

# Commission Rules

## City of Yachats, Oregon



Initially Adopted and Effective March 1, 2005

Amended April 11, 2005

Amended April 6, 2008

Amended June 11, 2008

Amended November 1,  
2008

Amended January 3, 2012

Amended March 5, 2013

Amended July 4, 2015

Amended August 1, 2018

Amended December 18, 2019

## Commission Rules - City of Yachats, Oregon

<b><u>Authority and Purpose Statement</u></b>	<b>3</b>
<b><u>1 Meetings of the Council</u></b>	<b>3</b>
<b>1.1 Minutes of Meeting</b>	<b>3</b>
2.11 General Format	3
2.12 Contents of Minutes	3
2.13 Special Meetings	4
2.14 Notice of Meetings	4
2.15 Agenda Packets	4
2.16 Packet Material	4
<b><u>3 Commission Membership</u></b>	<b>5</b>
<b>3.1 Membership</b>	<b>5</b>
<b>3.2 Attendance</b>	<b>5</b>
<b>3.3 Elections</b>	<b>5</b>
<b>3.4 Officers</b>	<b>5</b>
3.41 Duties of the Chair	5
3.42 Duties of the Vice Chair	6
<b>3.5 Commission Vacancies</b>	<b>6</b>
3.51 Procedures and Objectives	6
<b><u>4 Use of City Staff</u></b>	<b>6</b>
<b><u>5 Commissions</u></b>	<b>6</b>
5.1 Planning Commission	7
5.11 Membership	7
5.12 Terms of Office	7
5.13 Powers and Duties	7
5.14 Organization	8
5.15 Quorum	8
<b>5.2 Parks &amp; Commons Commission</b>	<b>8</b>
5.21 Membership	8
5.22 Terms of Office	8
5.23 Powers and Duties	9
5.24 Quorum	9
<b>5.3 Public Works &amp; Streets Commission</b>	<b>10</b>
5.31 Membership	10
5.32 Terms of Office	10
5.33 Powers and Duties	10
5.34 Quorum	11
<b>5.4 Library Commission</b>	<b>11</b>

5.41	Membership_____	11
5.42	Terms of Office _____	11
5.43	Powers and Duties_____	12
5.44	Quorum _____	12

**Authority and Purpose Statement**

The Municipal Code of the City of Yachats provides for the City of Yachats to have the following Commissions:

- A: Planning Commission
- B: Parks & Commons Commission
- C: Public Works & Streets Commission
- D: Library Commission

**1. Meetings of the Commission**

The meetings of the Commissions shall be open to the public.

**1.1 Minutes of Meetings**

The commission shall make and file with the City a report of all meetings and transactions of the commission for the preceding month. Copies of the minutes recorded at the regular and special meetings of the commission may serve as reports, shall be filed with the City as expediently as possible, and in no case more than thirty (30) days after the meeting of the commission. Each commission shall, in addition, make other reports as may be requested by the Council

**2.11 General Format**

All official printed minutes of any meetings of all city commissions, boards, and committees shall be fashioned after the minimum as required by State Law with minor additions. Recordings of entire minutes will be kept on file for more detailed references for a period of two years. All minutes shall be published in the City’s document library.

**2.12 Contents of Minutes**

**Meeting Particulars.** Minutes shall include the date, time and place of all meetings.

**Recordings.** Agendas shall indicate that all proceedings are being recorded for back-up reference.

**Attendance.** Minutes shall include the names of all members of the governing body and indicate whether they are present or absent.

**Motions.** Minutes shall include all motions, proposals, resolutions, ordinances, and measures proposed and their disposition.

**Result of Votes.** Minutes shall include the result of all votes and the vote of each member by name.

**Substance of Topics.** Minutes shall include an outline of the substance of the discussion on any matter.

**Reference to Documents.** Minutes shall include any references to any specific document mentioned in discussion.

**Public Participants.** Minutes shall include the name of the member of the public who addressed the body.

**Emergency Meetings.** The minutes shall include, if required, the nature of the emergency for calling an emergency meeting.

**Speeches and Statements.** Speeches or statements or the exact text of discussions shall not be transcribed verbatim.

### **2.13 Special Meetings.**

The chair shall have the power to convene special meetings.

### **2.14 Notice of Meetings**

All meetings of City Commissions, Committees and Board are public meetings and must be noticed in advance in accordance with Oregon laws.

### **2.15 Agenda Packets**

City staff will make the best effort to post electronic packets to the City's website and the document library before the close of business a week before a commission or committee meeting. An email will be sent to the commission members to let them know that the packets are available for their review.

Packets shall be available at City Hall for public review. Copies may be obtained at the current cost.

### **2.16 Packet Material**

**Text exhibits.** Packets shall include copies of applications, map locations, and any other pertinent, easily reproducible text exhibits.

**Drawings and Reports.** Drawings, reports and other materials difficult or expensive to reproduce will be made available in limited quantity at work sessions or scheduled meetings and will be available for inspection at City Hall during regular business hours.

