

**CITY OF FLORENCE
ORDINANCE NO. 17, SERIES 2018**

An Ordinance amending Florence City Code Title 2, Chapters 1, 2, 3, 4, 6, 7, 8, 9, 14; Title 1 Chapter 9; Title 3 Chapters 4 and 9; and Title 9 Chapter 4; to adopt comprehensive code and policy amendments related to the City's Committees and Commissions.

RECITALS:

1. The City Council established a goal within the 2017-2018 City Work Plan to comprehensively review and clarify the City's Committee and Commission policies and codes.
2. The City Council deliberated at duly publicized meetings on November 15, 2017, January 16, 2018, September 19, 2018 and October 24, 2018, to review the overall direction of the City's Committee & Commission program including examination of current processes and program options.
3. The City Council decided the City's efforts toward public outreach and community involvement in Transportation would be best served through the establishment of a City of Florence Transportation Committee, and elected to combine and expand the roles of the Airport Advisory Committee and Transit Advisory Committee to fulfill this need.
4. The City Council decided the City's efforts toward public outreach and community involvement in Community & Economic Development would be best served through the establishment of a City of Florence Community & Economic Development Committee, and elected to combine and expand the roles of the Housing Committee, Economic Development Committee and the Parks Committee to fulfill this need.
5. The City Council decided the City's efforts toward public outreach and community involvement in Environmental Management would be best served by including the role of the Tree Board and noxious weeds within the role of the Environmental Management Advisory Committee.

Based on these findings,

THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

1. The Title of Florence City Code Title 2 is hereby amended as shown in Exhibit A.
2. Florence City Code Title 2 Chapter 1: Board, Commission and Committees is hereby amended as shown in Exhibit B.

3. Florence City Code Title 2 Chapter 2: Parks and Recreation Committee is hereby amended to be Title 2 Chapter 2: Community and Economic Development Committee, as shown in Exhibit C.
4. Florence City Code Title 2 Chapter 3: Planning Commission is hereby amended as shown in Exhibit D.
5. Florence City Code Title 2 Chapter 4: Public Art Committee is hereby amended as shown in Exhibit E.
6. Florence City Code Title 2 Chapter 6: Airport Advisory Committee is hereby amended to be Title 2 Chapter 6: Transportation Committee, as shown in Exhibit F.
7. Florence City Code Title 2 Chapter 7: Environmental Management Advisory Committee is hereby amended as shown in Exhibit G.
8. Florence City Code Title 2 Chapter 8: Transit Advisory Committee is hereby repealed as shown in Exhibit H.
9. Florence City Code Title 2 Chapter 9: City Tree Board is hereby repealed as shown in Exhibit I.
10. Florence City Code Title 2 Chapter 14: Housing Advisory Committee is hereby repealed as shown in Exhibit J.
11. Florence City Code Title 2 Chapter 9: City Council is hereby repealed as shown in Exhibit K.
12. Florence City Code Title 3 Chapter 4: Taxi Cabs is hereby amended as shown in Exhibit L.
13. Florence City Code Title 3 Chapter 9: Bicycle-Powered Devices is hereby amended as shown in Exhibit M.
14. Florence City Code Title 9 Chapter 4: Solid Waste Management is hereby amended as shown in Exhibit N.
15. This Ordinance shall become effective on February 1, 2019.
16. The City Recorder is authorized to administratively correct any reference errors contained herein or in other provisions of the Florence City Code to the provisions added, amended, or repealed herein.

ADOPTION:

First Reading on the 5th day of November, 2018.

Second Reading on the 5th day of November, 2018.

This Ordinance is passed and adopted on the 5th day of November, 2018.

AYES	5	Councilors Greene, Preisler, Lacer, Woodbury and Mayor Henry
NAYS	0	
ABSTAIN	0	
ABSENT	0	



Joe Henry, Mayor

Attest:



Kelli Weese, City Recorder

Exhibit A
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the Title of FCC Title 2: Boards & Commissions as shown]

TITLE 2

COMMITTEES ~~BOARDS~~ AND COMMISSIONS

Exhibit B
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the text of FCC 2-1: Boards, Commissions & Committees – General Provisions as Shown]

TITLE 2
CHAPTER 4

~~**BOARDS, COMMISSIONS & COMMITTEES – GENERAL PROVISIONS**~~

SECTION:

- ~~2-1-1: Applicability~~
- ~~2-1-2: Appointments~~
- ~~2-1-3: Vacancies~~
- ~~2-1-4: Removal~~

~~**2-1-1 APPLICABILITY:** Except as provided in Section 2-1-2 of this Chapter or when a different procedure is established in an ordinance or resolution creating a City board, commission or committee adopted after February 1, 1993, the process for initial appointments to all City boards, commissions and committees, appointments to fill vacancies thereon, and the removal of members therefrom, shall be in accordance with the procedures set forth in this chapter.~~

~~**2-1-2: APPOINTMENTS:**~~

- ~~A. Subject to the provisions of this section, the Mayor is authorized to appoint the members of all boards, commissions and committees created by the Council.~~
- ~~B. Prior to making any appointment authorized herein, the Mayor shall:
 - ~~1. Provide notice to the public and the Council of the position to be filled, qualifications if applicable, and the time and manner in which applications may be submitted;~~
 - ~~2. Solicit recommendations from the Councilors concerning potential appointees; and,~~
 - ~~3. Confer with the Council, at a meeting, or with each Councilor individually, concerning potential appointees.~~~~
- ~~C. Notwithstanding paragraphs A and B of this section, upon receipt of the Mayor's notice required under paragraph B.1, but before an appointment is made, the council may direct that a different appointment process be followed in filling a position on a particular board, commission or committee.~~

~~**2-1-3: VACANCIES:** Appointments to fill vacancies on City boards, commissions and committees shall be made in the manner set forth in Section 2-1-2 for the remainder of the unexpired term.~~

~~**2-1-4: REMOVAL:** In addition to failing to meet any specific criteria established for the position to which appointed, a member of any City board, committee, commission may be removed by the City Council for the following reasons:~~

- ~~A. Death.~~
- ~~B. Adjudicated incompetence.~~

- C. ~~Conviction of a felony.~~
- D. ~~An abuse or offense pertaining to his or her office.~~
- E. ~~Excessive lack of attendance at meetings.~~
- F. ~~Any matter or conduct which, in the opinion of the City Council, creates animosity, impedes the job of the particular body or tends to render the City ineffective or open to ridicule.~~

TITLE 2
CHAPTER 1

COMMISSIONS & COMMITTEES - GENERAL PROVISIONS

SECTION:

- 2-1-1: Generally
- 2-1-2: Types of Committees & Commissions
- 2-1-3: Compliance with State Law
- 2-1-4: Appointments
- 2-1-5: Vacancies
- 2-1-6: Removal
- 2-1-7: Committee & Commission Positions
- 2-1-8: Quorum, Meetings & Rules

2-1-1 GENERALLY: The City Council may create standing committees or commissions to aid the Council in the conduct of public affairs. The City Council may also create ad hoc committees to accomplish a specific task or project. All standing committees and commissions shall be governed by the provisions of this Title (FCC Title 2), except that if the application of this title conflicts with an applicable state statute, the state statute shall prevail.

2-1-2: TYPES OF COMMITTEES & COMMISSIONS:

- A. **COMMISSION:** A standing committee that is required by state law or to which the Council has delegated final decision-making authority. Commissions shall be created by an ordinance of the City Council.
- B. **ADVISORY & VOLUNTEER COMMITTEE (COMMITTEE):** A standing committee that is not required by state law (with the exception of the budget committee). Establishment of a Committee shall occur by an ordinance of the City Council.
- C. **AD-HOC COMMITTEE:** A temporary committee appointed for a specific term to accomplish a specific task or project. Ad hoc committees shall be established by resolution of the Council. The resolution shall set forth the term of the committee, the task or project to be accomplished, the time line for completion of the task or project, and such other direction as the Council deems appropriate.

2-1-3: COMPLIANCE WITH STATE LAW: All commissions, committees and ad-hoc committees, and any subcommittees thereof, shall comply with the State of Oregon Public Records Law, Public Meetings Law, Code of Ethics, laws regarding conflicts of interest, and any other applicable state laws. Each commission, committee, or ad-hoc committee shall be responsible for ensuring that its subcommittees comply with these laws.

