

RESOLUTION NO. 2020-99

**RESOLUTION ADOPTING CITY OF FOREST GROVE
SUSTAINABILITY COMMISSION BYLAWS**

WHEREAS, the Forest Grove Sustainability Commission was established by Resolution No. 2013-69, which was adopted by the City Council on October 28, 2013; and

WHEREAS, pursuant to Resolution No. 2019-20, the Council amended its Council Rules of Procedure, §14, relating to the Advisory Boards, Commissions and Committees (B/C); and

WHEREAS, as set forth in §14.15, each B/C is required to adopt by Council Resolution new Bylaws or rules of procedures following a standard template provided by the City; and

WHEREAS, the Commission reviewed and combined its existing Bylaws to form to the new Bylaw template; and

WHEREAS, the Commission reviewed the newly-revised Bylaws (Exhibit A) at its meeting held on February 27, 2020; and

WHEREAS, the Bylaws (Exhibit A) prescribe the Commission's duties and responsibilities and provide for all matters directly concerning advising the Council regarding sustainability issues as well as reducing its existing membership from 13 to 9 members and allowing up to four members to reside outside of the city.

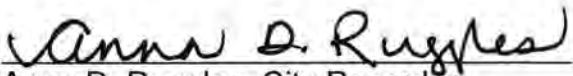
NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City Council hereby accepts and adopts the City of Forest Grove Sustainability Commission Bylaws (Exhibit A).

Section 2. Resolution No. 2013-69, original bylaws, and 2016-58, subsequently amended bylaws, are hereby repealed in its entirety.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 12th day of October, 2020.


Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 12th day of October, 2020.


Peter B. Truax, Mayor



A place where families and businesses thrive.

FOREST GROVE SUSTAINABILITY COMMISSION ADOPTED BYLAWS

Section 1: Forest Grove Sustainability Commission (herein referred to as B/C)

Section 2: Established by Council Resolution No. 2013-69, October 28, 2013.

Section 3: Purpose

1. The purpose of the advisory B/C is to encourage broad-based community representation and to advise City Council on public policy issues affecting Forest Grove and Council-adopted Goals and Objectives. The B/C is directly responsible to the Council.
2. The Sustainability Commission is responsible for goals outlined in the Forest Grove Sustainability Annual Work Plan. Goals that focus on three aspects of sustainability to include: Environment, Economic, and Social.

Section 4: Powers and Responsibilities/Objectives

1. Make recommendations to the City Council for strategies and actions designed to implement the Annual Work Plan.
2. To advise the City Council on matters pertaining to Environmental, Economic and Social Sustainability.
3. To facilitate community action, involvement and input on concerns related to sustainable policies and practices.

Section 5: Organization and Structure

1. Membership:
 - a. Members of the B/C shall be composed of Nine (9) members and one student member who shall be appointed by City Council.
 - b. Up to four (4) members may reside outside of corporate limits of the city.
 - c. Members are required to attend training courses as assigned and approved by City Council.
 - d. An individual member may not act in official capacity.
 - e. The City Council may in its discretion at any time remove a member for any reason, including inefficiency, neglect in duty, or malfeasances in office.
 - f. B/C members serve without compensation.

2. Terms of Office:

Resolution No. 2020-99
Approved by Sustainability Commission, February 27, 2020
Adopted by Council Resolution No. 2020-99, October 12, 2020

- a. B/C members shall be voting members and shall serve four (4) year terms.
- b. Student members shall be voting members and shall serve two (2) year terms. Student appointees must be high school grade level and residing or attending school, including home-schooled, in Forest Grove.
- c. Terms shall be staggered evenly amongst the membership, beginning January 1 and ending December 31.
- d. Once the assigned term of office is completed, the member is excused from the appointment unless City Council reappoints the member for another term of service.
- e. B/C members must apply during open recruitment and be interviewed by City Council after each term to continue service. B/C members who fail to attend a scheduled interview may forfeit the opportunity for appointment or reappointment.
- f. Members may not serve on more than two (2) B/C at the same time.
- g. Appointments to vacant positions shall be filled by City Council for the unexpired term.

3. Officers:

The Chair and Vice Chair shall be elected by the voting members at the first regularly scheduled B/C meeting of each year. The Chair may not serve more than 48-consecutive months.

