

RESOLUTION NO. 2020-26

A RESOLUTION OF CITY OF SISTERS ESTABLISHING THE PLANNING COMMISSION.

WHEREAS, the Sisters City Council (the "Council") recognizes the importance of citizen input, guidance, and participation on policies, procedures, and practices concerning matters affecting the Sisters community and its citizens; and

WHEREAS, City of Sisters ("City") will benefit from having a planning commission that works with the Council, staff, and other citizen advisory boards, commissions, and committees, as appropriate, to provide guidance on planning related matters; and

NOW, THEREFORE, the City of Sisters resolves as follows:

1. Creation; Membership. The Planning Commission (the "Commission") is hereby established. The Commission will operate subject to, and in accordance with, this Resolution. The Commission will have seven (7) members. Members will be appointed by the Mayor, subject to Council approval, and will consist of the following individuals: (a) Not more than two planning commission members shall be nonresidents of the city. Any nonresident planning commission members must reside within the Sisters School District boundaries. (b) Not more than two planning commission members 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.(c) No more than two members shall be engaged in the same kind of occupation, business, trade or profession.(d) Not more than two of the seven members of the city planning commission may be city officers, who shall serve as ex officio nonvoting members.

Members will receive no compensation but will be reimbursed for expenses authorized by the Council. If the Council is unable to fill the Commission membership with individuals meeting the classifications described above after the exercise of reasonable efforts, the Council may appoint individuals to the Commission to fill the unfilled membership classification(s) even though such individuals may not meet the unfilled membership classification(s).

2. Terms of Office; Vacancy. Except for the Commission in office as of the effective date of this Resolution, each member will be appointed for a term of four years, or until their respective successors are appointed and qualified. Terms will commence on January 1 and end on December 31. Any vacancy in the Commission will be filled by the Mayor, subject to Council approval, for the unexpired term of the predecessor in office. Terms of Commission members in office as of the Effective Date are hereby extended to December 31 of the year in which each member's term is set to expire.

3. Removal of Commission Members. Notwithstanding anything contained in this Resolution to the contrary, a member may be removed by the Council for any of the following reasons: (a) three or more unexcused absences from regular Commission meetings annually; (b) commission of a felony; and/or (c) any other acts of misconduct or nonperformance that is contrary to the objectives and purpose of the Commission.

4. Commission Duties. The Commission will act as an advisory body to the Council. To this end, and except as otherwise provided or directed by the Council from time to time, the Commission will have the following advisory duties and responsibilities: (a) Recommend and make suggestions to the

Council concerning (i) the laying out, widening, extending and locating of public thoroughfares (ii) parking of vehicles, (iii) relief of traffic congestion, (iv) betterment of housing and sanitation conditions; (iv) establishment of zones and districts; (v) the City's comprehensive plan and other plans for regulating the future growth, development, and beautification of the city, (vi) the City's public facility master plans and other plans for provision of water, sewer, and transportation facilities; (v) such other matters as may be referred by Council from time to time: (b) Perform such tasks and issues such decision as may be assigned to the Commission under the City's comprehensive plan and/or the Sisters Development Code; (c) Serve as a forum for receiving public input and testimony on all matters concerning land use, planning, and development within or around the City; and (d) Perform such other duties or responsibilities as may be assigned by the Council from time to time.

5. Member Responsibilities. In addition to any other duties or responsibilities assigned to the members under this Resolution, each member must regularly attend Commission meetings and must notify the chair when he or she will be unable to attend a Commission meeting. In addition, if requested by the Council, one or more members will be required to attend any Council meeting during which Commission-related business is discussed. All Commission recommendations must be made to the Council in writing.

6. Election of Officers. The Commission will, at its first meeting of each odd numbered calendar year, elect a chair and vice-chair. Subject to the terms of this Resolution, the chair and vice-chair will hold office for a period of two years. Should the office of chair and/or vice-chair become vacant, the Commission will elect a successor from its members at the next regular meeting and such election will be for the unexpired term of such office. The chair and vice-chair may be removed from office at any time by the Commission.