2-1-4: APPOINTMENTS:

- A. **APPOINTMENT PARTY:** Subject to the provisions of this section, the Mayor is authorized to appoint the members of all boards, commissions and committees created or supervised by the Council.

B. QUALIFICATIONS: Qualifications for appointment and term of office for a position on a Commission, Committee or Ad-Hoc Committee shall be provided in its enabling provisions. If a member of a commission, committee or ad-hoc committee is qualified pursuant to the enabling provisions at the time of appointment but later ceases to be qualified, he or she must notify the City Recorder immediately.

C. APPOINTMENT PROCESS: Prior to making any appointment authorized herein, the Mayor shall:

1. Provide notice to the public and the Council of the position to be filled, qualifications if applicable, and the time and manner in which applications may be submitted;
2. Solicit recommendations from the Councilors concerning potential appointees; and,
3. Confer with the Council, at a meeting, or with each Councilor individually, concerning potential appointees.

D. APPOINTMENT PROCESS AMENDMENTS: Notwithstanding paragraphs A and B of this section, upon receipt of the Mayor's notice required under paragraph C.1, but before an appointment is made, the council may direct that a different appointment process be followed in filling a position on a particular board, commission or committee.

E. TERMS: The term of office for each commission & committee shall be established in its enabling provisions and shall run on a committee service year from February 1st to the following January 31st. Initial terms for a newly created commission or committee shall be staggered so that the 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.

F. SERVICE ON MULTIPLE COMMITTEES: No person shall be appointed to serve simultaneously on more than one of the standing commissions or committees, unless such a position is established in the committee or commission's enabling provisions.

2-1-5: VACANCIES: Appointments to fill vacancies on City commissions, committees and ad-hoc committees shall be made in the manner set forth in Section 2-1-4-C for the remainder of the unexpired term. Timelines for recruitment of vacancies shall occur according to the City of Florence's Committee and Commission manual as adopted by resolution.

2-1-6: REMOVAL:

A. **REMOVAL PROCESS:** Except for the Planning Commission and Budget Committee, the Mayor is authorized to remove all members from Commissions, Committees and/or Ad-Hoc Committees for misconduct or nonperformance of duty. Prior to removal the Mayor shall consult with the Committee Chairperson, Vice-Chairperson, and Staff / Council Ex-Officio members, as available, and shall notify the City Council, City Manager, and City Recorder of any removal decision.

B. **MISCONDUCT:** Examples of misconduct include but are not limited to:

- a. conviction of a felony,
- b. failure to declare a conflict of interest,
- c. failure to adhere to public meetings law,
- d. failure to follow the City of Florence's Committee & Commission policies,
- e. failure to comply with any applicable requirement of the City of Florence code,
- f. any matter or conduct which, in the opinion of the City Council, creates animosity, impedes the job of the particular body or tends to render the City ineffective or open to ridicule.

- C. **NON-PERFORMANCE OF DUTY:** Examples of non-performance of duty include but are not limited to:
- a. Excessive lack of attendance which is defined as:
 - i. absence from three (3) or more consecutive meetings without an excuse, as approved by the Chairperson, or
 - ii. absence from five (5) or more meetings over the course of a service year
- D. **REMOVAL PROCESS AMENDMENTS:** Upon receipt of the Mayor's notice of removal, the Council may direct a review of the process and decision per the provisions of a Council agenda item request in the City Council Rules of Procedure.
- E. **PLANNING COMMISSION & BUDGET COMMITTEE MEMBER REMOVAL:** A member of the Planning Commission or Budget Committee may be removed by the City Council, after hearing, for misconduct or nonperformance of duty.

2-1-7: COMMITTEE & COMMISSION POSITIONS:

- A. **CHAIRPERSON & VICE-CHAIRPERSON:** Each Commission, Committee and Ad-Hoc Committee shall elect a Chair and a Vice-Chair from its membership at its first regular meeting of the service year to serve for the following twelve months (February 1st – January 31st).
- 1. **Chairperson Term:** No member shall serve more than two consecutive service year terms as Chairperson.
 - 2. **Chairperson Responsibilities:** The Chair Shall:
 - i. Set the agenda. Any member of the commission, committee, or ad-hoc committee may request that an item of business appear on the agenda. The commission, committee or ad-hoc committee may by majority vote compel an item to be placed on the agenda.
 - ii. Preside at all meetings.
 - iii. Be responsible for maintaining communication with the Council and Staff.
 - iv. Call special meetings. A majority of the members of the commission, committee or ad-hoc committee may also call a special meeting.
 - v. Be responsible for attendance of members and report to the City Recorder in instances of excessive lack of attendance.
 - vi. Coordinate the preparation of appropriate reports for the Council agenda.
 - 3. **Vice-Chairperson Responsibilities:** The Vice-Chair shall exercise the duties of the Chair in the Chair's absence.
 - 4. **Chairperson / Vice-Chairperson Vacancy:** In the event of resignation, vacancy, or removal of either the Chairperson or the Vice-Chairperson positions, the Committee shall elect a Chair or Vice-Chair to serve for the remainder of the unexpired term.
- B. **EX-OFFICIO POSITIONS:** Where indicated in the Commission, Committee, or Ad-Hoc Committee enabling provisions, each may contain ex-officio positions as appropriate to provide communication between various groups including the City Council, Staff, and other local government agencies, non-profits and / or business groups. Each Ex-Officio member serves as an appointed member of the Commission, Committee or Ad-Hoc Committee, participates in all discussions, but does not vote on decisions.

1. **City Council Ex-Officio Positions:** As dictated in the commission, committee, or ad-hoc committee enabling provisions, each year the Council may appoint an ex-officio member from its members to each commission, committee or ad-hoc committee. The purpose of the Council ex-officio position is to provide a direct line of communication between the Commission, Committee, or ad-hoc committee and the Council. Council ex-officio members may not speak for the Council on any item the Council has not made a formal determination upon.

2-1-8: QUORUM, MEETINGS AND RULES:

- A. **QUORUM:** A majority of members of a commission, committee, or ad-hoc committee, not including ex-officio members, shall constitute a quorum for the conduct of business.
- B. **VOTE:** Except as otherwise expressly provided by the City Code or other applicable law or regulation, the concurrence of a majority of members present and eligible to vote shall be necessary to decide any question.
- C. **MEETINGS:** A commission, committee or ad-hoc committee, in consultation with staff, shall establish a regular meeting at such time, interval, and place as the commission, committee, or ad-hoc committee deems necessary. Special meetings may be called per FCC 2-1-7-A(2)(iv).

2-1-9: RELATIONSHIP TO CITY COUNCIL:

- A. **COUNCIL AUTHORITY:** The City Council is the elected legislative and policy making body of the City. Unless governed by a specific state mandate, commissions, committees and ad-hoc committees are appointed pursuant to the Council's authority and shall have only those powers and functions as expressly delegated by the Council. Generally, commissions, committees and ad-hoc committees are expected to provide advice and recommendations to the Council and help the Council implement the Council goals. Council members may attend meetings of the affected commission, committee or ad-hoc committee. The Mayor or a Councilor may not speak on behalf of the City Council at a commission, committee or ad-hoc committee meeting unless appointed to a Council Ex-Officio position or unless authorized to do so by the Council.
- B. **ANNUAL MEETING:** The City Council shall hold an annual meeting with each standing commission or committee except the Budget Committee. The purpose of such meeting will be to note accomplishments, to address concerns and to discuss issues related to the duties and activities of the commission or committee. Annual meetings of related commission may be held jointly, as the Council deems appropriate.
- C. **RECOMMENDATIONS:** All recommendations to the Council shall be made in writing, signed by the Chair.
- D. **EXPENDITURE OF FUNDS & OBLIGATIONS:** No advisory board, committee, or 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.
- E. **ADDITIONAL DUTIES AND PROJECTS:** In addition to the duties established for each commission, committee, or ad-hoc committee in its enabling provisions, the City Council may from time to time assign a commission, committee or ad-hoc committee such other duties or projects as the Council deems appropriate.

