



### Draft Amendments to the Oregon City Municipal Code Chapter 2.30 – Citizen Involvement Committee

March, 2015 Draft

*Comments from the March 2, 2015 CIC meeting are identified below each section. Please review the video of the February 2, 2015 and March 2, 2015 CIC meetings for additional details. The document has been redlined in response to the CIC comments. Note that once the document is complete, it will be reviewed by our City Attorneys.*

#### **2.30.010 - Created.**

The citizen involvement committee (CIC) is hereby created for the City of Oregon City. The CIC shall foster public participation and education regarding land use for the City Commission and other duties as identified within this chapter.

#### Comments from the CIC-

- *There were no comments concerning this section.*

#### **2.30.020 - ~~Powers and~~ Duties.**

The ~~powers and~~ duties of the CIC include, but are not limited to the following:

- A. Encourage public participation and knowledge of land use in Oregon City.
- B. Encourage public participation in other government activities and neighborhood programs.
- C. Provide information to the City and share information with the public.
- D. Address grievances of the CIC and of neighborhood associations.
- E. Perform duties that the City Commission assigns to the CIC.

#### Comments from the CIC-

- *Suggestion to remove the reference to power.*
- *Suggestion to add additional items from the “Responsibilities” section of the 1978 Bylaws which included additional items.*
- *Suggestion to add a duty that the CIC assure that the land use component of the neighborhood associations are working.*
- *Concern that “government activities” is vague.*
- *Concern that the language does not clearly identify the two-way communication that is desired between the public/neighborhood associations/Citizen involvement Committee, and the City Commission.*
- *Concern that the word “information” is vague.*
- *Request to mimic the broader “Mission Statement”, “Vision”, “Values” and “Roles and Responsibilities” from the CIC website.*
- *There is support for the creation of a public involvement plan.*

#### Comments from the City Attorneys

- *Item “E” was added at the request from our City Attorneys.*

### 2.30.30 - Membership.

- A. The CIC shall consist of one primary member and one alternate member from each recognized neighborhood association. The primary member will participate in the CIC meetings. The alternate member will represent the neighborhood association in the absence of the primary member.
- B. Each neighborhood association ~~may request~~shall provide member nominations for appointment by the Mayor.
- ~~C. Members shall be appointed for two years. Terms of office shall commence on the first day of the calendar year. The primary member shall not serve more than two consecutive terms as a primary member.~~
- ~~D.C.~~ D. The members shall reside, work in, own property, or own a business within the neighborhood association boundaries which they represent.
- ~~E.D.~~ E. All members shall serve without compensation.
- ~~F.E.~~ F. If a member is unable to attend a meeting, it is the member's responsibility to inform the City Liaison prior to the meeting being missed.
- ~~G.F.~~ G. Upon failure of any member to attend three consecutive meetings, misconduct or nonperformance of duty, the CIC may recommend termination of that appointment to the City Commission. A CIC member may be removed by the City Commission, after hearing, for misconduct or nonperformance of duty. The alternate member shall become the primary member for the remainder of the term.

#### Comments from the CIC-

- Concern for having one primary representative and one alternate from each neighborhood association.
- Support for having one primary representative and one alternate from each neighborhood association.
- Request to change language that neighborhood associations "may request" member nominations to "shall provide" member nominations.
- Concern that CIC representatives are appointed by the Mayor and suggestion that each neighborhood association appoint their own representatives.
- Concern that the Mayoral appointment is not compliance with Oregon's Statewide Planning Goals & Guidelines Goal 1: Citizen Involvement and the City Charter.
- Support for the Mayoral appointment if the language is changed so that each neighborhood association shall provide member nominations.
- Concern that this section does not state that the alternate member may vote when the primary member is absent.
- Concern about term limits.
- Concern that the term limits are too short.
- Support for term limits.
- Suggestion that CIC membership should be limited to residences.
- Suggestion that CIC membership should be limited to business and residences.
- Suggestion that CIC membership should be chosen by each neighborhood association.
- Suggestion that a CIC member may be recommended for removal with failure to attend 3 meetings per year.
- Suggestion to add misconduct or nonperformance of duty as reasons why the CIC may recommend removal of a CIC member.

### 2.30.040 – Officers and staffing.

- A. Nominations and election of a chair, vice-chair and secretary shall be taken from the floor at the first meeting of the year. In the event that an officer is unable to complete the specified term, a

special election shall be held for the completion of the term. The chair or vice-chair may not serve more than two consecutive terms.

