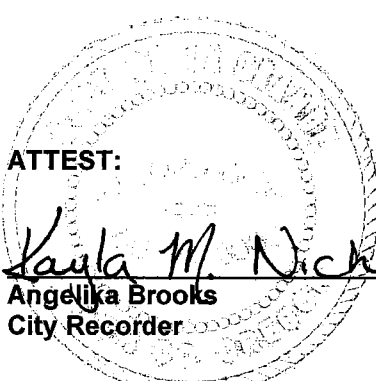
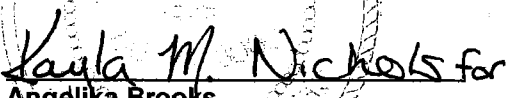
Section 9. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, November 6, 2015.

ADOPTED this Seventh (7th) day of October, 2015, by Six (6) of Six (6) Councilors present and voting in the affirmative.



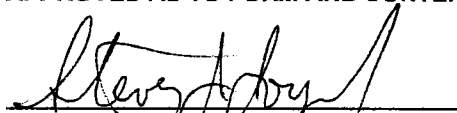
Gary Lillard
Mayor Pro Tem

ATTEST:

Kayla M. Nichols for
Angelika Brooks
City Recorder

APPROVED AS TO FORM AND CONTENT:



Steven J. Joseph
Legal Counsel for the City of La Grande