

**ORDINANCE NO. 1484**

**AN ORDINANCE ADOPTING NEW CODE CHAPTERS GOVENRING THE ESTABLISHMENT OF AND APPOINTMENT TO BOARDS, COMMISSIONS AND COMMITTEES AND REPEALING ALL PRIOR CODE AND ADMINISTRATIVE PROVISIONS REGARDING THE SAME**

**WHEREAS**, the Gladstone City Council held multiple work sessions in 2017 regarding City boards, commissions and committees;

**WHEREAS**, these work sessions included discussion of the duties and structure of boards, commissions and committees and included discussion of how City Council appoints members of the public to them;

**WHEREAS**, historically, there has been inconsistency amongst parts of the Gladstone Municipal Code and the City's administrative policies regarding boards, commissions and committees and their duties, their structure and make-up and how Council appoints persons to them; and

**WHEREAS**, the City Council wants to adopt new chapters of the Gladstone Municipal Code to address these issues holistically and wants to repeal other sections of the Code and other administrative provisions that currently relate to or govern the topic.

**NOW, THEREFORE**, the City of Gladstone ordains as follows:

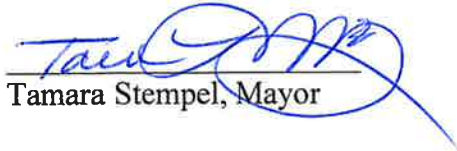
Section 1. The City Council adopts the following new chapters in the Gladstone Municipal Code ("GMC"): Chapter 2.10 (Boards, Commissions and Committees Generally); Chapter 2.20 (Park and Recreation Advisory Board); Chapter 2.30 (Budget Committee); Chapter 2.40 (Planning Commission); Chapter 2.50 (Library Advisory Board); Chapter 2.60 (Traffic Safety Advisory Board); Chapter 2.70 (Senior Center Advisory Board); Chapter 2.80 (Audit Committee).

Section 2. The text of these new chapters is attached as Exhibit A and incorporated into this ordinance. The City Recorder or designee, or the publisher of the GMC, may exercise the authority in GMC 1.01.110 when codifying Exhibit A.

Section 3. The City Council repeals GMC Chapters 2.25 (Library Board) and 2.28 (Planning Commission). In addition, the City Council repeals all prior ordinances and resolutions relating to: (a) the establishment of the boards, commissions and committees identified in Exhibit A; (b) the appointment and removal of persons to the boards, commissions and committees identified in Exhibit A; (c) the organization and operation of the boards, commissions and committees identified in Exhibit A; and (d) the purposes, membership qualifications and duties of the boards, commissions and committees identified in Exhibit A.

Section 4. The City Council adopts an introductory letter to be given to all new appointees to boards, commissions and committees. This letter is attached as Exhibit B and is incorporated into this ordinance.

Adopted by the Gladstone City Council this 9<sup>th</sup> day of January, 2018.

  
Tamara Stempel, Mayor

**ATTEST:**

  
Tami Bannick, City Recorder

**ORDINANCE NO. 1484**  
**EXHIBIT A**

**Gladstone Municipal Code**  
**CHAPTER 2.10 BOARDS, COMMISSIONS, AND COMMITTEES GENERALLY**

2.10.010 APPLICABILITY

This chapter applies to all City boards, commissions, and committees unless mandated otherwise by State statute or City ordinance, including but not limited to the following boards, commissions and committees:

1. Budget Committee (ORS 294.336);
2. Senior Center Advisory Board;
3. Library Advisory Board (ORS 357.465);
4. Park and Recreation Advisory Board;
5. Planning Commission (ORS 227.090);
6. Traffic Safety Advisory Committee; and
7. Audit Committee.

2.10.020 DEFINITIONS

1. "Ad Hoc" means a public body created by Council for a particular purpose, issue, or need.
2. "Board" means a public body created by ordinance or resolution which acts in an advisory capacity to the Council in all matters set forth by the enactment establishing the board.
3. "Commission" means a public body created by ordinance or resolution which acts as a decision making body on behalf of the Council in all matters set forth by the enactment establishing the commission.
4. "Committee" means a public body other than a board or commission. Each committee has the authority and responsibility established for it by this code and by Oregon law as applicable.