7. Chair and Vice-Chair Duties. The chair will call Commission meetings, preside at all meetings, and sign all documents or correspondence on behalf of the Commission. The vice-chair will perform the duties of the chair in the absence of the chair and such other duties as may be assigned by the chair from time to time. In the absence of the chair and vice-chair, the Commission will elect a temporary chair for the particular meeting in question. There is no limit to the number of terms that a member may serve as Chair or Vice-Chair.

8. Minutes; Reports. City staff will keep an accurate record of all Commission proceedings, including written minutes or recordings of all meetings. A copy of each meeting minutes will be delivered to the city recorder for filing. Commission minutes are a public record available for public inspection. At the request of the Council, the Commission will prepare and deliver to the Council a written report summarizing all Commission activities, actions, and matters before the Commission (and any other information requested by the Council).

9. Staff to the Commission. The community development director, city attorney, and other City staff requested by the Commission from time-to-time will support the work of the Commission. The city attorney will act as the Commission's legal advisor in the conduct of all hearings and for all other matters within the purview of the Commission. Notwithstanding anything contained in this Resolution to the contrary, the Commission must obtain the consent of the community development director prior to requesting the assistance of the city attorney and/or other City staff.

10. Commission Meetings. The Commission will hold at least one regularly scheduled meeting per month unless canceled at the direction of the community development director or the chair

due to lack of Commission business or other reason. In addition to the regular meetings, the Commission will meet at such other times, dates, and places as may be deemed necessary or appropriate to carry out Commission business. Special meetings may be called by the chair, the community development director, and/or the Council by giving at least twenty-four (24) hours' prior notice subject to and in accordance with Oregon's Public Meetings Laws. All meetings of the Commission will be held subject to and in accordance with applicable Oregon law.

11. Quorum; Voting. A majority of the members present at a meeting of the Commission shall constitute a quorum. A majority vote of a quorum is necessary to act on any matter before the Commission. All members who are present at a meeting of the Commission, including the chair and vice-chair, are allotted one vote each on all motions.

12. Conduct of Meetings. The parliamentary authority for this Planning Commission is the most current version of Robert's Rules of Order except where superseded by this Resolution or local, state, or federal law.

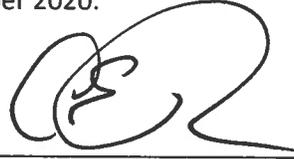
13. Conflict of Interest Activities. A member will not participate in any Commission proceeding or action in which any of the following has a direct or substantial financial interest: (a) the member or the spouse, brother, sister, child, parent, father-in-law, mother-in-law of the member; (b) any business in which the member is then serving or has served within the previous two years; or (c) any business for which the member is negotiating or for which the member has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential conflict of interest will be disclosed at the meeting of the Commission where the action or proceeding is being taken. Planning Commissioners are required to file annual statements of economic interest as required by ORS 244.050 with the Oregon Government Standards and Practices Commission.

14. Authority; Expenditures. The Commission will operate at the direction of the Council and in conformance with, and subject to, this Resolution, Oregon law (including, without limitation, Oregon's Public Meetings Law), and all City rules, procedures, resolutions, and ordinances now in force and/or which may hereafter be created, amended, modified, enacted, and/or promulgated. Except for those matters for which the Commission holds decision making authority under the Sisters Development Code, the Commission has no authority to bind City or represent to any person that the Commission may bind City. The Commission has no authority to make expenditures on behalf of City, or to obligate City for payment of any sums of money, unless and until the Council has authorized such expenditures by appropriate ordinance or resolution (which ordinance or resolution will provide the administrative method by which funds will be drawn and expended).

15. Miscellaneous. For purposes of this Resolution, the singular includes the plural and the plural includes the singular; the word "or" is not exclusive and the words "include," "includes," and "including" are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. The provisions of this Resolution are severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this resolution. This Resolution will be in full force and effect from and after its approval and adoption. This Resolution may be corrected by order of the council to cure editorial and/or clerical

errors.

APPROVED AND ADOPTED by the City Council of City of Sisters and signed by the mayor on this 12th day of August 2020. MADE EFFECTIVE on the 11th of September 2020.

A handwritten signature in black ink, appearing to be 'CR', written over a horizontal line.

Chuck Ryan, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to be 'K Prosser', written over a horizontal line.

Kerry Prosser, City Recorder