4. Powers and Duties of Officers:

In the absence of the Chair and Vice Chair, at a meeting where a quorum is present, the member with the longest continuous service shall serve as Presiding Officer pro tem until such time the meeting is adjourned.

(1) Chair shall:

- a. Preside over and facilitate all meetings, preserve order, enforce rules and determine the order of business.
- b. Compose the meeting agenda in consultation with the staff liaison, specifying the time, place and purpose of the meeting and listing the subjects anticipated to be considered.
- c. A B/C member may propose placing an item on the agenda at a regularly scheduled meeting. If approved by a majority of voting members present, the agenda item will be placed on the next regularly scheduled meeting agenda or an agreed upon future meeting agenda.
- d. The agenda shall follow a standard template provided by the City.
- e. Ensure that all actions are properly taken and recorded and, if required, sign findings and decisions.
- f. Present recommendations to the City Council and other bodies as designated by the Mayor, Council, or Council Liaison.
- g. The Chair shall submit and present an Annual Report to the City Council listing the B/C's major activities for the past year and objectives for the coming year.

(2) Vice Chair shall:

Preside in the absence of the Chair and acts as Chair when the Chair is unable to perform duties.

Section 6: Meeting Procedures and Quorum

1. Meetings:

- a. Unless otherwise required by state law or city code, the B/C shall hold meetings no less than four (4) times a year unless more frequently as established by the B/C.
- b. In January of each year, the B/C shall adopt a schedule of its meetings and schedule its Annual Report presentation to City Council for the upcoming year, including meeting dates for holidays and canceled meetings.
- c. The B/C meeting agenda and packet shall be distributed to the B/C at least five (5) days prior to the meeting.
- d. All meetings are open to the public. Anyone wishing to speak to the B/C may do so under *Citizen Communications*. In the interest of time, comments may be limited to three (3) minutes unless additional time is granted by the presiding officer.
- e. The student member may provide a report at every meeting.
- f. A public meeting is defined as two (2) or more members meeting who have been delegated authority by the B/C to advise or make recommendations to the B/C.
- g. Special meetings may be called by a vote of the B/C at any regularly scheduled meeting, by the request of the Chair, Council Liaison, or written petition by three (3) or more B/C members.
- h. All meetings and hearings shall be held at a designated date, place and time in compliance with Public Meetings Law (ORS Chapter 192) and subject to Public Records Law (ORS Chapter 192).

2. Minutes:

- a. The B/C may appoint a secretary at the first regularly scheduled B/C meeting of each year to take the B/C meeting minutes.
- b. Written minutes are required for all meetings.
- c. The minutes shall follow a standard template provided by the City.
- d. The meeting minutes shall briefly summarizing what took place and must include: 1) any action items, 2) attendance, and 3) vote of each member. Verbatim minutes are not required.
- e. Staff may take minutes if the B/C requests the City to do so.
- f. Staff shall review the minutes to assure compliance with state law.
- g. Staff shall post the B/C approved minutes to the website as soon as possible.

3. Attendance:

- a. Members are expected to attend every meeting.

- b. Members shall notify the staff liaison prior to the regular meeting to report an absence.
 - c. The Chair, with the consent of the B/C, may submit a recommendation to City Council to deem a member's position vacant for three (3) or more absences in a 12-month period.
 - d. The City Recorder's Office shall notify any member who has three (3) or more absences in a 12-month period that their position may be subject to vacancy.
- 4. Quorum:
Unless otherwise required by state law, a majority of the total number of voting B/C members constitutes a quorum.
- 5. Voting and Decision Making:
 - a. *Roberts Rules of Order Newly Revised* shall govern all proceedings unless they conflict with these rules.
 - b. The Chair has the right to vote whenever a vote is cast. In the case of a tie vote with the Chair voting, the motion fails.
 - c. The B/C shall operate in the general public interest serving the community as a whole. The B/C shall serve no special interest(s) or endorse any commercial product or enterprise.
- 6. Conflicts of Interest and Ethics Law:
 - a. B/C members are considered public officials subject to the Oregon Government Ethics Law (ORS 244), which seeks to prevent a public official from receiving financial gain or avoiding a financial detriment because of their status as a public official.
 - b. B/C members are subject to the Restrictions on Political Campaigning when acting in official capacity (ORS 260.432).
 - c. A civil penalty may be imposed by the State for each violation of any provision of the ORS.
- 7. Role of Council Liaison:
 - a. The Council liaison shall be appointed by the Mayor, with the consent of the City Council, and shall be a non-voting member.
 - b. Council Liaison's role is to collaborate between the City Council and the B/C to assure each group's collective interest is accurately and effectively represented to the other, including actively attending and reporting to each entity at their regular scheduled meetings.
 - c. The Council Liaison shall have the freedom of the floor at all times to present Council's views and to comment or suggest actions to the B/C.
- 8. Role of Staff Liaison:
 - (1) The staff liaison shall be appointed by the City Manager and shall be non-voting. The staff liaison shall assist the B/C by utilizing their expertise regarding city policy and process.
 - (2) The staff liaison shall:
 - a. Orient newly-appointed members prior to the first meeting on the duties and responsibilities of being a B/C.