### **3. Commission Membership**

**3.1 Membership.** Commission members will be appointed by the Mayor with approval of Council. Any person applying for appointment to any commission shall be interviewed by City Council at either a work session or regular meeting. No person shall serve at the same time on more than one commission. All applicants for commission service need to complete a volunteer application on the current form. Commissions should recommend their membership slate for the following year in November so they can be approved by Council in December.

**3.2 Attendance.** Unless excused by the Chair, any member who has three absences in a twelve month period may be removed from the Commission by City Council action, the position will be declared vacant, and the member will have to reapply to be reconsidered for appointment.

**3.3 Elections.** The Chair and a Vice-Chair shall be elected by ballot at the **last** meeting of the calendar year, or when a vacancy in either of these offices occurs.

**3.4 Officers.**

**3.41 Duties of the Chair.** The Chair is the presiding officer of the meeting. The duties of the Chair are:

- \* The Chair serves as the liaison between the Commission and the City Manager and Mayor.
- \* Consult with City staff and together formulate an agenda for the meeting.
- \* Open the meeting on time and call the meeting to order.
- \* Announce in proper sequence the business on the agenda
- \* Recognize participants who are entitled to the floor.
- \* State the nature of legitimate issues that arise during the meeting, secure consensus on their disposition, and, if a vote is needed, **suggest** the language of the motion. If a motion is out of order or unclear, the Chair should rule it out of order or require clarification. If a motion is in order, the Chair calls for the vote and announces the results of the vote.
- \* Protect the commission from frivolous or delaying motions by refusing to recognize them.
- \* Enforce order in respect to discussion, deliberation, and decision making.

- \* Expedite business in a way compatible with the rights of the members and constituents.
- \* Decide all questions of order.
- \* Respond to inquiries of members.
- \* Declare the meeting adjourned.
- \* Ensure that reports and recommendations are forwarded to the Council.
- \* With approval of the commission, delegate an alternate spokesman.
- \* When appropriate, assist staff with securing the building after a night meeting.

### **3.42 Duties of the Vice-Chair**

The Vice-Chair shall be presiding officer when the Chair is absent or when the Chair wishes to be a stronger, more partisan, participant in deliberation. The Vice-Chair may also assist the Chair as directed by the Chair or Commission.

### **3.5 Commission Vacancies.**

#### **3.51 Procedures and Objectives.**

- The City Manager shall retain a working list of all citizens filing an application for service on City commissions, boards, and committees. Applications shall be kept until the person is appointed, becomes ineligible to serve, or withdraws the application.
- The Commission, board or committee shall consider the names of all persons currently on file and any person at the meeting that has expressed an interest in serving on that body.
- Candidates shall be interviewed by the Commission, board or committee to discuss their qualifications and reasons for wanting to serve.
- **Recommendations.** The Commission shall then deliberate and present a recommendation to the Council of qualified candidates for the current vacancy.
- **Prior to an appointment being made,** candidates and any person at the Council meeting who express a willingness to serve shall be interviewed by City Council at either a work session or regular meeting. Incumbents seeking reappointment are not required to interview.

4. **Use of City Staff.** The Chair shall be the liaison between the Commission, board or committee and City staff. Only the City Manager is authorized to request work/time of City Staff or Contract Resources.

## **5. Commissions:**

### **5.1 Planning Commission.**

#### **5.11 Membership.** The Planning Commission shall consist of seven members appointed by the Mayor with the approval of Council.

Pursuant to ORS 227.030, 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. No more than two (2) members shall be engaged in the same kind of occupation, business, trade or profession.

All commission members must reside in the City.

All commission members must have resided in the City for no less than six months prior to appointment.

The members of the commission shall receive no compensation for their services.

#### **5.12 Terms of Office**

Terms of office on the commission shall be four (4) years and shall expire on December 31<sup>st</sup> of the 4<sup>th</sup> year.

A member of the commission may be removed by a majority vote of the City Council for cause.

A vacancy shall be filled by the Mayor with the approval of Council for the unexpired portion of the term.

#### **5.13 Powers and Duties.**

Shall have the powers and duties provided for by ORS 227.090, other state law, City Charter, comprehensive plan or other city ordinances.

Shall function primarily as a comprehensive planning body proposing policy and legislation to the Council related to the growth and development of the community. In addition to the authority provided in the previous sentence, the commission:

Shall review the comprehensive plan every four (4) years and make recommendations to the council concerning plan amendments which it has determined are necessary based on further study or changed concepts, circumstances, or conditions;

May formulate and recommend legislation to implement the comprehensive plan;

Shall conduct hearings, prepare findings of fact, and take such actions concerning specific land development proposals as required by city ordinance.

Shall perform such other responsibilities and duties as the City Council, from time to time, may delegate by ordinance, resolution or motion.

#### **5.14 Organization**

The commission may select a secretary from among its members, who shall serve at the pleasure of the commission or the City Manager shall designate a city staff member to act as secretary. The secretary shall keep accurate records of all proceedings of the commission and shall perform such duties as are requested of the secretary by the commission, this section, or by law.