2.10.030 BOARD, COMMISSION, AND COMMITTEE APPOINTMENTS

1. Any individual or group is encouraged to submit names for consideration to the City. Unless otherwise specified, all members must be residents of the city.
2. Appointments must comply with any ordinances, bylaws, Charter provisions, or state or

Federal laws concerning the board, commission, or committee. In the event of any inconsistencies between this chapter and any chapter relating to a specific board, commission, or committee, the specific chapter shall control.

3. In order to become more familiar with the applicants' qualifications, the Council may interview all applicants for a vacancy
4. Unless otherwise specified, all boards, commissions and committees will consist of seven (7) members. The City Council may assign liaisons to boards, commissions and committees.
5. Council members may not serve as voting members.
6. Reappointment to a board, commission, or committee shall be considered in accordance with the guidelines listed in this section, together with the type of service the individual has already given to the board, commission, or committee and his or her stated willingness to continue. No person may serve more than:
  - a. Two (2) successive terms on the Budget Committee unless there is an interval of at least one term prior to the reappointment;
  - b. Two (2) successive terms on the Library Advisory Board unless there is an interval of at least one term prior to reappointment;
7. Consideration should be given to residents outside the City when the board, committee, or commission or function serves residents outside City boundaries.
8. No individual should be considered for appointment to a position on any board, commission, or committee where a conflict of interest may result. Board, commission, and committee members are public officials and shall not participate in any proceeding or action to gain a financial benefit or to avoid a financial cost for themselves or a relative; any business in which the member is serving or has served within the previous two (2) years; or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. A relative includes the public official's spouse or domestic partner and children, siblings, spouses of siblings, or parents of the public official and spouses. If the public official has a legal support obligation for an individual or provides or receives benefits from another individual, they also may be defined as a relative of the public official. Any actual or potential conflict of interest shall be disclosed at the meeting of the board, commission, or committee.
9. Board, commission, and committee vacancies are filled by appointment of the Council. Appointments are made for terms not to exceed four (4) years and will expire the last day of December unless mandated by State statute or by the City ordinance that established the board, commission, or committee. All board, commission, and committee members shall serve without compensation.

10. Individuals may not be appointed to more than two (2) boards, commissions or committees at one time. If an individual is serving on more than one (1) board, commission or committee they may not serve as the chair of both.
11. No more than one individual from a household may be appointed to serve on a specific board, commission, or committee at one time.

#### 2.10.40 REMOVAL

Members of a board, committee, or commission serve at the pleasure of the City Council and, except as may be limited or prohibited by law, may be removed at any time and for any reason by a majority vote of the City Council. Members of a board, committee or commission who are absent from more than three (3) regular meetings in a calendar year are considered to have resigned from the board, committee or commission.

#### 2.10.050 ORGANIZATION AND OPERATION

##### 1. Annual Work Plan

Each board, commission, and committee shall prepare an annual work plan which will have elements of the City's strategic plan. These work plans shall be discussed with and approved by the City Council in a joint work session.

##### 2. Staff Support

The City will provide for necessary staff support for the board, commission, or committee including postage, meeting place, administrative support service, new member orientation and training.

##### 3. Meetings

Staff sets the agenda. Each board, commission, or committee should meet at least once each month or as needed to conduct its business and shall meet on the call of the staff person in conjunction with the chairperson. All meetings shall be subject to the requirements of Oregon Revised Statutes 192.610 to 192.690 (Open Meetings Law). A majority of the voting members shall constitute a quorum for the conduct of business and concurrence of a majority of those members present shall be required to decide any matter. These meetings shall be an opportunity for public involvement in the discussion of issues relating to that particular board, commission, or committee.

##### 4. Authority to Bind

Neither a board, commission, nor committee, as a whole, or any member or members individually or collectively, shall exercise authority to bind the City, its officers or agents to financial commitment or obligations. Any funding for projects must be budgeted by the Council, and authorized expenditures presented to the staff for payment. The City may enter into agreements with other public agencies, associations, and individuals for services which will assist the board, commission, or committee in carrying out elements of its work plan.

##### 5. Annual Reports and Minutes

Each board, commission, or committee shall report on its activities in a work session with the City Council at least annually. The audio or written minutes for each board, commission, or committee shall be made available to Council for information.

6. Chairperson and Vice Chairperson.

At its first meeting in January of each year members of the committee shall elect a chairperson and vice-chairperson.