- b. Review the agenda in consultation with the B/C Chair. The agenda shall follow a standard template provided by the City.
- c. Prepare, post and distribute the B/C packet at least five (5) days prior to the meeting. Post the final agenda on the bulletin board at the meeting location.
- d. Oversee preparation and review of B/C meeting minutes, briefly summarizing what took place and must include any action items, attendance and vote of each member.
- e. Report any member who has three (3) or more absences in a 12-month period to the City Recorder's Office.
- f. Additional staff liaison duties and responsibilities may be found in the Council Rules, Section 14.

9. Registry:

The City Recorder's Office shall maintain a current roster of all members, including appointment date, length of unexpired term, and contact information. The roster may be subject to Public Records Law (ORS Chapter 192). A copy of the roster shall be provided to Council and staff liaison at least once per year or upon any substantial change in membership.

10. Amending Bylaws:

- a. A majority of all members must vote affirmatively to modify the B/C bylaws on at least two separate readings at two separate meetings.
- b. A final decision on a bylaw change shall not be made until at least the next regular meeting following the introduction and second of the motion.
- c. All bylaws or rules, including changes, must be approved by the City Council.
- d. Bylaws shall follow a standard template provided by the City.



A place where families and businesses thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: 7.
MEETING DATE: 10/12/2020
FINAL ACTION: RESO 2020-99

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Paul Downey, Director of Administrative Services
Elizabeth Stover, Program Coordinator*

MEETING DATE: *October 12, 2020*

SUBJECT TITLE: *Sustainability Commission Bylaws*

ACTION REQUESTED:	☐ Ordinance	☐ Order	☒ X	☐ Resolution	☒ X	☐ Motion	☐ Informational
--------------------------	------------------------------------	--------------------------------	---------------------------------------	-------------------------------------	---------------------------------------	---------------------------------	--

X all that apply

BACKGROUND:

As part of the Council review of its Boards and Commissions policy, each Commission was asked to review their bylaws and to utilize a uniform template. The Sustainability Commission began their review at their December 2019 meeting.

The Sustainability Commission's Bylaws were originally adopted by Council in 2013. The proposed Commission's bylaws have no significant changes from the original bylaws, with the exception that the Commission is requesting to amend its membership to reduce from 13 members to 9 members, and to allow four members to reside outside of the City. Positions that were eliminated were three terms ending 12/31/21 and one term ending 12/31/23, which seats are currently vacant, so the Commission's remaining terms stay closely staggered. The following sections pertained to the Commission's bylaws:

Section 5: Organization and Structure

1. Membership:

- a. Members of the B/C shall be composed of 9 members and one student member who shall be appointed by City Council.
- b. 4 members may reside outside of corporate limits of the city.
- c. Members are required to attend training courses as assigned and approved by City Council.
- d. An individual member may not act in official capacity.
- e. The City Council may in its discretion at any time remove a member for any reason, including inefficiency, neglect in duty, or malfeasances in office.
- f. B/C members serve without compensation.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Staff recommends that Council adopt the Sustainability Commission bylaws.

ATTACHMENT(s):

Resolution

Sustainability Commission Proposed Bylaws Exhibit A



A place where families and businesses thrive.

FOREST GROVE SUSTAINABILITY COMMISSION ADOPTED BYLAWS “Draft”

Section 1: Forest Grove Sustainability Commission (herein referred to as B/C)

Section 2: Established by Council Resolution No. 2013-69, October 28, 2013.