Exhibit C
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the text of FCC 2-2: Parks and Recreation Committee as Shown]

TITLE 2
CHAPTER 2

~~PARKS AND RECREATION COMMITTEE~~

SECTION:

- ~~2-2-1: Establishment~~
- ~~2-2-2: Membership~~
- ~~2-2-3: Term of Office~~
- ~~2-2-4: Presiding Member~~
- ~~2-2-5: Meetings~~
- ~~2-2-6: Duties~~
- ~~2-2-7: Vacancies and Removal~~

~~**2-2-1: ESTABLISHMENT:** A Parks and Recreation Committee is hereby established for the City.~~

~~**2-2-2: MEMBERSHIP:** The Parks and Recreation Committee shall consist of not less than five (5) and not more than seven (7). Four (4) members shall be residents of the City. Members who are not City residents shall be residents of the Siuslaw School District. No members shall be officers or employees of the City. It is recommended that all age groups be represented: At least one (1) member may be a senior citizen and one (1) member may be a high school student. High school student members may serve for a term of one (1) to three (3) years. Appointees shall have had at least six (6) months residency at the time of appointment.~~

~~**2-2-3: TERM OF OFFICE:** Except as provided in Section 2-2-2 hereof, the members of the Parks and Recreation Committee shall be appointed as provided in Chapter 1 of this Title 2 for a term of three (3) years. The initial appointment will be staggered so that only 1/3 of the membership terms will expire each year.~~

~~**2-2-4: PRESIDING MEMBER:** In February of each year the Committee shall elect a chair and vice-chair to serve for the following twelve (12) months. In the event of resignation, vacancy, or removal, the Committee shall designate a chair, or vice-chair, to serve for the remainder of the unexpired term.~~

~~**2-2-5: MEETINGS:** A majority of the members of the Committee shall constitute a quorum. The Committee shall meet at least every other month, at a regular time to be set by the Committee. The chair or three (3) members may call a previously unannounced special meeting to be held not earlier than twenty four (24) hours after the notice is given. Notice of a previously unannounced special meeting shall be by telephone to Committee members, City Manager, local press representative and a notice shall be posted in City Hall.~~

~~**2-2-6: DUTIES:** The Parks and Recreation Committee shall serve as a working committee striving for implementation of the City's current parks and recreation master plan by actively seeking volunteers to do maintenance and other work in the parks, by seeking grants to fund park improvements and repair, and by volunteering themselves to be part of work groups doing maintenance and other work in the parks. This committee also serves as an advisory committee to the City Council and City Manager on matters concerning Municipal parks and Municipal recreation programs and facilities. Park and recreation matters to be considered include, but are not limited to, the following:~~

- A. ~~Improvement of existing City parks and park facilities through active participation as well as encouraging individuals, businesses, and citizen groups to contribute funds, property and/or volunteer services for the development and operation of parks and recreation facilities.~~
- B. ~~Promote acquisition and improvement of new City parks and park facilities as guided by the current parks and recreation master plan and available funds.~~
- C. ~~Advise the City Council and City Manager on matters related to City programs and facilities dedicated to recreation including:~~
 - 1. ~~Adequacy and maintenance of such facilities as parks and playgrounds, recreation buildings, facilities, and equipment.~~
 - 2. ~~Recommendations on use regulations for City parks and park facilities.~~
 - 3. ~~Modification of existing programs and facilities to meet developing community needs, including modification and development of the parks and recreation master plan and the bicycle path plan.~~
 - 4. ~~Promotion of regional coordination concerning park and recreation facilities.~~

~~**2-2-7: VACANCIES AND REMOVAL:** Appointments to fill vacancies shall be in accordance with Chapter 1 of this Title 2 for the remainder of the unexpired term of the member being replaced. Members serve at the pleasure of the City Council and any member may be removed by the City Council with or without cause. The position of any member who is absent from three (3) consecutive meetings without an excuse as approved by the Parks and Recreation Committee shall be deemed as vacant.~~

TITLE 2
CHAPTER 2

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – ENABLING PROVISIONS
(CEDC)

SECTION:

- 2-2-1: Establishment
- 2-2-2: Membership
- 2-2-3: Term of Office
- 2-2-4: Appointments, Vacancies & Removals
- 2-2-5: Chairperson & Vice-Chairperson
- 2-2-6: Duties
- 2-2-7 : Subcommittees

2-2-1: ESTABLISHMENT: A Community and Economic Development Committee is hereby established for the City.

2-2-2: MEMBERSHIP: The Community and Economic Development Committee shall consist of not less than five (5) and not more than eleven (11) voting members.

- A. **RESIDENCY REQUIREMENT:** A majority of committee membership shall have their permanent residence within the city limits of the City of Florence.
- B. **COMMITTEE REPRESENTATION:** Committee membership shall include representation of the following:

- a. Business Owner(s) / Manager(s) / Representatives(s). Special consideration will be given to potential appointment of representatives of businesses which employ over 50 local residents.
 - b. Citizen(s) at large. Special consideration will be given to the potential appointment of local residents with interest, knowledge, or experience in the following:
 - i. banking, real estate, the arts, agriculture, small business, tourism, industry, commerce, building, housing, science and technology or employee relations.
 - c. Representative(s) of local government and / or non-profit agencies, including but not limited to the Siuslaw School District, Florence Area Chamber of Commerce, Lane Community College, Port of Siuslaw, Central Lincoln People's Utility District, Heceta Water People's Utility District, Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians, Lane County Community & Economic Development and the Siuslaw Library District.
- C. **EX-OFFICIO MEMBERSHIP:** In addition to the committee membership, the following non-voting ex-officio positions may be appointed:
- a. One (1) City Councilor
 - b. One (1) City Staff Member
 - c. One (1) Representative of the Public Arts Committee
 - d. One (1) Representative of the Transportation Committee

2-2-3: TERM OF OFFICE: Members shall be appointed for a term of four (4) years. Membership terms will be staggered so that approximately ¼ of the membership terms will expire each year.

2-2-4: APPOINTMENTS, VACANCIES AND REMOVALS: Vacancies and removals shall occur in the manner dictated in Title 2 Chapter 1.

2-2-5: CHAIRPERSON & VICE-CHAIRPERSON: The Committee shall elect a Chairperson & Vice-Chairperson in the manner dictated in Title 2 Chapter 1.

2-2-6: DUTIES: The Community & Economic Development Committee shall strive to advise the Council and implement the provisions of the City Council goals and work plan related to community and economic development initiatives. Community and economic development matters to be considered include, but are not limited to the following:

- A. **Economic Development:** Programs and practices related to business and economic development seeking to implement the goals and policies of Chapter 9 of the City of Florence Comprehensive Plan.
- B. **Housing:** Programs and practices related to developing opportunities for housing seeking to implement the goals and policies of Chapter 10 of the City of Florence Comprehensive Plan.
- C. **Parks and Recreation:** Programs and practices related to implementing the goals and policies of Chapter 8 of the City of Florence Comprehensive Plan concerning Parks, Recreation, and Open Space.
- D. **Community Development.** Any additional programs and practices associated to City Council goals and work plan objectives related to community development and promotion of livability and quality of life initiatives.

2-2-7: SUBCOMMITTEES: The Community & Economic Development Committee has the authority to establish appropriate subcommittees, per the provisions of the City of Florence Committee & Commission Policy Manual as adopted by Resolution. These committees may include, but are not limited to Economic Development, Housing, Parks and Recreation, Community Development, Fundraising and Marketing.

