

ORDINANCE NO. 4625

**AN ORDINANCE AMENDING CHAPTER
TWO OF THE BEAVERTON CITY CODE
RELATING TO THE VISIONING
ADVISORY COMMITTEE**

Whereas, in 2008, the City Council established the Visioning Advisory Committee (VAC) through the enactment of Ordinance 4493; and

Whereas, Section four of Ordinance 4493 relates to the VAC's bylaws and is now codified at BC 2.03.336; and

Whereas, BC 2.03.336 approves the VAC's initial bylaws and provides that the VAC's bylaws may "be altered, amended or repealed upon 30 days' notice at any meeting of the VAC by a simple majority vote of the incumbent VAC members," but that the changes to the bylaws cannot take effect "until approved by the City Attorney for conformance to City Code and ratified by the City Council"; and

Whereas, the City Council initially approved the VAC's bylaws by ordinance and that ordinance does not provide that changes to the VAC's bylaws may be ratified by a resolution of the City Council; and

Whereas, the Council must currently approve by ordinance any changes to the existing VAC bylaws on account that the Council lacks clear legal authority to approve such changes by resolution; and

Whereas, the VAC now seeks to amend its bylaws; and

Whereas, the proposed amendments the VAC bylaws were approved by a simple majority vote of the incumbent VAC members at a duly noticed meeting as currently required under BC 2.03.336; and

Whereas, the City Attorney has approved the amendments to the VAC bylaws for conformance to City Code and the City Council must now ratify the amendments; and

Whereas, going forward, the Council desires to allow for a more streamlined process to amend the VAC's bylaws; and

Whereas, the Council seeks to make other changes to BC 2.03.330 to BC 2.03.336 to clarify that all Beaverton-area community members are welcome to serve on the VAC and to adjust the general powers and duties of the committee to reflect its current circumstances; now therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. The bylaws of the Visioning Advisory Committee as approved by the City Attorney for conformance to City Code and as amended upon 30 days' notice at a meeting of the Visioning Advisory Committee by a simple majority vote of the incumbent Visioning Advisory Committee members are set out in Exhibit: A to this Ordinance.

Section 2. The amended bylaws of the Visioning Advisory Committee set forth in Exhibit A are hereby ratified by the City Council and take effect on the effective date of this Ordinance.

Section 3. The amended bylaws of the Visioning Advisory Committee set forth in Exhibit A may subsequently be amended as provided therein. Such amendment shall not take effect until approved by the City Attorney for conformance to applicable law and ratified by a resolution of the City Council.

Section 4. Chapter Two of the Beaverton City Code is amended by striking sections BC 2.03.330 through BC 2.03.336, relating to the Visioning Advisory Committee, and inserting the following:

2.03.330 Visioning Advisory Committee Established.

There is hereby established a Visioning Advisory Committee (VAC). The VAC shall consist of 13 members. Members shall be appointed by the Mayor and confirmed by the City Council. To be eligible to be appointed, members shall reside, own property, own a business, or work within the city-limits of Beaverton. As much as possible, the members of the VAC shall be varied in experience and representative of the City as a whole. A diversity of membership is encouraged among seniors, youth, neighborhood and/or civic leaders, business representatives, minorities, and members of the community-at-large.

2.03.332 Term of Office.

Appointments shall be made for a term of three years or until successors are appointed, except the terms of the first appointments shall be staggered. Terms of office shall begin the first day of the calendar year. Any vacancy shall be filled for the remainder of the unexpired term in the same manner provided for in BC 2.03.330. VAC members serve at the Mayor's pleasure.

2.03.334 General Powers and Duties.

The purpose of the VAC shall be to promote the City's visioning process. The VAC is responsible for the oversight and management of the Beaverton Community Vision by: engaging the community to ascertain shared priorities and aspirations; connecting and supporting partner organizations; maintaining and updating an action plan; and reporting successes, challenges, and opportunities to the community and the City Council. The VAC shall be advisory and shall have powers, duties, and functions as follows:

A. To work with community members and staff to develop, maintain, and update, a Vision Action Plan that embraces the goals of the visioning process and identifies suggested strategies and actions to achieve the stated goals. The plan must be adopted by the City Council prior to implementation. Any changes to the plan must be approved by the City Council prior to implementation.

B. To promote the City's visioning process and sponsor opportunities to promote the visioning process to the public. To assist in informational

opportunities, presentations, open houses, or other public initiatives providing information about the visioning process to the public.

C. To actively review the goals of the visioning process and recommend to the City Council updating the goals, strategies, or action recommendations as needed.

D. To present an annual update on the Vision Action Plan to the City Council for review.

E. To support and promote the activities of the partners of the Beaverton Community Vision.

F. To perform other related duties as directed by the Mayor or the City Council.

2.03.336 Bylaws.

An amendment of the VAC bylaws shall not take effect until approved by the City Attorney for conformance to applicable law and ratified by resolution of the City Council.

Section 5. Section 4 of this Ordinance takes effect 31 days after its adoption by Council and approval by the Mayor or passage over the Mayor's veto.

First reading this 19 day of November, 2013.

Second reading and passage by the Council this 10 day of December, 2013.

Approved by the Mayor this 11 day of December, 2013.

ATTEST:

APPROVED:



CATHERINE JANSEN, City Recorder



DENNY DOYLE, Mayor

BYLAWS OF THE VISIONING ADVISORY COMMITTEE

ARTICLE I. Name

The name of this committee shall be the Visioning Advisory Committee, hereafter referred to as the VAC.

ARTICLE II. Purpose

The VAC is dedicated to the oversight and management of the Beaverton Community Vision by: engaging the community to ascertain shared priorities and aspirations; connecting and supporting partner organizations; maintaining and updating the action plan; and reporting successes, challenges, and opportunities to the community and the City Council.

