

COMMISSIONS & COMMITTEES - GENERAL PROVISIONS

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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 commission 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 will 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 timeline 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 application 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 June 1st to the following May 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:

1. conviction of a felony,
2. failure to declare a conflict of interest,
3. failure to adhere to public meetings law,
4. failure to follow the City of Florence's Committee & Commission policies,
5. failure to comply with any applicable requirement of the City of Florence code,
6. 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:

1. Excessive lack of attendance which is defined as:
 - a. Absence from three (3) or more consecutive meetings without an excuse, as approved by the Chairperson, or.
 - b. 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 the 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:
 - a. 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.
 - b. Preside at all meetings.
 - c. Be responsible for maintaining communication with Council and Staff.
 - d. Call special meetings. A majority of the members of the commission, committee or ad-hoc committee may also call a special meeting.
 - e. Be responsible for attendance of members and report to the City Recorder in instances of excessive lack of attendance.
 - f. 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 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 membership 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, internal, and place as the commission, committee, or ad-hoc committee deems necessary. Special meetings may be called per FCC 2-1-7-A(2)(d).

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 the accomplishments, 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.

Title 1, Chapter 9 renumbered to Title 2 Chapter 1 by Ord 3, Series 1993
Section 2-1-4 F: Amended by Ord 18, 2008 – effective October 22, 2008
Entire Chapter modified by Ordinance No. 17, Series 2018 – effective February 1, 2019
Section 2-1-4-E: Amended by Ordinance No. 23, Series 2021- effective January 12, 2022