

RESOLUTION NO. 2020-27

A RESOLUTION OF CITY OF SISTERS ESTABLISHING THE PUBLIC WORKS ADVISORY BOARD.

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 community advisory Board that works with the Council, staff, and other citizen advisory boards, commissions, and Boards, as appropriate, to provide advice on general public works related matters within the City; and

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

1. Creation; Membership. The Public Works Board (the "Board") is hereby established. The Board will operate subject to, and in accordance with, this Resolution. The Board will have five (5) members. Members will be appointed by the Mayor, subject to Council approval, and will consist of the following individuals: (a) Not more than two (2) members of the Board may be non-residents of the City of Sisters. Any nonresident member must reside within the Sisters School District boundaries; (b) Members shall have experience with infrastructure planning and/or construction; (c) May have a Council representative to the board, who shall be a nonvoting member. Members will receive no compensation but will be reimbursed for expenses authorized by the Council. If the Council is unable to fill the Board membership with individuals meeting the classifications described above after the exercise of reasonable efforts, the Council may appoint individuals to the Board 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 initial Board members described below, each member will be appointed for a term of three (3) 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 Board will be filled by the Mayor, subject to Council approval, for the unexpired term of the predecessor in office. At the first Board meeting, the initial members will choose their term of office by lot as follows: (a) three members will serve until December 31, 2023; and (b) two members will serve until December 31, 2022. The initial members will immediately notify the Council in writing of the chosen allotment. Terms of Board members appointed to the Board as of the Effective Date are deemed to be extended to December 31 of the year in which each member's term is set to expire.

Subject to the terms of this Resolution, successors of the initial members will hold office for three years.

3. Removal of Board 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) two or more unexcused absences from regular Board 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 Board.

4. Board Duties. The Board 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 Board may have the following advisory duties and responsibilities: (a) serve as an advisory body to the Council concerning general public works related matters within the City; and (b) review proposed sewer, water, storm water, street, sidewalk, bikeway and pedestrian projects; (c) Assist with prioritizing street construction,

public works projects and/ or recommend capital improvement projects. (d) provide advice to the City Council and the Planning Commission when needed on general public works related matters affecting the City. The Board will review public works related issues that have been referred to the Board by the Council from time to time and will make recommendations on these issues.

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

6. Election of Officers. The Board 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 Board 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 Board.

7. Chair and Vice-Chair Duties. The chair will call Board meetings, preside at all meetings, and sign all correspondence on behalf of the Board. 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 Board will elect a temporary chair for the particular meeting in question.

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

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

10. Board Meetings. The Board will hold at least one regularly scheduled meeting per quarter unless canceled at the direction of the public works director or the chair due to lack of Board business or other reason. In addition to the regular meetings, the Board will meet at such other times, dates, and places as may be deemed necessary or appropriate to carry out Board business. Special meetings may be called by the chair, the public works 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 Board will be held subject to and in accordance with applicable Oregon law.

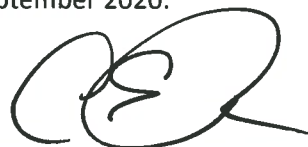
11. Quorum; Voting. A majority of the members constitute a quorum. A majority vote of a quorum is necessary to act on any matter before the Board.

12. Conflict of Interest Activities. A member will not participate in any Board 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 Board where the action or proceeding is being taken.

13. Authority; Expenditures. The Board 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. The Board has no authority to bind City or represent to any person that the Board may bind City. The Board 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).

14. 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 day of September 2020.



Chuck Ryan, Mayor

ATTEST:



Kerry Prosser, City Recorder