7. Ethics Law

Board, commission, and committee members appointed by the Council are considered "public officials." As such, they are expected to abide by the Oregon Government Ethics Law of the State of Oregon (ORS 244.010 to 244.400).

H. Boards, commissions, and committees may be asked to provide comments to other advisory bodies and staff when matters under consideration relate to their functional area of expertise.

## CHAPTER 2.20 PARK AND RECREATION ADVISORY BOARD

### 2.20.010 ESTABLISHED - PURPOSE

The City of Gladstone is responsible for the operation and maintenance of the City's parks and recreation programs.

The Park and Recreation Board is established for the purpose of advising and making recommendations to the City Council regarding Gladstone's recreation programs and facilities. The Park and Recreation Board shall be responsible for, but is not limited to, the following activities:

1. Surveying recreation and leisure time needs of City residents through the neighborhood associations and recommending the roles the City should or ought to pursue in meeting such needs;
2. Serving in an advisory capacity to the City Council through their regular master planning and capital improvement plan process, on the location, service areas, siting, standards, class, number and needs for existing and future parks within the community;
3. Identifying desirable future park locations consistent with established plans and standards;
4. Maintaining the master plan;
5. Exploring the feasibility of meeting community park and recreation needs through consolidating grounds and programs with local public and private entities;
6. Identifying park acquisition and development priorities and recommending current or potential locations and financing methods to the City Council;
7. Participating in planning and development processes for park and recreation programs or facilities which provide services benefiting Gladstone citizens;
8. Establishing, evaluating and monitoring maintenance standards of City parks and advising Council of the status; and
9. Such other activities as the Council may assign.

### 2.20.020 MEMBERSHIP - QUALIFICATIONS

The Board shall consist of members representing the geographic diversity of the City, appointed by the Council, all of whom must be City residents. Whenever possible, persons will be appointed who have demonstrated interest, experience or expertise in some area of parks, recreation or related services.

## CHAPTER 2.30 BUDGET COMMITTEE

### 2.30.010 ESTABLISHED - PURPOSE

The Budget Committee is established in accordance with the provisions of ORS 294.336 to review the City and Urban Renewal budget document as prepared by the City Budget Officer and to recommend an approved budget to the City Council for adoption.

### 2.30.020 MEMBERSHIP - QUALIFICATIONS

The Budget Committee consists of seven (7) members of the governing body plus an equal number of members appointed from the electors of the municipal corporation. The appointed members shall be appointed for terms consistent with ORS 294. Beginning in 2017-18, the City will prepare biennial budgets for budget Committee approval. Terms of the Budget committee may be extended as necessary in order to ensure continuity.

### 2.30.030 DUTIES

Duties of the Budget Committee are:

1. Receive the Budget document
2. Hear the Budget message
3. Hears and considers public comment
4. Discusses and revises the budget as needed
5. Approves the Budget
6. Approves the Property Taxes



## CHAPTER 2.40 PLANNING COMMISSION

### 2.40.010 ESTABLISHED - PURPOSE

The Planning Commission is lawfully established for the purpose of reviewing and advising on matters of planning and zoning according to the provisions of the Comprehensive Plan, Zoning Ordinance, and other planning implementation documents. They may also perform all other acts and things necessary to properly carry out the provisions of ORS 227 that are not specifically addressed by local ordinances and procedures.

The Commission shall be responsible for, but is not limited to, the following activities:

1. Keeping current the Comprehensive Plan and implementing ordinances for the City and Urban Growth boundary as applicable.
2. Recommending to the City Council plans for regulating future growth, development, and beautification of the City, and to review and recommend on regional issues and concerns;
3. Recommending to the City Council plans for regulating the future growth, development, and beautification of the City in respect to its public and private buildings and works, streets, parks, grounds, and vacant lots, and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service of public utilities, and telecommunications utilities, including appropriate public incentives for overall energy conservation and harbor, shipping, and transportation facilities;
4. Recommending to the City council plans for promotion, development, and regulation of industrial and economic needs of the community with respect to business and industrial pursuits;
5. Considering and conducting public hearings on the Comprehensive Plans and zoning ordinances and similar matters which may include, but are not limited to, zone changes, condition uses, subdivisions, and partitions;
6. Providing decisions and/or recommendations to the City Council regarding compliance with applicable design guidelines for development projects subject to design review under the Zoning Ordinance;
7. Reviewing and recommending appropriate design guidelines and design review processes and procedures to the City Council; and
8. Such other activities as the Council may assign.