Section 3: Purpose

1. The purpose of the advisory B/C is to encourage broad-based community representation and to advise City Council on public policy issues affecting Forest Grove and Council-adopted Goals and Objectives. The B/C is directly responsible to the Council.
2. The Sustainability Commission is responsible for goals outlined in the Forest Grove Sustainability Annual Work Plan. Goals that focus on three aspects of sustainability to include: Environment, Economic, and Social.

Section 4: Powers and Responsibilities/Objectives

1. Make recommendations to the City Council for strategies and actions designed to implement the Annual Work Plan.
2. To advise the City Council on matters pertaining to Environmental, Economic and Social Sustainability.
3. To facilitate community action, involvement and input on concerns related to sustainable policies and practices.

Section 5: Organization and Structure

1. Membership:
 - a. Members of the B/C shall be composed of **Nine (9)** members and one student member who shall be appointed by City Council.
 - b. **Up to four (4)** members may reside outside of corporate limits of the city.
 - c. Members are required to attend training courses as assigned and approved by City Council.
 - d. An individual member may not act in official capacity.
 - e. The City Council may in its discretion at any time remove a member for any reason, including inefficiency, neglect in duty, or malfeasances in office.
 - f. B/C members serve without compensation.
2. Terms of Office:
 - a. B/C members shall be voting members and shall serve four (4) year terms.

- b. Student members shall be voting members and shall serve two (2) year terms. Student appointees must be high school grade level and residing or attending school, including home-schooled, in Forest Grove.
 - c. Terms shall be staggered evenly amongst the membership, beginning January 1 and ending December 31.
 - d. Once the assigned term of office is completed, the member is excused from the appointment unless City Council reappoints the member for another term of service.
 - e. B/C members must apply during open recruitment and be interviewed by City Council after each term to continue service. B/C members who fail to attend a scheduled interview may forfeit the opportunity for appointment or reappointment.
 - f. Members may not serve on more than two (2) B/C at the same time.
 - g. Appointments to vacant positions shall be filled by City Council for the unexpired term.
3. Officers:
The Chair and Vice Chair shall be elected by the voting members at the first regularly scheduled B/C meeting of each year. The Chair may not serve more than 48-consecutive months.
4. Powers and Duties of Officers:
In the absence of the Chair and Vice Chair, at a meeting where a quorum is present, the member with the longest continuous service shall serve as Presiding Officer pro tem until such time the meeting is adjourned.
- (1) Chair shall:
- a. Preside over and facilitate all meetings, preserve order, enforce rules and determine the order of business.
 - b. Compose the meeting agenda in consultation with the staff liaison, specifying the time, place and purpose of the meeting and listing the subjects anticipated to be considered.
 - c. A B/C member may propose placing an item on the agenda at a regularly scheduled meeting. If approved by a majority of voting members present, the agenda item will be placed on the next regularly scheduled meeting agenda or an agreed upon future meeting agenda.
 - d. The agenda shall follow a standard template provided by the City.
 - e. Ensure that all actions are properly taken and recorded and, if required, sign findings and decisions.
 - f. Present recommendations to the City Council and other bodies as designated by the Mayor, Council, or Council Liaison.
 - g. The Chair shall submit and present an Annual Report to the City Council listing the B/C's major activities for the past year and objectives for the coming year.

(2) Vice Chair shall:

Preside in the absence of the Chair and acts as Chair when the Chair is unable to perform duties.

Section 6: Meeting Procedures and Quorum

1. Meetings:

- a. Unless otherwise required by state law or city code, the B/C shall hold meetings no less than four (4) times a year unless more frequently as established by the B/C.
- b. In January of each year, the B/C shall adopt a schedule of its meetings and schedule its Annual Report presentation to City Council for the upcoming year, including meeting dates for holidays and canceled meetings.
- c. The B/C meeting agenda and packet shall be distributed to the B/C at least five (5) days prior to the meeting.
- d. All meetings are open to the public. Anyone wishing to speak to the B/C may do so under *Citizen Communications*. In the interest of time, comments may be limited to three (3) minutes unless additional time is granted by the presiding officer.
- e. The student member may provide a report at every meeting.
- f. A public meeting is defined as two (2) or more members meeting who have been delegated authority by the B/C to advise or make recommendations to the B/C.
- g. Special meetings may be called by a vote of the B/C at any regularly scheduled meeting, by the request of the Chair, Council Liaison, or written petition by three (3) or more B/C members.
- h. All meetings and hearings shall be held at a designated date, place and time in compliance with Public Meetings Law (ORS Chapter 192) and subject to Public Records Law (ORS Chapter 192).