#### **5.15 Quorum.**

Four (4) members of the commission shall constitute a quorum for the transaction of business.

### **5.2 Parks & Commons Commission**

**5.21 Membership.** The Parks and Commons Commission shall consist of seven (7) members, appointed by the Mayor with consent of the Council.

One member of the commission may reside outside the City limits.

The members of the commission shall receive no compensation for their services.

#### **5.22 Terms of Office.**

Terms of office shall be three (3) years and shall expire on December 31<sup>st</sup> of the third year.



A member of the commission may be removed by a majority vote of the Council without cause.

A vacancy shall be filled by the Mayor with the approval of the Council for the unexpired portion of the term

### **5.23 Powers and Duties**

Formulate rules, regulations and standards for the operation of the City's parks and the Commons building and grounds in a manner which assures security of the City's assets and encourages use by tenants, residents and visitors and recommend them to City Council for adoption;

Establish rental rates for various uses of the Commons; recommends such to City Council for adoption;

Enhance income through promotion or co-promotion of appropriate events;

Work with the Facilities Manager in development and implementation of a marketing program for tenants and special programs;

Plan for the regulation, development and improvement of the City's parks;

Receive gifts, grants, bequests and devises to carry out the purpose of the Commons and parks planning and programming process;

Work with the Facilities Manager in the development of the budget for the Commons. Prepare the annual budget for all City parks and submit to the Budget Officer the budget proposals for the parks and the Commons building for forwarding to the Budget Committee;

Perform such other responsibilities and duties as the City Council, from time to time, may delegate by ordinance, resolution or motion;

Monitor the Village Circulation Plan portion of the Comprehensive Plan relating to trails, including implementation, funding, and signage; and

Serve as liaison between the City and Lincoln County in development of the trail system, shoreline access points, and signage as established in the Village Circulation Plan and the 804 Settlement Agreement.

Serves as the sponsoring Commission for the Trails Committee and the Little Log Church and Museum board.

**5.24 Quorum**

Four (4) members of the commission shall constitute a quorum for the transaction of business.

**5.3 Public Works & Streets Commission**

**5.31 Membership**

The Public Works & Streets Commission shall consist of seven (7) members, appointed by the Mayor with consent of the Council.

One member of the commission may reside outside the City limits.

The members of the commission shall receive no compensation for their services.

**5.32 Terms of Office.**

Terms of office shall be three (3) years and shall expire on December 31<sup>st</sup> of the third year.

A member of the commission may be removed by a majority vote of the Council without cause.

A vacancy shall be filled by the Mayor with approval of the Council for the unexpired portion of the term.

**5.33 Powers and Duties.**

Formulate rules, regulations and standards for the operation and use of the City's public works, recommend such to City Council for adoption.

Plan for future growth, development and improvement of the City's public works.

Advise the City Manager on improvements and maintenance for public works.

Recommend improvements or repairs to the City's streets, culverts, drainage and curbing.

Review all rates and fees including, but not limited to, water, sewer, and system development and report to the City Council by March 1<sup>st</sup> of each year and recommend any changes in rates, fees, charges or policy.

Review monthly Budget Reports for all Public Works systems including Capital Improvement Projects.

Serve as liaison to various Lincoln County Committees or Work Groups associated with Public Works systems.

Serve as the sponsoring Commission for the Emergency Preparedness Committee.

Serve as the City's Public and Traffic Safety Committee as follows:

- A. Hear suggestions and complaints from citizens concerning issues of public and traffic safety;
- B. Research and develop remedies for public and traffic safety concerns as needed;
- C. Recommend public and traffic safety priorities for the City;
- D. Review and recommend project application for funding;
- E. Serve as liaison between the City and the Oregon Traffic Safety Commission in developing the statewide highway safety program, and in meeting the National Highway Safety Program Standards;
- F. Act in an advisory capacity to the Yachats City Council in the implementation of safety activities;
- G. Foster public knowledge and support of traffic law enforcement and traffic engineering problems and needs;

Serve as a franchise review committee responsible for initially reviewing, negotiating and recommending to City Council all franchise agreements.

#### **5.34 Quorum**

Four (4) members of the commission shall constitute a quorum for the transaction of business.

### **5.4 Library Commission**

#### **5.41 Membership.**

The Library Commission shall consist of five (5) members, appointed by the Mayor with consent of Council.

One member of the commission may reside outside the City limits.

The members of the commission shall receive no compensation for their services.

**5.42 Terms of Office.**

Terms of office shall be three (3) years and shall expire on December 31<sup>st</sup> of the third year.

A member of the commission may be removed by a majority vote of the Council without cause.

A vacancy shall be filled by the Mayor with the approval of the Council or the unexpired portion of the term.

**5.43 Powers and Duties**

Operate and manage the Yachats Public Library;

Formulate rules, regulations and standards for the operation of the library;

Receive gifts, grants, bequests and devises to carry out the purpose of the library;

Work with the librarians to prepare and submit to the budget officer an annual budget which will be forwarded to the budget committee

**5.44 Quorum**

Three (3) members of the commission shall constitute a quorum for the transaction of business.