#### 2.40.020 MEMBERSHIP - QUALIFICATIONS

No more than two (2) voting members of the Commission may engage principally in the buying, selling or developing of real estate for profit as individual, 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.

#### 2.40.030 STATEMENT OF ECONOMIC INTEREST

Commissioners are required to file annual statements of economic interest as required by ORS 244.050 with the Oregon Government Standards and Practices Commission.

## CHAPTER 2.50 LIBRARY ADVISORY BOARD

### 2.50.010 DESIGNATED

The Gladstone Public Library is designated the City Public Library according to the provisions of ORS 357.400 to 357.621.

### 2.50.020 ESTABLISHED - PURPOSE

The Library Board is established for the purpose of advising the City Council and the library staff regarding library patrons' needs. The Board shall be responsible for, but not limited to, the following activities:

1. Reviewing and commenting on rules and policies for the operation of the Library;
2. Commenting on the acceptance or rejection of donations of real or personal property of funds donated to the library;
3. Commenting on the annual operating budget for the Library;
4. Commenting on sites for public library buildings or for location of Library facilities;
5. The Library Board shall appoint one (1) of its members as the City's representative to the Library District of Clackamas County District Advisory Board, and the City Council shall affirm that action and forward it to the District governing body; and
6. Such other activities as the Council may assign

### 2.50.030 MEMBERSHIP - QUALIFICATIONS

It is desirable that an applicant be familiar with and willing to support the Library and its programs; understand the needs of the Gladstone area Library patrons and the general community relative to the Library programs; have the ability to gather information regarding needs; and have experience in working with committees or other task groups.

## CHAPTER 2.60 TRAFFIC SAFETY ADVISORY BOARD

### 2.60.010 ESTABLISHED - PURPOSE

The City of Gladstone is responsible for the operation and maintenance of the City's streets, roads and transportation safety programs.

The Traffic Safety Advisory Board is established for the purpose of advising and making recommendations to the City Council regarding Gladstone's traffic safety program. The Traffic Safety Commission shall be responsible for, but is not limited to, the following activities:

1. Surveying transportation safety needs of City residents and recommending the roles the City should or ought to pursue in meeting such needs;
2. Serving in an advisory capacity to the City Council through their regular master planning and capital improvement plan process, on the location, service areas, siting, standards, class, number and needs for existing and future safety standards within the community;
3. Identifying desirable future safety plans and standards;
4. Ensuring the development of a Transportation System Plan;
5. Exploring the feasibility of meeting traffic safety needs through consolidating programs local public and private entities;
6. Recommending current or potential traffic safety issue locations and financing methods to the City Council
7. Participating in planning and development processes for traffic safety programs or facilities which provide services benefiting Gladstone citizens;
8. Establishing and evaluating maintenance standards of City parks and advising Council of the status; and I. Such other activities as the Council may assign.

### 2.60.020 MEMBERSHIP - QUALIFICATIONS

The Board shall consist of members, representing the geographic diversity of the City, appointed by the Council, all of whom must be City residents. Whenever possible, persons will be appointed who have demonstrated interest, experience or expertise in some area of traffic planning and/or design, construction.

## CHAPTER 2.70 SENIOR CENTER ADVISORY BOARD

### 2.70.010 ESTABLISHED - PURPOSE

The Senior Center Board is established for the purpose of advising the City Council and the Senior Center staff regarding the needs of Senior Citizens. The Board shall be responsible for, but not limited to, the following activities:

1. Reviewing and commenting on rules and policies for the operation of the Senior Center;
2. Commenting on the acceptance or rejection of donations of real or personal property or funds donated to the Senior Center;
3. Commenting on the annual operating budget for the Senior Center;
4. Commenting on sites for Senior Services buildings or for location of Senior Services facilities;
5. Such other activities as the Council may assign.

### 2.70.020 MEMBERSHIP - QUALIFICATIONS

It is desirable that an applicant be familiar with and willing to support the Senior Center and its programs; understand the needs of the Gladstone area seniors and the general community relative to senior programs; have the ability to gather information regarding needs; and have experience in working with committees or other task groups.