Exhibit D
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the text of FCC 2-3: Planning Commission as Shown]

TITLE 2
CHAPTER 3

PLANNING COMMISSION

SECTION:

- ~~2-3-1: Establishment~~
- ~~2-3-2: Membership~~
- ~~2-3-3: Term of Office~~
- ~~2-3-4: Conflict of Interest~~
- ~~2-3-5: Vacancies and Removal~~
- ~~2-3-6: Presiding Members~~
- ~~2-3-7: Meetings~~
- ~~2-3-8: Powers and Duties~~

~~**2-3-1: ESTABLISHMENT:** There is hereby re-established a City Planning Commission for the City. (Ord. 541,1-7-74)~~

~~**2-3-2: MEMBERSHIP:** The Commission shall consist of seven (7) members who are not members of the City Council, employees of the City, or members of any other City board or committee. Positions one (1) through five (5) shall be held by individuals who reside within the City Limits. Positions six (6) and seven (7), may be held by either an individual who resides within the City Limits or an individual who resides outside the City Limits but within the City's Urban Growth Boundary (Ord. No. 3, Series 2012). No more than two voting members of the Commission may engage principally in the buying, selling or developing of real estate for profit as individuals, 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; and no more than two members shall be engaged in the same kind of occupation, business, trade or profession. Appointees shall have resided within the City or within the City's Urban Growth Boundary, as applicable, for at least six (6) months prior to the time of appointment. The City Manager may designate two City staff members who shall be entitled to sit with the Commission and to take part in its discussions, but shall not have the right to vote. (Ord #3, Series 1993 and Ord. 20, Series 2008).~~

~~**2-3-3: TERM OF OFFICE:** Members of the Planning Commission shall be appointed as provided in Chapter 1 of Title 2 for a term of three (3) years. (Ord #3 Series 1993).~~

~~**2-3-4: CONFLICT OF INTEREST AND BIAS:** All members of the Planning Commission are public officials and must abide by the ethics laws of the State of Oregon. A member of the Planning Commission shall not participate in any Commission proceeding or action in which any of the following has a direct or substantial financial interest: the member; the member's spouse, brother, sister, child, parent, father-in-law or mother-in-law; any business in which the member is then serving or has served within the previous two years; or any business with which the member 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 of the Commission where the action is being taken. A member of the Planning Commission shall not participate in any quasi-judicial Commission proceeding or action in which the member has a bias that would preclude the Commissioner from making an impartial decision.~~

~~**2-3-5: VACANCIES AND REMOVAL:** Appointments to fill vacancies shall be in accordance with Chapter 1 of this Title 2 for the remainder of the unexpired term. A member may be removed by the City Council, after hearing, for misconduct or nonperformance of duty. A member who is absent from three (3) consecutive meetings without an excuse, as approved by the Planning Commission, is rebuttably presumed to be in nonperformance of duty, and the City Council shall declare the position vacant unless the Council finds otherwise following the hearing.~~

~~**2-3-6: PRESIDING MEMBERS:** At its first meeting of each calendar year the Commission shall elect a chair and a vice-chair to serve one year terms.~~

~~**2-3-7: MEETINGS:** Three (3) members of the Planning Commission shall constitute a quorum. Meetings of the Commission shall be open to the public. Meetings, which will be held at times other than the time regularly scheduled for Planning Commission meetings, may be announced at a prior meeting and thereby made a part of the meeting's records. The chair, upon his or her own motion, may, or at the request of three (3) members of the Commission, shall, by giving notice to members of the Commission, call a previously unannounced special meeting of the Commission for a time not earlier than twenty four (24) hours after the notice is given. Notice of a previously unannounced meeting shall be submitted to a newspaper of general circulation in the City, posted at the City Hall and, to the extent feasible, provided to interested persons at least twenty four (24) hours prior to the meeting. All Planning Commission meeting notices shall comply with the notice requirements of the above section as well as the land use notice requirements in Title 10.~~

~~**2-3-8: POWERS AND DUTIES:** The Planning Commission shall have the powers and duties which are now, or may hereafter, be assigned to it by charter, ordinance or resolutions of the City and the general laws of the State of Oregon. The Planning Commission shall serve as a comprehensive planning body with the authority to propose policy and legislation to the Council, conduct hearings, and take such actions concerning specific land development proposals as required by the Florence City Code. In addition to any other powers provided by state law or the charter, ordinances, and resolutions of the City, and except as otherwise provided by the City Council, the Planning Commission:~~

- ~~A. May review, recommend amendments, and implement the Florence Comprehensive Plan including associated detailed plans related to public facilities and services, and subarea plans which relate to specific areas of the community.~~
- ~~B. May conduct hearings, prepare findings of fact, and take such actions as are necessary or warranted concerning specific land development proposals.~~
- ~~C. May study, and propose such measures regarding land development as may be advisable for promotion of the public interest, health, safety, comfort, convenience and welfare.~~
- ~~D. Shall, at the request of the City Council perform other duties relating to some aspect of community planning and development.~~

TITLE 2
CHAPTER 3

PLANNING COMMISSION (PC) – ENABLING PROVISIONS

SECTION:

- 2-3-1: Establishment
- 2-3-2: Membership
- 2-3-3: Term of Office
- 2-3-4: Appointments, Vacancies & Removal
- 2-3-5: Chairperson & Vice-Chairperson
- 2-3-6: Powers and Duties
- 2-3-7: Conflict of Interest and Bias
- 2-3-8: Meetings

2-3-1: ESTABLISHMENT: A Planning Commission is hereby established for the City.

2-3-2: MEMBERSHIP: The Commission shall consist of seven (7) members.

A. RESIDENCY REQUIREMENT:

- a. Five (5) members of the Commission shall have their permanent residence within the city limits of the City of Florence.
- b. Two (2) members may have their permanent residence outside the city limits but within the Florence Urban Growth Boundary.
- c. Appointees shall have resided within the City or within the City's Urban Growth Boundary, as applicable, for at least six (6) months prior to the time of appointment.

B. COMMITTEE REPRESENTATION:

- a. 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 individuals, 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, and
- b. No more than two (2) members shall be engaged in the same kind of occupation, business, trade or profession.

C. EX-OFFICIO MEMBERSHIP: In addition to the committee membership, the following non-voting ex-officio positions may be appointed:

- a. Up to two (2) City Staff members

2-3-3: TERM OF OFFICE: Members shall be appointed for a term of four (4) years. Membership terms will be staggered so that approximately ¼ of the membership terms will expire each year.

2-3-4: APPOINTMENTS, VACANCIES AND REMOVAL: Appointments, vacancies and removals shall occur in the manner dictated in Title 2 Chapter 1.

2-3-5: CHAIRPERSON & VICE-CHAIRPERSON: The Commission shall elect a Chairperson & Vice-Chairperson in the manner dictated in Title 2 Chapter 1.

2-3-6: POWERS AND DUTIES: The Planning Commission shall have the powers and duties which are now, or may hereafter, be assigned to it by charter, ordinance or resolutions of the City and the general laws of the State of Oregon. The Planning Commission shall serve as a comprehensive planning body with the authority to propose policy and legislation to the Council, conduct hearings, and take such actions concerning specific land development proposals as required by the Florence City Code. In addition to any other powers provided by state law or the charter, ordinances, and resolutions of the City, and except as otherwise provided by the City Council, the Planning Commission:

- A. May review, recommend amendments, and implement the Florence Comprehensive Plan including associated detailed plans related to public facilities and services, and subarea plans which relate to specific areas of the community.
- B. May conduct hearings, prepare findings of fact, and take such actions as are necessary or warranted concerning specific land development proposals.
- C. May study, and propose such measures regarding land development as may be advisable for promotion of the public interest, health, safety, comfort, convenience and welfare.

- D. Shall, at the request of the City Council perform other duties relating to some aspect of community planning and development.
- E. Authorized to serve as the City of Florence's Citizen Involvement Advisory Committee per ORS 197.160.

2-3-7: CONFLICT OF INTEREST AND BIAS:

- A. All members of the Planning Commission are public officials and must abide by the ethics laws of the State of Oregon.
- B. **CONFLICT OF INTEREST:**
 - a. A member of the Planning Commission shall not participate in any Commission proceeding or action in which any of the following has a direct of substantial financial interest:
 - i. The member;
 - ii. The Members Spouse, brother, sister, child, parent, father-in-law or mother in law;
 - iii. Any business in which the member is then serving or has served within the previous two years; or
 - iv. Any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.
 - b. Any actual or potential interest shall be disclosed at the meeting of the Commission where the action is being taken.
- C. **BIAS:** A member of the Planning Commission shall not participate in any quasi-judicial Commission proceeding or action in which the member has a bias that would preclude the Commissioner from making an impartial decision.

