

ORDINANCE NO. 15-1010

AN ORDINANCE OF THE CITY OF OREGON CITY ADOPTING CHAPTER 2.30 CITIZEN INVOLVEMENT COMMITTEE OF THE OREGON CITY MUNICIPAL CODE

WHEREAS, the State of Oregon has adopted Statewide Planning Goals including Goal 1: Citizen Involvement to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process (Exhibit 2); and

WHEREAS, the City encourages citizen involvement in all phases of the planning process; and

WHEREAS, the City created a policy establishing a Citizen Involvement Council (CIC) in December of 1977 to provide an active and systematic process for citizen and public agency involvement in the land-use decision making for Oregon City; and

WHEREAS, since establishment, the CIC has proven to be a successful means of communication between the City and citizens; and

WHEREAS, the City Commission wishes to codify the organization to reflect the importance of the group and specify basic rules and duties; and

WHEREAS, Title 2 of the Oregon City Municipal Code codifies numerous other groups; and

WHEREAS, Chapter 2.30 Citizen Involvement Committee shall be added to the Oregon City Municipal Code (Exhibit 1).

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The City hereby adds Chapter 2.30 Citizen Involvement Committee to the Oregon City Municipal Code (Exhibit 1).

Section 2. Bylaws. Upon adoption of this Ordinance, the Citizen Involvement Council Bylaws, dated December 2, 2013, shall no longer be in effect.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

Section 4. Effectiveness. This Ordinance shall take effect 30 days from the date of adoption.

Read for the first time at a regular meeting of the City Commission held on the 19th day of August, and the City Commission finally enacted the foregoing ordinance this 2nd day of September 2015.



DAN HOLLADAY, Mayor

Attested to this 2nd day of September 2015,


Kattie Riggs, City Recorder

Approved as to legal sufficiency:


City Attorney

Attachments:

- Exhibit 1. Chapter 2.30 of the Oregon City Municipal Code
- Exhibit 2. Oregon Statewide Planning Goals and Guidelines: Goal 1



Chapter 2.30 – Citizen Involvement Committee

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 citizens of Oregon City on behalf of the City Commission and perform other duties as identified within this chapter.

2.30.020 - Duties.

The 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 as they impact neighborhood programs.
- C. Provide information to the City Commission and the public.
- D. Address grievances of the CIC and of neighborhood associations.
- E. Assist with requests from the City Commission.

2.30.030 Membership.

- A. The CIC shall consist of one primary member and one alternate member from each City recognized neighborhood association.
- B. Each neighborhood association shall provide a primary and alternate member nomination for appointment by the Mayor. Each primary and alternate member appointed shall have first been nominated by the neighborhood association of which they represent.
- C. Members shall be appointed for two years. Terms of the office shall commence on the first day of the calendar year.
- D. The members shall reside, work in, own property, or own a business within the neighborhood association boundaries which they represent or the land outside of the City limits but inside the Urban Growth Boundary designated to be within the neighborhood association which they represent.
- E. All members shall serve without compensation.
- 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. 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 may become the primary member for the remainder of the term and the neighborhood association shall nominate a new member.

2.30.040 – Officers and staffing.

- A. Officers shall include Chairperson, Vice-Chairperson and Secretary.
 - 1. The officers shall be appointed for two years starting in January of each even 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. Members may not serve more than two consecutive terms as a Chair, Vice-Chair or combination thereof. An officer appointment expires if a member is no longer appointed to the CIC.

2. 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.
3. 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.
4. Secretary. The Secretary prepares the minutes and attendance records (as needed) of all meetings and submits the information to the City Liaison.

B. Staffing of the CIC may include a City Commissioner Liaison and a City Liaison.

1. City Commissioner Liaison. One liaison from the City Commission may be appointed to act as a resource to CIC and attend CIC meetings. The City Commissioner Liaison will be a non-voting member of the CIC.
2. 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. The City Liaison(s) will be a non-voting member of the CIC. Consistent with the City Charter, the City Manager shall retain his/her discretion to suspend staffing when reasonable circumstances warrant.

2.30.050 – Organizational procedures.

- A. The CIC shall hold an official meeting 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 primary members who are present and all alternate members who are acting as primary members in the absence of the primary members are allotted one vote each on all motions.
- C. The CIC shall establish goals every two years that are consistent with the adopted Goals and Objectives of the City Commission.
- D. The CIC Chairperson or designee shall report to the City Commission once a year to provide CIC accomplishments.
- 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.

2.30.060 - Grievances

- A. Upon written submission of a grievance to the CIC, 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) primary or alternate members chosen by the CIC Chairperson 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 and will not vote on any recommendation or course of action unless chosen randomly to be on the Grievance 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 the 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. A majority of the committee members will constitute a quorum.
 - b. Committee action will be determined by a majority vote of those present and voting at each committee meeting.
 - c. The committee is to report its progress to the CIC at each CIC meeting.
 - d. The committee shall submit a written report with a recommendation for the resolution of the grievance to the CIC.
 - e. The CIC will hear the recommendation and vote on a final decision.
 - f. The CIC decision is final unless called up for review by the City Commission. The CIC decision is final and may not be appealed to the City Commission.

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 or will receive 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.

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.

Oregon's Statewide Planning Goals & Guidelines

GOAL 1: CITIZEN INVOLVEMENT

OAR 660-015-0000(1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies, and special- purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement -- To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for

citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process.

The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

2. Communication -- To assure effective two-way communication with citizens.

Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. Citizen Influence -- To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.

4. Technical Information -- To assure that technical information is available in an understandable form.

Information necessary to reach policy decisions shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. Feedback Mechanisms -- To assure that citizens will receive a response from policy-makers.

Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers. The rationale used to reach land-use policy

decisions shall be available in the form of a written record.

6. Financial Support -- To insure funding for the citizen involvement program.

Adequate human, financial, and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

A. CITIZEN INVOLVEMENT

1. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).

2. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land-use planning should provide information on land-use education to citizens, as well as develop and offer courses in land-use education which provide for a diversity of educational backgrounds in land-use planning.

3. In the selection of members for the committee for citizen involvement, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on the CCI; committee appointees should receive official notification of their selection; and committee appointments should be well publicized.

B. COMMUNICATION

Newsletters, mailings, posters, mail-back questionnaires, and other

available media should be used in the citizen involvement program.

C. CITIZEN INFLUENCE

1. Data Collection - The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

2. Plan Preparation - The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines, and evaluate alternative land conservation and development plans for the preparation of the comprehensive land-use plans.

3. Adoption Process - The general public, through the local citizen involvement programs, should have the opportunity to review and recommend changes to the proposed comprehensive land-use plans prior to the public hearing process to adopt comprehensive land-use plans.

4. Implementation - The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption, and application of legislation that is needed to carry out a comprehensive land-use plan.

The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

5. Evaluation - The general public, through the local citizen

involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

6. Revision - The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans prior to the public hearing process to formally consider the proposed changes.

D. TECHNICAL INFORMATION

1. Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, and water construction, transportation, subdivision studies, and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.

2. Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

E. FEEDBACK MECHANISM

1. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policy-makers.

2. A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.

F. FINANCIAL SUPPORT

1. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.