ARTICLE III. Role

The role of the VAC shall consist of, but not be limited to, the following:

Section 1. To work with community members and staff to develop, maintain, and update, a Vision Action Plan that embraces the goals of the visioning process and identifies suggested strategies and actions to achieve the stated goals of the visioning process. The plan must be adopted by the City Council prior to implementation. Any changes to the plan must be approved by the City Council prior to implementation.

Section 2. To promote the City's visioning process and sponsor opportunities to promote the visioning process to the public. To assist in informational opportunities, presentations, open houses, or other public initiatives providing information about the visioning process to the public.

Section 3. To actively review the goals of the visioning process and recommend to the Beaverton City Council updating the goals, strategies, or action recommendations as needed.

Section 4. To present an annual update on the Vision Action Plan to the City Council for review. To prepare an annual update for the public.

Section 5. To support and promote the partners of the Beaverton Community Vision.

Section 6. To perform other related duties as directed by the Mayor or the City Council.

ARTICLE IV. Membership

Section 1. The VAC shall have 13 members. To be eligible to be appointed, members shall reside, own property, own a business, or work within the city limits of Beaverton. As much as possible, the members of the VAC shall be varied in experience and representative of the city as a whole. A diversity of membership is encouraged among seniors, youth, neighborhood and/or civic leaders, business representatives, minorities, and members of the community-at-large.

Section 2. Members shall be appointed for a three-year term by the Mayor and confirmed by the City Council. Members shall be selected after an open, well-publicized interview process.

Section 3. All appointments to the VAC shall be for a three-year term. In the event of a mid-term vacancy, the Mayor may appoint a new member to the VAC after confirmation from the City Council. The new appointee will complete the existing term of the former member.

Section 4. There shall be no limit placed on the number of terms a member of the VAC may serve.

Section 5. Regular meeting attendance is a requirement for all VAC members. Any member who accrues three or more unexcused absences in a calendar year, or a combination of excused or unexcused absences from 50 percent or more of regular meetings in a calendar year, may be removed by the Mayor subject to the confirmation of the Council.

Section 6. Alternate members may be appointed by the Mayor and confirmed by the City Council for a one-year term, which may be renewed. Alternate members are encouraged to attend VAC meetings to become familiar with VAC processes in preparation for potential future appointment to the VAC. Alternate members may not vote on matters before the VAC.

ARTICLE V. Officers

Section 1. The officers of the VAC shall be: Chair, Vice-Chair, and Secretary.

Section 2. Chair. The Chair shall preside at all meetings, call special meetings as deemed necessary, and shall be responsible for preparing the agenda for meetings with the assistance of the staff liaison. The Chair shall represent the VAC to the public and may give presentations, speak publicly, and provide testimony. The Chair is also responsible for submitting an annual executive summary to be included in the annual report to the City Council on the visioning process.

Section 3. Vice-Chair. The Vice-Chair shall fulfill the position of Chair in the absence of the Chair. The Vice-Chair may be called upon to assist in preparation of meeting

agendas. The Vice-Chair may represent the VAC to the public, give presentations, speak publicly, and provide testimony.

Section 4. Secretary. The Secretary shall record the minutes of each meeting and shall present written minutes to the VAC City staff liaison two weeks prior to the next scheduled meeting after a regular meeting. The VAC shall follow public records law and maintain VAC minutes per Oregon state law.

Section 5. Election of Officers.

- A. Election Process. At the first meeting of a new calendar year, the VAC will elect officers. Nominations shall come from the VAC members. The officers shall be elected in order of Chair, then Vice-Chair, and then Secretary. In the event of a tie vote, one re-vote shall take place among the tied receivers. In the event of a second tie, the office shall be decided by a flip of a coin. The election process shall be administered at the meeting by the staff liaison.
- B. Term. All officers shall serve a one-year term that ends on the last day of that calendar year. There shall be no limits on the number of terms a person may hold an elected position. However, all elected VAC officers must be current VAC members.
- C. Vacancy. If an elected position becomes vacant during the year, the VAC shall hold an election and vote on a replacement at the next regularly scheduled meeting. The newly elected officer shall complete the term of the existing vacancy.

Article VI. Staff Liaison

Section 1. The Mayor shall assign a city employee as a staff liaison to the VAC. The staff liaison shall ensure that all notices, agendas, and minutes of committee meetings are prepared, published, and maintained as part of the city's records.

Section 2. The staff liaison is not a member or officer of the VAC.

Article VII. Meetings

Section 1. Regular Meetings. The VAC shall meet regularly at a time and place determined at the first meeting each year and coordinated by the city staff liaison. All meetings of the VAC shall be held in accordance with the Oregon Public Meetings Law.

Section 2. Special Meetings or Committees. Special meetings of the VAC may be held as needed. If necessary, a subcommittee of the VAC may be formed by a motion and simple majority vote of the full VAC. Such a motion may include a description of the purpose, scope, number of members, and duration of the subcommittee.

Section 3. Public Meeting Law Requirement. Any action by the VAC that is advisory to the City Council shall be taken only at a public meeting as defined by Oregon Public Meetings Law.

Section 4. More than 50 percent of the committee must be present to constitute a quorum to transact any business that requires a vote. The concurrence of a majority of the committee members present and voting is necessary to determine any question before the VAC.

Section 5. Proxy votes shall not be used in any vote.

Article VIII. Bylaws Amendments

Section 1. These bylaws may be amended by a majority vote of VAC members at any duly noticed public meeting of the VAC, provided that the meeting agenda specifically includes mention of the proposed amendment of the VAC bylaws.

Section 2. An amendment of these bylaws shall not take effect until approved by the City Attorney for conformance to applicable law and ratified by resolution of the City Council.