2-3-8: MEETINGS:

- A. **QUORUM:** Four (4) members of the Planning Commission shall constitute a quorum.
- B. **PUBLIC MEETINGS:** Meetings of the Planning Commission shall be open to the public.
 - a. Meetings of the Planning Commission shall be open to the public.
 - b. Meetings, which will be held at times other than the time regularly scheduled for Planning Commission meetings, may be announced at a prior meeting and thereby made a part of the meeting's records.
 - c. The chair, upon his or her own motion, may, or at the request of three (3) members of the Commission, shall, by giving notice to the members of the Commission, call a previously unannounced special meeting of the Commission for a time not earlier than twenty-four (24) hours after the notice is given.
 - d. Notice of a previously unannounced meeting shall be submitted to a newspaper of general circulation in the City, posted at the City Hall, and to the extent feasible, provided to interested persons at least twenty-four (24) hours prior to the meeting. All Planning Commission notices shall comply with the notice requirements of the above section as well as the land use notice requirements in Title 10.

Exhibit E
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the text of FCC 2-4: Public Art Committee as Shown]

TITLE 2
CHAPTER 4

PUBLIC ART COMMITTEE

SECTION:

- ~~2-4-1: Membership~~
- ~~2-4-2: Term of Office~~
- ~~2-4-3: Vacancies and Removals~~
- ~~2-4-4: Presiding Members~~
- ~~2-4-5: Meetings~~
- ~~2-4-6: Duties~~
- ~~2-4-7: Conflicts of Interest and Bias~~

2-4-1: MEMBERSHIP: The Public Art Committee shall be composed of seven (7) members to be appointed in the manner provided in Chapter 1 of Title 2 of Florence City Code. Committee membership shall include the following:

~~Three (3) artists of any medium. Special consideration will be given to the potential appointment of artists from within the Florence Community.~~

~~Three (3) citizens at large. Special consideration will be given to the potential appointment of business owners / managers, those with experience in landscape architecture and/or installation of outdoor artwork and those with skills in grant writing.~~

~~One (1) representative of a local art(s) association and/or arts-related non-profit.~~

~~In addition, one (1) City Councilor may serve as an ex-officio member without vote, but may be counted for the purpose of committee residency requirement. One (1) City Staff member shall serve as an ex-officio member without vote.~~

2-4-2: TERM OF OFFICE: ~~The members shall be appointed for a term of three (3) years. The initial appointment will be staggered so that only 1/3 of the membership terms will expire each year.~~

2-4-3: VACANCIES AND REMOVALS: ~~Appointments to fill vacancies shall be in the manner provided in Chapter 1 of Florence City Code Title 2, and shall be appointed for the remainder of the unexpired term of the member being replaced. Members shall serve at the pleasure of the City Council, and maybe removed by the City Council, for misconduct or nonperformance of duty as indicated in Florence City Code 2-1-4. The position of any member who is absent from three (3) consecutive meetings without an excuse, as approved by the Public Art Committee Chairperson, is presumed to be in nonperformance of duty, and the City Council shall declare the position vacant.~~

2-4-4: PRESIDING MEMBERS: ~~Upon establishment, and in February of each year, the Committee shall elect a chair and vice-chair to serve for the following twelve (12) months. In the event of resignation, vacancy,~~

or removal, the Committee shall designate a chair, or vice-chair, to serve for the remainder of the unexpired term.

2-4-5: MEETINGS: A majority of the members of the Committee shall constitute a quorum. The Committee shall meet at a regular day and time to be set by the Committee. The Chairperson or three (3) members may call a previously unannounced special meeting to be held not earlier than twenty four (24) hours after the notice is given as required by Oregon Public Meeting Laws.

2-4-6: DUTIES: The Public Art Committee shall maintain the public art collection, and review and recommend all proposed accessions to and deaccessions from the art collection of Florence. Specific duties include:

~~Maintenance of city art collection — Maintain a current listing of all holdings in the collection, collect an annual review, and see that necessary repairs are performed.~~

~~Development of a list of potential or desired sites for future accessions. For each site, the list shall specify the goals for, and conditions on, the type of art to be placed there.~~

~~Development of the collection by acquiring artwork through various means of acquisition. This may include revenue generating activities and using funds to purchase or commission works of art; and accepting donations of art or funds to purchase art from individuals or organizations.~~

~~Removing works of art from the collection that do not meet the goals of the collection or are damaged beyond repair.~~

~~Considering projects by private developers and citizens that would result in a piece of pieces of public art and responding to any other public art initiatives.~~

2-4-7: CONFLICT OF INTEREST: During their tenure, members of the Public Art Committee shall refrain from activities that represent a conflict of interest. A members must not undertake any action or any decision or recommendation as a committee member, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business within which the person or a relative of the person is associated. Members of the Public Art Committee shall follow the requirements of Oregon Revised Statutes Chapter 244 relating to ethics for public officials and shall also follow the Oregon State Guidelines for Public Officials published by the Secretary of State's office.

TITLE 2 CHAPTER 4

PUBLIC ARTS COMMITTEE (PAC) – ENABLING PROVISIONS

SECTION:

2-4-1: Establishment

2-4-2: Membership

2-4-3: Term of Office

2-4-4: Appointments, Vacancies and Removals

2-4-5: Chairperson & Vice-Chairperson

2-4-6: Duties

2-4-7: Subcommittees

2-4-1: ESTABLISHMENT: A Public Arts Committee is hereby established for the City.

2-4-2: MEMBERSHIP: The Public Arts Committee shall consist of not less than five (5) and not more than eleven (11) voting members.

A. **RESIDENCY REQUIREMENT:** A majority of committee membership shall have their permanent residence within the city limits of the City of Florence.

B. **COMMITTEE REPRESENTATION:** Committee membership shall include representation of the following:

- a. At least one (1) artist(s) of any medium. Special consideration will be given to the potential appointment of artists from within the Florence Community.
- b. Citizens at large. Special consideration will be given to the potential appointment of business owners / managers, those with experience in landscape architecture and/or installation of outdoor artwork and those with skills in grant writing.
- c. At least one (1) representative(s) of a local art(s) association and/or arts-related non-profit.

C. **EX-OFFICIO MEMBERSHIP:** In addition to the committee membership, the following non-voting ex-officio positions may be appointed:

- a. One (1) City Councilor
- b. One (1) City Staff Member
- c. One (1) Representative of the Community & Economic Development Committee (CEDC)

2-4-3: TERM OF OFFICE: The members shall be appointed for a term of four (4) years. Membership terms will be staggered so that only 1/4 of the membership terms will expire each year.

2-4-4: APPOINTMENTS, VACANCIES AND REMOVALS: Appointments, vacancies and removals shall occur in the manner dictated in Title 2 Chapter 1.

2-4-5: CHAIRPERSON & VICE-CHAIRPERSON: The Committee shall elect a Chairperson & Vice-Chairperson in the manner dictated in Title 2 Chapter 1.

2-4-6: DUTIES: The Public Arts Committee shall maintain the public art collection, and review and recommend all proposed accessions to and deaccessions from the art collection of Florence. Specific duties include:

- A. Maintenance of city art collection – Maintain a current listing of all holdings in the collection, collect an annual review, and see that necessary repairs are performed.
- B. Development of a list of potential or desired sites for future accessions. For each site, the list shall specify the goals for, and conditions on, the type of art to be placed there.
- C. Development of the collection by acquiring artwork through various means of acquisition. This may include revenue generating activities and using funds to purchase or commission works or art; and accepting donations of art or funds to purchase art from individuals or organizations.
- D. Removing works of art from the collection that do not meet the goals of the collection or are damaged beyond repair.
- E. Considering projects by private developers and citizens that would result in a piece of pieces of public art and responding to any other public art initiatives.

2-4-6: SUBCOMMITTEES: The Public Arts Committee has the authority to establish appropriate sub-committees, per the provisions of the City of Florence Committee & Commission Policy Manual as adopted by Resolution. The subcommittees may include, but are not limited to, project specific committees, marketing, and fundraising.