## CHAPTER 2.80 AUDIT COMMITTEE

### 2.80.010 ESTABLISHED- PURPOSE

The Audit Committee is established to assist the Council in the oversight of both internal and external audit functions. The role of the Audit Committee shall be advisory and any recommendations it provides to Council shall not be substituted for any required review and acceptance by City Council.

### 2.80.020 MEMBERSHIP – QUALIFICATIONS

The Audit Committee will consist of up to six members.

1. Committee members may not be employed by the City;
2. Committee members may not provide or within the last two years, provided goods or services to the city;
3. Committee members may not have an immediate family member who is an employee of the city, or a contractor providing services to the city;
4. Committee members may not have a direct and material interest in a company providing goods or services to the city.

### 2.80.030 DUTIES

Duties of the Audit Committee are:

1. Provide recommendations regarding the selection of the external auditor to City Council;
2. Make a recommendation to City Council on accepting the annual audit report; and
3. Review every corrective action plan developed by the city and assist the City Council in the implementation of such plans.

**ORDINANCE 1484**  
**EXHIBIT "B"**

**CITY OF GLADSTONE**  
**ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES**  
**GUIDELINES FOR MEMBER CONDUCT**

Thank you for your interest in volunteering as a member of a board, commission, or committee ("board") for the City of Gladstone. Serving on a board provides a way for residents who have special experience or interests to participate in the City's decision making process by advising the City Council on numerous issues.

Carrying Out the Board Duties

Now that you have been appointed to one of the boards, we would like to make you aware of the following guidelines, which will be useful for a successful tenure. They are a supplement to the existing statutes governing conduct, which includes ethics laws of the State of Oregon. It is important to remember as a representative of the City, you are a public official and are therefore held to a higher standard by Council, staff, peers and the citizens of Gladstone while performing your board responsibilities. You may be faced with difficult decisions and situations. Civility and diplomacy are not only important but expected in your role as a City board member.

- All meetings of boards, commissions, or committees are public meetings, unless declared to be an executive session, in accordance with the State of Oregon public meeting laws.
- You should always review materials provided in advance of the meeting so you are prepared to give your full attention to the matters at hand.
- You should always do your part to maintain the organization's transparency. Take steps to avoid even the appearance of a conflict of interest, declaring publicly if a potential or actual conflict of interest arises, and take appropriate steps.
- You should treat other board members, City Council, staff, and the public with patience, courtesy and civility, even when there is disagreement on what is best for the community.
- Always be aware of the public nature of written notes, calendars, voicemail messages, and e-mail. All written or recorded materials including notes, voicemail, text messages, and e-mail created as part of one's official capacity will be treated as potentially "public" communication.
- Recognize that even private conversations can have a public presence. As board members, you are often the focus of the public's attention. Even casual conversation about City business, other public officials, the public, or staff may draw the attention of the public and be repeated.
- Board members often are asked to explain a board action or to give their opinion about an issue as they meet and talk with citizens. It is appropriate to give a brief overview of a board action or project status, however, be careful to not promise that a City board or staff member will take any specific action.

### Attendance of Meetings

Members are expected to attend all board meetings; however, the community understands that conflicts may prevent a member from attending up to 3 meetings a year. Year refers to a calendar year.

### Individual Conduct of Board Members

Individual attitudes, words, and actions of board members in public and in private should demonstrate, support, and reflect the qualities and characteristics of Gladstone. The City of Gladstone suggests these guidelines:

- Be honest with fellow board members, the public and others.
- Credit others' contributions in moving our community interests forward.
- Strive to make independent, objective, fair and impartial judgments.
- Adhere to the State ethics rules and reject gifts, services or other special considerations that are only offered because of your service as a public official. This includes excusing yourself from participating in decisions when a member of your immediate family's or household's financial interests or your own may be affected by the board's action.
- Conduct yourself in a courteous and respectful manner at all times.

### Board Conduct with the Media and Social Media

Individuals representing the City must adhere to the City's Social media policy. A copy will be provided to you when you are appointed. Be mindful if speaking with the press that anything said in a City meeting may end up in print. In discussions about City business or issues with the press or through social media, you should be careful to not represent your personal opinion as if it is the City's position on an issue, or represents the opinion of your board or commission.

### Gladstone Municipal Code and Board By-laws

City boards, commissions and committees are established by the City Council as authorized in the Gladstone Municipal Code Chapter 2 referencing the appointment and removal process for members and also explain the purpose and membership of each board, commission, or committee.