- B. Chairperson. The chairperson shall preside at all CIC meetings and serve as an ex-officio member on all committees. The chairperson shall be the official spokesperson for the CIC, representing the majority position of the CIC, unless otherwise delegated in writing with the majority consent of the CIC.
- C. Vice-Chairperson. The vice-chairperson, in absence of the chairperson, shall have general supervisory and directional powers over the CIC. The vice-chairperson shall conduct all business delegated to the chairperson, in his or her absence.
- D. Secretary. The secretary prepares the minutes and attendance records of all meetings and submits the information to the City Liaison.
- E. Commissioner Liaison. A liaison from the City Commission shall be appointed to act as a resource to CIC and attend CIC meetings. The Commissioner Liaison will be a non-voting member of the CIC.
- F. City Liaison. The Planning Division and the City Manager's Office or their designee shall be responsible for keeping an accurate and legally sufficient record of all proceedings. In addition, the City Liaison shall create and post agendas, maintain a database of CIC members and track the CIC budget.

Comments from the CIC-

- Suggestion that elections should be the month following the officer nominations.
- Suggestion that the officers are elected for two year terms.
- Suggestion that CIC has input into the agenda.
- Suggestion that there be a City neighborhood coordinator position and that the Comprehensive Plan be amended if the neighborhood coordinator position does not exist.
- Concern that this section does not comply with the Comprehensive Plan.

**2.30.050 – Organizational procedures.**

- A. The CIC shall hold an official meeting ~~bimonthly~~every month. The CIC shall meet at such times and places as may be fixed by the committee. Special meetings may be called in accordance with the public open meetings law by the City Manager or the City Manager's designee.
- B. A majority of the members constitutes a quorum for meetings. Provided a quorum is present, voting matters shall be approved by a simple majority of the voting members present. All members whom are present, including the chairperson and vice-chairperson, are allotted one vote each on all motions.
- C. The CIC shall establish goals biannually that are consistent with the adopted Goals and Objectives of the City Commission.
- D. The CIC Chair or designee shall meet with the City Commission once a year to provide an update of how the CIC has increase public participation and knowledge of land use.
- E. All meetings shall comply with ORS 192.640 and all CIC business shall comply with all applicable Federal, State, and local laws and regulations.

Comments from the CIC-

- Suggestion that "bimonthly" be changed to "every other month".
- Suggestion that the CIC meet monthly.
- Suggestion to add language that the CIC may call a special meeting.
- Suggestion that the CIC has a joint work session with the City Commission each year rather than a report from the CIC chair.
- Suggestion that the yearly meeting between the CIC chair and the City Commission remain.

### **2.30.060 - Grievances**

- A. An ad hoc Grievance Committee will be formed to recommend resolution to the CIC for a vote.
- B. The Grievance Committee will consist of five (5) members chosen by the CIC Chair through a random lottery of CIC representatives.
  1. Any member who is a party to, or is directly impacted by, the grievance or the recommendation, must recuse themselves from being chosen for this committee.
  2. The CIC Chair will serve as an ex-officio on this committee.
  3. A committee Chair will be appointed by the Grievance Committee itself.
- C. The task of the Grievance Committee will be to study any grievances directed in writing to the CIC by any of its members, neighborhood associations, or any person considering themselves adversely affected by CIC. Upon receipt of such complaint the Grievance Committee will proceed in the following manner:
  1. First, it will recommend that the parties seek to reconcile their differences through mediation.
  2. If mediation fails, the committee is authorized to conduct such meetings and hearings as may be necessary to determine the facts of the matter in dispute. A majority of the committee members will constitute a quorum. Committee action will be determined by a majority vote of those present and voting at each committee meeting.
  3. The committee is to report its progress to the CIC within thirty (30) days or at the next regularly scheduled CIC meeting, whichever is later.
  4. Within an additional thirty (30) days or at the next regularly scheduled CIC meeting, whichever is later, the committee is to report in writing its recommendation for the resolution of the grievance.
- D. The CIC will hear the recommendation and vote on a final decision.
- E. The CIC decision is final unless called up for review by the City Commission.

#### Comments from the CIC-

- *Suggestion to add language so the neighborhood associations be included in the grievance procedures.*

### **2.30.070 - Conflict of interest.**

A member of the CIC shall not participate in any committee proceeding or action in which any of the following has a direct or substantial financial interest: the member or his/her spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which he/she is then serving or has served within the previous two years, or any business with which he/she is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting where the action is being taken. The committee shall operate in the general public interest serving the community as a whole.

#### Comments from the CIC-

- *There were no comments concerning this section.*

### **2.30.080 - Expenditures.**

The CIC shall have no authority to make any expenditures on behalf of the city or to obligate the city for payment of sums of money.

#### Comments from the CIC-

- *Comment that adequate resources are required for the citizen involvement program in Oregon's Statewide Planning Goals & Guidelines Goal 1: Citizen Involvement.*