Exhibit F
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the Title of FCC Title 2 Chapter 6: Airport Advisory Committee as shown]

~~TITLE 2~~
~~CHAPTER 6~~

AIRPORT ADVISORY COMMITTEE

SECTION:

- ~~2-6-1: Establishment~~
- ~~2-6-2: Membership~~
- ~~2-6-3: Term of Office~~
- ~~2-6-4: Vacancies and Removals~~
- ~~2-6-5: Presiding Members~~
- ~~2-6-6: Meetings~~
- ~~2-6-7: Duties~~

~~**2-6-1: ESTABLISHMENT:** An Airport Advisory Committee is hereby established for the City.~~

~~**2-6-2: MEMBERSHIP:** The Airport Advisory Committee shall consist of not less than five (5) and not more than seven (7) members with aviation interests and/or general interests to be appointed in the manner provided in Chapter 1 of this Title 2.~~

~~A majority of the members shall have a common interest in the economic vitality of the Florence Municipal Airport by fitting one or more of the following criteria:~~

- ~~1. Maintain permanent residence with the City limits of the City of Florence~~
- ~~2. Maintain at least partial ownership in a year round established business located within the City limits of the City of Florence.~~
- ~~3. Shall maintain at least partial ownership of a hangar at the Florence airport.~~

~~The minority members who do not fit the above criteria shall reside within the Siuslaw or Mapleton School District boundaries and shall indicate interest in the airport's economic vitality during their application process.~~

~~In addition, the committee may hold the following ex-officio membership positions:~~

- ~~One (1) City Councilor~~
- ~~One (1) Representative of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians~~
- ~~One (1) Representative of Lane Community College~~

~~**2-6-3: TERM OF OFFICE:** The members shall be appointed for a term of three (3) years. The initial appointment will be staggered so that only 1/3 of the membership terms will expire each year.~~

~~**2-6-4: VACANCIES AND REMOVALS:** Appointments to fill vacancies shall be in the manner provided in Chapter 1 of this Title 2 for the remainder of the unexpired term of the member being replaced. Members serve at the pleasure of the City Council and any member may be removed by the City Council with or without cause. The position of any member who is absent from three (3) consecutive meetings without an excuse as approved by the Airport Advisory Committee shall be vacant.~~

~~**2-6-5: PRESIDING MEMBERS:** In February of each year the Committee shall elect a chair and vice-chair to serve for the following twelve (12) months. In the event of resignation, vacancy, or removal, the Committee shall designate a chair, or vice-chair, to serve for the remainder of the unexpired term. (Ord. 1, 2012)~~

~~**2-6-6: MEETINGS:** A majority of the members of the Committee shall constitute a quorum. The Committee shall meet at least every other month, at a regular time to be set by the Committee. The Committee may hold special meetings upon twenty four (24) hours' notice to the Committee members, City Manager and local press and notice by posting in City Hall. For all regular and special meetings, notice shall include general topics to be considered and shall be made available to the Committee members, City Manager and local press at least twenty four (24) hours before the meeting, though the Committee may consider additional topics at the meeting.~~

~~**2-6-7: DUTIES:** The Committee shall serve as a working committee striving for the implementation of the City's current airport master plan by actively seeking volunteers to do maintenance and other work at the airport, by seeking grants to fund improvements and repair, and by volunteering themselves to be part of work groups doing maintenance and other work at the airport. This Committee also serves as an advisory committee to the City Council and City Manager on matters concerning refinement and implementation of the current Airport Master Plan, including the Development Schedule, Airport Layout Plan, Terminal Area Plan and Financial Plan and operation of the airport. Any recommendations shall be forwarded in writing to the City Manager.~~

TITLE 2
CHAPTER 6

TRANSPORTATION COMMITTEE (TC) – ENABLING PROVISIONS

SECTION:

2-2-1: Establishment

2-2-2: Membership

2-2-3: Term of Office

2-2-4: Presiding Member

2-2-5: Meetings

2-2-6: Duties

2-2-7: Vacancies and Removal

2-2-1: ESTABLISHMENT: A Transportation Committee is hereby established for the City.

2-2-2: MEMBERSHIP: The Transportation Committee shall consist of not less than five (5) and not more than eleven (11) members.

A. **RESIDENCY REQUIREMENT:** A majority of committee membership shall have their permanent residence within the city limits of the City of Florence.

B. **COMMITTEE REPRESENTATION:** Committee membership shall include representation from citizen(s) at large with interest, knowledge, or experience in each of the following categories:

a. At least one (1) citizen at large from each of the following interests:

- i. Traffic and Vehicular Safety
- ii. Bike & Pedestrian infrastructure
- iii. Public and / or Private Transit Opportunities
- iv. Air and / or Rail Transportation

b. Other members may include those with applicable knowledge and interests, including but not limited to grant writing / administration and public contracting / construction.

C. **EX-OFFICIO MEMBERSHIP:** In addition to the committee membership, the following non-voting ex-officio positions may be appointed:

- a. One (1) City Councilor
- b. One (1) City Staff Member
- c. One (1) Representative of the Community & Economic Development Committee

- d. One (1) Representative from each involved State, Federal, Tribal, or Transit Agency or each City-funded transit organization

2-2-3: TERM OF OFFICE: Members shall be appointed for a term of four (4) years. Membership terms will be staggered so that only ¼ of the membership terms will expire each year.

2-2-4: APPOINTMENTS, VACANCIES AND REMOVALS: Appointments, vacancies and removals shall occur in the manner dictated in Title 2 Chapter 1.

2-2-5: CHAIRPERSON & VICE-CHAIRPERSON: The Committee shall elect a Chairperson & Vice-Chairperson in the manner dictated in Title 2 Chapter 1.

2-2-6: DUTIES: The Transportation Committee shall strive to advise the Council and implement the provisions of the City Council goals and work plan related to the development of the City's Transportation System and other transportation and land use matters relevant to the City of Florence, as well as to guide preparation of transportation plans and programs. Transportation matters to be considered include, but are not limited to the following:

- A. **TRAFFIC & VEHICULAR:** Programs and practices related to developing and expanding opportunities for traffic & vehicular movement, safety and freight, seeking to implement the goals and policies of Chapter 12 of the City of Florence Comprehensive Plan, the Florence Transportation System Plan, and applicable ordinances.
- B. **BIKE & PEDESTRIAN:** Programs and practices related to developing and expanding opportunities for multi-modal transportation to implement the relevant goals and policies of Chapters 12 and 8 of the City of Florence Comprehensive Plan, Transportation System Plan, and applicable ordinances including, but not limited to, Title 2 Chapter 9.
- C. **PUBLIC AND PRIVATE TRANSIT:** Programs and practices related to developing and expanding opportunities for public and private transit to implement the relevant goals and policies of Chapter 12 of the City of Florence Comprehensive Plan, Transportation System Plan, and applicable ordinances including but not limited to Title 3, Chapter 4, as well as developing and expanding opportunities for public and private transit connections inter-city and with other regional partners.
- D. **AIR & RAIL:** Programs and practices related to developing and expanding opportunities for air and rail transportation to implement the relevant goals and policies of Chapter 12, of the City of Florence Comprehensive Plan, Transportation System Plan, Airport Master Plan, and applicable ordinances.

2-2-7: SUBCOMMITTEES: The Transportation Committee has the authority to establish appropriate subcommittees, per the provisions of the City of Florence Committee & Commission Policy Manual as adopted by Resolution. These committees may include, but are not limited to traffic & vehicular safety, bike & pedestrian, public and private transit, air / rail, capital improvement, fundraising and community outreach.