2. Minutes:

- a. The B/C may appoint a secretary at the first regularly scheduled B/C meeting of each year to take the B/C meeting minutes.
- b. Written minutes are required for all meetings.
- c. The minutes shall follow a standard template provided by the City.
- d. The meeting minutes shall briefly summarize what took place and must include: 1) any action items, 2) attendance, and 3) vote of each member. Verbatim minutes are not required.
- e. Staff may take minutes if the B/C requests the City to do so.
- f. Staff shall review the minutes to assure compliance with state law.
- g. Staff shall post the B/C approved minutes to the website as soon as possible.

3. Attendance:

- a. Members are expected to attend every meeting.
- b. Members shall notify the staff liaison prior to the regular meeting to report an absence.

- c. The Chair, with the consent of the B/C, may submit a recommendation to City Council to deem a member's position vacant for three (3) or more absences in a 12-month period.
 - d. The City Recorder's Office shall notify any member who has three (3) or more absences in a 12-month period that their position may be subject to vacancy.
- 4. Quorum:
Unless otherwise required by state law, a majority of the total number of voting B/C members constitutes a quorum.
- 5. Voting and Decision Making:
 - a. *Roberts Rules of Order Newly Revised* shall govern all proceedings unless they conflict with these rules.
 - b. The Chair has the right to vote whenever a vote is cast. In the case of a tie vote with the Chair voting, the motion fails.
 - c. The B/C shall operate in the general public interest serving the community as a whole. The B/C shall serve no special interest(s) or endorse any commercial product or enterprise.
- 6. Conflicts of Interest and Ethics Law:
 - a. B/C members are considered public officials subject to the Oregon Government Ethics Law (ORS 244), which seeks to prevent a public official from receiving financial gain or avoiding a financial detriment because of their status as a public official.
 - b. B/C members are subject to the Restrictions on Political Campaigning when acting in official capacity (ORS 260.432).
 - c. A civil penalty may be imposed by the State for each violation of any provision of the ORS.
- 7. Role of Council Liaison:
 - a. The Council liaison shall be appointed by the Mayor, with the consent of the City Council, and shall be a non-voting member.
 - b. Council Liaison's role is to collaborate between the City Council and the B/C to assure each group's collective interest is accurately and effectively represented to the other, including actively attending and reporting to each entity at their regular scheduled meetings.
 - c. The Council Liaison shall have the freedom of the floor at all times to present Council's views and to comment or suggest actions to the B/C.
- 8. Role of Staff Liaison:
 - (1) The staff liaison shall be appointed by the City Manager and shall be non-voting. The staff liaison shall assist the B/C by utilizing their expertise regarding city policy and process.
 - (2) The staff liaison shall:
 - a. Orient newly-appointed members prior to the first meeting on the duties and responsibilities of being a B/C.
 - b. Review the agenda in consultation with the B/C Chair. The agenda shall follow a standard template provided by the City.

- c. Prepare, post and distribute the B/C packet at least five (5) days prior to the meeting. Post the final agenda on the bulletin board at the meeting location.
- d. **Oversee preparation and review of** B/C meeting minutes, briefly summarizing what took place and must include any action items, attendance and vote of each member.
- e. Report any member who has three (3) or more absences in a 12-month period to the City Recorder's Office.
- f. Additional staff liaison duties and responsibilities may be found in the Council Rules, Section 14.

9. Registry:

The City Recorder's Office shall maintain a current roster of all members, including appointment date, length of unexpired term, and contact information. The roster may be subject to Public Records Law (ORS Chapter 192). A copy of the roster shall be provided to Council and staff liaison at least once per year or upon any substantial change in membership.

10. Amending Bylaws:

- a. A majority of all members must vote affirmatively to modify the B/C bylaws on at least two separate readings at two separate meetings.
- b. A final decision on a bylaw change shall not be made until at least the next regular meeting following the introduction and second of the motion.
- c. All bylaws or rules, including changes, must be approved by the City Council.
- d. Bylaws shall follow a standard template provided by the City.