Exhibit G
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the text of FCC 2-7: Environmental Management Advisory Committee as Shown]

~~TITLE 2~~
~~CHAPTER 7~~

ENVIRONMENTAL MANAGEMENT ADVISORY COMMITTEE

SECTION:

- ~~2-7-1: Establishment~~
- ~~2-7-2: Membership~~
- ~~2-7-3: Term of Office~~
- ~~2-7-4: Meetings~~
- ~~2-7-5: Presiding Member~~
- ~~2-7-6: Duties~~
- ~~2-7-7: Vacancies and Removal~~

~~**2-7-1: ESTABLISHMENT:** An Environmental Management Advisory Committee is hereby established for the City. (amended by Ord 5, 2009)~~

~~**2-7-2: MEMBERSHIP:** The committee shall consist of nine (9) members to be appointed by the Mayor in the manner provided in Chapter 1 of this Title 2. The majority shall be from citizens who reside within the City limits of Florence and the balance may reside in the Area of Interest as shown by exhibit of the latest Florence Comprehensive Plan. There may be one (1) ex-officio member from each of the City-regulated Solid Waste handling entities licensed by the City per Title 9 Chapter 4.~~

~~**2-7-3: TERM OF OFFICE:** The members shall be appointed for a term of three (3) years. (amended by Ord. #5, 2006, effective 6-19-06)~~

~~**2-7-4: MEETINGS:** A majority of the members of the Committee shall constitute a quorum. The Committee shall meet at a regular time to be set by the Committee. The chairman or three (3) members may call a previously unannounced special meeting to be held not earlier than twenty four (24) hours after the notice is given as required by the Oregon Public Meeting Laws. (amended by Ord. #5, 2006, effective 6-19-06)~~

~~**2-7-5: PRESIDING MEMBER:** In February of each year the Committee shall elect a chairman and vice chairman to serve for the following twelve (12) months. (amended by Ord. #5, 2006, effective 6-19-06)~~

~~**2-7-6: DUTIES:** The Environmental Management Advisory Committee shall perform the following duties required in Chapter 9-4 of this Code, Solid Waste Management, and such other duties as the Council may direct. These duties include:~~

- ~~A. Developing strategies, informing the public and advising the Council on fulfilling the public policy declared in Section 9-4-2 of this Code.~~
- ~~B. Proposing minimum and maximum rates and classifications of solid waste services, on a selective basis, as found in Section 9-4-5 of this Code, to be provided by solid waste service licensees.~~
- ~~C. Recommending to the City Council, approval, denial or revocation of solid waste services licenses. Proceedings on the summary suspension of licenses issues under this Chapter shall be heard by the City Council. (Ord 5, 2009)~~

- D. ~~Hearing customer complaints regarding a licensee's compliance with this Code unless the licensee has been cited into a court of competent jurisdiction regarding its failure to comply with this Code. Upon hearing such complaints, the Committee may refer the complaint to the City Manager for prosecution or the Committee may take such other action as is consistent with its powers under Chapter 9-4 of this Code.~~
- E. ~~As affecting the delivery of solid waste services, conserving energy and material resources, promoting resource recovery, such as yard debris, and protecting health and the environment, recommend amendments to this Code and review administrative regulations.~~
- F. ~~Develop, recommend, and assist the Public Works Department with information and guidance regarding beneficial use options, regulatory compliance and current practice for biosolids.~~
- G. ~~Promoting and developing strategies that support recycling, waste reduction and reuse. (Ord. 5, 2009)~~

~~**2-7-7: VACANCIES AND REMOVAL:** Appointments to fill vacancies shall be in accordance with Chapter 1 of this Title 2 for the remainder of the unexpired term, a member may be removed by the City Council, for misconduct or nonperformance of duty. A member who is absent from three (3) consecutive meetings without an excuse as approved by the Environmental Management Advisory Committee, is reputedly presumed to be in nonperformance of duty, and the City Council shall declare the position vacant unless finding otherwise, following. (Ord. 5, 2009)~~

TITLE 2
CHAPTER 7

ENVIRONMENTAL MANAGEMENT ADVISORY COMMITTEE (EMAC) – ENABLING PROVISIONS

SECTION:

- 2-7-1: Establishment
- 2-7-2: Membership
- 2-7-3: Term of Office
- 2-7-4: Meetings
- 2-7-5: Presiding Member
- 2-7-6: Duties
- 2-7-7: Vacancies and Removal

2-7-1: ESTABLISHMENT: An Environmental Management Advisory Committee is hereby established for the City.

2-7-2: MEMBERSHIP: The Environmental Management Advisory Committee (EMAC) shall consist of not less than five (5) and not more than eleven (11) voting members.

A. **RESIDENCY REQUIREMENT:** A majority of committee membership shall have their permanent residence within the city limits of the City of Florence.

B. **COMMITTEE REPRESENTATION:** Committee membership shall include representation from the following:

- a. Citizen(s) at large with interest, knowledge, or experience in:
 - i. Solid Waste Handling Businesses
 - ii. Recycling & Resource Disposal
 - iii. Dendrology, Landscape Architecture, and / or streetscape management
 - iv. Grant writing & administration

C. **EX-OFFICIO MEMBERSHIP:** In addition to the committee membership, the following non-voting ex-officio positions may be appointed:

- a. One (1) City Councilor

- b. One (1) City Staff Member
- c. One (1) Member from each City-regulated Solid Waste handling entity licensed by the City per Title 9 Chapter 4.

2-7-3: TERM OF OFFICE: The members shall be appointed for a term of four (4) years. Membership terms will be staggered so that approximately ¼ of the membership terms will expire each year.

2-7-4: APPOINTMENTS, VACANCIES AND REMOVALS: Appointments, vacancies and removals shall occur in the manner dictated in Title 2 Chapter 1.

2-7-5: CHAIRPERSON & VICE-CHAIRPERSON: The Committee shall elect a Chairperson & Vice-Chairperson in the manner dictated in Title 2 Chapter 1.

2-7-6: DUTIES: The Environmental Management Advisory Committee shall perform the following duties required in Chapter 9-4 of this Code, Solid Waste Management, and such other duties as the Council may direct. These duties include:

A. **SOLID WASTE MANAGEMENT:** Performance of the public policy declared in Section 9-4 of this Code including:

- a. Developing strategies, informing the public and advising the Council on fulfilling the public policy declared in Section 9-4-2 of this Code.
- b. Proposing minimum and maximum rates and classifications of solid waste services, on a selective basis, as found in Section 9-4-5 of this Code, to be provided by solid waste service licensees.
- c. Recommending to the City Council, approval, denial or revocation of solid waste services licenses. Proceedings on the summary suspension of licenses issues under this Chapter shall be heard by the City Council.
- d. Hearing customer complaints regarding a licensee's compliance with this Code unless the licensee has been cited into a court of competent jurisdiction regarding its failure to comply with this Code. Upon hearing such complaints, the Committee may refer the complaint to the City Manager for prosecution or the Committee may take such other action as is consistent with its powers under Chapter 9-4 of this Code.
- e. As affecting the delivery of solid waste services, conserving energy and material resources, promoting resource recovery, such as yard debris, and protecting health and the environment, recommend amendments to this Code and review administrative regulations.

B. **RECYCLING & WASTE REDUCTION:** Develop and recommend strategies that support recycling, waste reduction, reuse and biosolids management.

C. **TREES & VEGETATION:** Develop and recommend strategies that support the landscape and biology of the region including:

- a. Developing strategies in the care, preservation, pruning, planting, replanting, removal, or disposal of trees and shrubs in parks, along streets, and in other public areas.
- b. Encourage and provide information to the public to promote the planting and appropriate care of trees, rhododendrons, and other shrubs on private property.
- c. Encourage and provide information to the public on noxious vegetation and steps to mitigate concerns.

2-7-7: SUBCOMMITTEES: The Environmental Management Advisory Committee (EMAC) has the authority to establish appropriate subcommittees, per the provisions of the City of Florence Committee & Commission Policy Manual as adopted by Resolution. These committees may include, but are not limited to, Solid Waste Management, Recycling and Waste Reduction, Trees & Vegetation, Fundraising and Community Outreach.

Exhibit H
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Remove the text of FCC 2-8: Transit Advisory Committee as Shown]

~~TITLE 2~~
~~CHAPTER 8~~

~~**TRANSIT ADVISORY COMMITTEE**~~

SECTION:

- ~~2-8-1: Establishment~~
- ~~2-8-2: Membership, Appointment~~
- ~~2-8-3: Term of Office~~
- ~~2-8-4: Vacancies and Removals~~
- ~~2-8-5: Presiding Members~~
- ~~2-8-6: Meetings~~
- ~~2-8-7: Records~~
- ~~2-8-8: Procedures~~
- ~~2-8-9: Duties~~

~~**2-8-1: ESTABLISHMENT:** A Transit Advisory Committee is hereby established for the City.~~

~~**2-8-2: MEMBERSHIP, APPOINTMENT:**~~

- ~~A. The Committee shall consist of six (6) members; at least three (3) members shall be residents of the City, two members may be residents of the Urban Service Area, and one member shall be a high school student. (Ordinance No. 5 Series 1999)~~
- ~~B. The members shall be appointed in the manner provided in Chapter 1 of this Title 2.~~
- ~~C. There may be one (1) ex-officio member from each of the City-funded transit organizations (i.e. Taxi, FACT). (Ordinance No. 12, Series 1995)~~

~~**2-8-3: TERM OF OFFICE:** The members shall be appointed for a term of three (3) years.~~

~~**2-8-4: VACANCIES AND REMOVALS:** Appointments to fill vacancies shall be for the remainder of the unexpired term. Any member of the Committee shall serve at the will of the City Council and any member may be removed by a majority vote for such removal by the City Council.~~

~~**2-8-5: PRESIDING MEMBERS:** At its first meeting and annually each February thereafter, the Committee shall elect a chair and vice chair.~~

~~**2-8-6: MEETINGS:** The Committee shall meet at a regular time to be set by the Committee. The Chair or the City Manager may call a meeting of the Board upon notice required by the Oregon Public Meeting Laws.~~

~~**2-8-7: RECORDS:** The City Manager shall provide a secretary to the Committee, and such other staff and consultation services as may be appropriate. The secretary shall keep a record of the Committee proceedings.~~

~~**2-8-8: PROCEDURES:** A majority of the Committee members shall constitute a quorum. The Committee is authorized to adopt rules of procedure to govern the conduct of its meetings.~~

~~**2-8-9: DUTIES:** The Committee is established to advise the City Council concerning coordination implementation of the City's publicly-financed transit system; provide a dispute resolution process for issues which arise in the course of conduct of the transit system; advise on the financial resources available for transit service and means by which efficient and effective services may be realized; review and advise on other transportation matters referred by the Council such as the franchise granting taxicab services. (Ord. #10 Series 1988, effective 5-24-88).~~

Exhibit I
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Remove the text of FCC 2-9: City Tree Board as Shown]

~~TITLE 2
CHAPTER 9~~

~~**CITY TREE BOARD**~~

~~SECTION:~~

- ~~2-9-1: Establishment~~
- ~~2-9-2: Definitions~~
- ~~2-9-3: Duties and Responsibilities~~
- ~~2-9-4: Operation~~

~~**2-9-1: ESTABLISHMENT:** There is hereby created and established, a City Tree Board for the City of Florence, Oregon which shall consist of the members of the City Park and Recreation Commission.~~

~~**2-9-2: DEFINITIONS:**~~

~~STREET TREES — "Street Trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.~~

~~PARK TREES — "Park Trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access.~~

~~**2-9-3: DUTIES AND RESPONSIBILITIES:**~~

- ~~A. — It shall be the responsibility of the Board to study, investigate, counsel, and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal, or disposal of trees and shrubs in parks, along streets, and in other public areas. Such plan will be presented annually to the City Council and upon their acceptance and approval shall constitute the official comprehensive City Tree Plan for the City of Florence, Oregon.~~
- ~~B. — The Board shall encourage and provide information to the public to promote the planting and appropriate care of trees, rhododendrons, and other shrubs on private property within the Urban Growth Area.~~
- ~~C. — The Board, when requested by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.~~

~~**2-9-4: OPERATION:**~~

~~The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.~~

Exhibit J
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Remove the text of FCC 2-14: Housing Advisory Committee as Shown]

~~TITLE 2~~
~~CHAPTER 14~~

~~HOUSING ADVISORY COMMITTEE~~

~~SECTION:~~

- ~~2-14-1: Establishment~~
- ~~2-14-2: Membership~~
- ~~2-14-3: Term of Office~~
- ~~2-14-4: Presiding Member~~ _____
- ~~2-14-5: Meetings~~
- ~~2-14-6: Duties~~
- ~~2-14-7: Vacancies and Removal~~

~~**2-14-1: ESTABLISHMENT:** A Housing Advisory Committee is hereby established for the City, by Ordinance No. 9, Series 2007 effective May 16, 2007.~~

~~**2-14-2: MEMBERSHIP:** The Housing Advisory Committee shall consist of not less than five (5) but not more than eleven (11) voting members and two (2) non-voting members. A majority of the voting members need to reside in the city limits. The two (2) non-voting members shall be representatives from either state or local housing program entity and will be designated by the Mayor. No member shall be an employee of the City; however the City Manager and Assistant to the City Manager shall staff the committee.~~

~~**2-14-3: TERM OF OFFICE:** The members of the Housing Advisory Committee shall be appointed as provided in Chapter 1 of Title 2 of the Florence City Code. The terms of those first appointed shall be for one, two and three years and shall be so made so that approximately one third of the membership terms will expire each year. Thereafter the term of each position shall be three years. The terms of the non-voting members (ex-officio) will be outlined by the Committee.~~

~~**2-14-4: PRESIDING MEMBER:** The Housing Advisory Committee shall, in February of each year and from among themselves, elect a Chairperson and a Vice-Chairperson. The Chairperson shall serve as the presiding officer at meetings of the Committee and shall have no other extraordinary duties or powers. The Vice-Chairperson shall serve in the absence of the Chairperson.~~

~~**2-14-5: MEETINGS:** The Committee shall meet at a regular time to be set by the Committee. The Chairperson or the City Manager may call a special meeting upon notice as required by Oregon Public Meeting Laws. A majority of the Committee members shall constitute a quorum.~~

~~**2-14-6: DUTIES:** The Housing Advisory Committee shall advise the City Council on all matters affecting housing that shall include, but not be limited to the following:~~

~~A. Research and develop responsive policies and programs that address the overall housing needs of the community that also defines "affordable housing" for the purposes of this committee.~~

~~B. Work with staff to put together a plan and timeline for addressing housing issues and encourage the development of housing for all income levels. Identify and make recommendations regarding priorities to Council.~~

~~C. — Oversee the compilation of accurate information regarding the City's housing supply and affordability. Gather, consolidate and analyze information from various housing studies and needs assessments. Develop an electronic database of housing information.~~

~~D. — Act as a clearinghouse for public information regarding housing programs in the City.~~

~~E. — Identify funding sources and enhance the ability of the City to acquire funding from various sources.~~

~~F. — Work in collaboration with housing agencies, financial institutions, other cities and other partners to share ideas and to avoid duplication of efforts. Make recommendations to Council regarding the development of new programs and the enhancement of existing program. Advise Council on possible opportunities.~~

~~G. — Review current land use policies and zoning regulations and promote adoption of policies and regulations supporting housing affordability.~~

~~**2-14-7: VACANCIES AND REMOVAL:** — A member of the Committee may be removed by the City Council for misconduct or non-performance. Absence from three (3) consecutive meetings without excuse, or absence, without excuse, from four or more meetings in any twelve month period, shall be considered non-performance of duty and the City Council may declare the position vacant.~~

Exhibit K
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Remove the text of FCC 1-9: City Council as Shown]

~~TITLE 1~~
~~CHAPTER 9~~
CITY COUNCIL

SECTION:

~~1-9-1: Appointive Bodies, Removals and Dismissals~~

~~**1-9-1: APPOINTIVE BODIES, REMOVALS AND DISMISSALS:** The city Council by majority vote may terminate the term of any member of a board, committee, commission or other appointive body for the following reasons:¹~~

- ~~1. Death~~
- ~~B. Adjudicated incompetence~~
- ~~C. Conviction of a felony~~
- ~~D. An abuse or offense pertaining to his office~~
- ~~E. Excessive lack of attendance at meetings~~
- ~~F. Any matter or conduct which, in the opinion of the City Council, creates animosity, impedes the job of the particular body or tends to render the City ineffective or open to ridicule (Ord 608, 11-9-78)~~

¹See Section 2-1-1 of this Code for right of appeal

Exhibit L
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the text of FCC 3-4: Taxi Cabs as Shown]

3-4-2: DEFINITIONS:

COMMITTEE

The Transportation ~~Transit~~ Advisory Committee of the City of Florence.

Exhibit N
ORDINANCE NO. 17, SERIES 2018

Additions are shown in double underline and deletions are shown as strike-out.
[Change Directions are shown in Bold within Brackets]

[Replace the text of FCC 9-4: Solid Waste Management as Shown]

9-4-3: DEFINITIONS:

COMMITTEE The Environmental Management Advisory ~~Solid Waste~~ Committee is created by the City Council under Chapter 2-7 of this code or if the Committee is not appointed, the City Council Serves.