

Council Business Meeting

August 20, 2019

Agenda Item	Second Reading of Ordinance 3180 relating to the rules of the City Council; Amending AMC 2.04.100	
From	Kelly A. Madding	City Administrator
Contact	Kelly.madding@ashland.or.us ; (541) 488-6002	

SUMMARY

The City Council is being asked to review and approve the amended Ashland Municipal Code (AMC) Section 2.04.100 to allow a City Councilor to serve as the Chair and/or voting member of an Ad Hoc Committee.

POLICIES, PLANS & GOALS SUPPORTED

N/A

PREVIOUS COUNCIL ACTION

N/A

BACKGROUND AND ADDITIONAL INFORMATION

On July 8, 2019, the City Council approved the formation of the Cost Review Ad Hoc Committee. During that meeting the Mayor discussed Councilor Slattery being a voting member and the Chair of the Ad Hoc Committee. City Attorney David Lohman stated that per current AMC 2.04.100 a City Councilor is not able to be a Chair nor a voting member of a City Advisory Board or Commission unless the Ashland Municipal code specifically requires the Liaison to serve as Chair or in a voting capacity. The City Council directed staff to bring back a change to the AMC to allow for it.

On August 6, 2019, the City Council amended and approved the Ordinance to read "allowing the Mayor to propose and the City Council to approve the appointment of a Council Liaison to act in a voting capacity and/or as the Chair to City Advisory Boards and/or Ad-Hoc group" underneath Section 1A. Role and Responsibilities of Council Liaisons. The amendment and first reading was also approved on August 6, 2019.

FISCAL IMPACTS

There is no cost to the City.

STAFF RECOMMENDATION

Staff recommends that the City Council adopt Ordinance 3180.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

- 1) I move to approve second reading of Ordinance 3180, an Ordinance relating to the rules of the City Council; amending AMC 2.04.100, allowing the Mayor to propose and the City Council to approve the appointment of a Council Liaison to act in a voting capacity and/or as the Chair to City Advisory Boards and/or Ad Hoc Committees.
- 2) I move to amend Ordinance 3180 in the following way(s) . . .

REFERENCES & ATTACHMENTS

Attachment 1: Amended Ordinance 3180, an Ordinance relating to the rules of the City Council; amending AMC 2.04.100

1

ORDINANCE NO. 3180

AN ORDINANCE RELATING TO THE RULES OF THE CITY COUNCIL;

AMENDING AMC 2.04.100

2

3

4 Annotated to show deletions and additions to the Ashland Municipal Code sections being
5 modified. Deletions are ~~bold lined through~~, and additions are bold underlined.

6

7 **THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:**

8

9 **SECTION 1.** Ashland Municipal Code Section 2.04.100 is hereby amended to read as follows:

10

11 **2.04.100 Council Liaisons to City Advisory Boards and Commissions**

12

13 A. Role and Responsibilities of Council Liaisons.

14

15 1. The primary role of a Council Liaison is to facilitate communication between the City
16 advisory body and the Council. A Council Liaison ~~shall be is~~ an ex officio ex-officio non-
17 voting member of the advisory body, not a regular voting member, and shall not serve as
18 Chair, unless the Mayor specifically proposes, and Council approves, the appointment of
the Council Liaison to act in a voting capacity and/or as the Chair to City Advisory
Boards and/or Ad-Hoc Committees, or unless the Ashland Municipal Code specifically
19 requires the Liaison to serve as Chair or in a voting capacity. Notwithstanding the above, the
20 Council Liaison to the Planning Commission shall be considered a nonmember Liaison and
21 not an ex-officio member as regards quasi-judicial matters.

22 2. City Councilors serve as liaisons to the City's Regular and ad hoc advisory bodies and are
23 expected to represent the full City Council objectively and accurately in interacting with such
24 entities.

25 3. City Councilors may attend meetings of the City's Regular and ad hoc advisory bodies as
26 citizens of Ashland. When attending as a citizen, Council members must identify their
27 comments as personal views or opinions and not as a representation of City Council policy.

28 B. Attendance. Liaisons should attend Regular meetings of the Regular and ad hoc advisory
29 bodies to which they have been assigned as time permits and should make special efforts to
30 attend meetings in response to specific requests to participate in discussions on topics the
Council may need to be aware of or provide input on. In the event a Council Liaison liaison has
difficulty attending, the Liaison liaison should find an alternate to attend or review the video or
other record of the proceeding. In the event of a continuing scheduling conflict, the Liaison

1 should ask the Mayor to be reassigned. Liaisons shall not attend quasi-judicial proceedings when
2 the final appeal or final decision is to or could come before the City Council.

3 C. Deliberations. The City Council values diversity of opinion. A significant role of an
4 advisory body is to represent many points of view in the community and to provide the Council
5 with advice based on a full spectrum of concerns and perspectives. Accordingly, Council
6 **Liaisons liaisons** to City advisory bodies should not attempt to direct debate, lobby, or otherwise
7 influence the direction or decisions of any advisory bodies to which they have been assigned.

8 Council **Liaisons liaisons** are encouraged to field and answer questions as appropriate for an ex
9 officio ex-officio member of the advisory body. Undue influence over the decisions of any City
10 advisory body shall be grounds for removal of a Liaison assignment **as set forth in Subsection**
11 **under paragraph H below.**

12 D. Respect for Presiding Officer. City Councilors attending advisory body meetings as
13 **Liaisons liaisons** shall accord the same respect toward the Chair and other members as they do
14 towards the Mayor, the presiding officer or each other.

15 E. Council Information. City Councilors will inform the advisory bodies to which they have
16 been appointed **Liaison liaison** about Council agenda items and Council decisions that may be of
17 interest to the advisory body. Liaisons shall also encourage advisory board members to attend
18 Council meetings to keep abreast of Council action, policy matters and the activities of the City.

19 F. Advice on Filling Vacancies. The Council Liaison for each advisory body, together with the
20 advisory body chair and assigned staff liaison will make recommendations to the Mayor for
21 appointment of citizens to fill vacancies on their respective advisory bodies.

22 G. Liaison Appointment Process and Term. The Mayor will appoint Councilors to act as
23 Council Liaisons to each and every Regular advisory commission or board. Councilors interested
24 in a particular subject area should inform the Mayor of their interest, and the Mayor should take
25 the expression of interest and/or a Councilor's preference into account when making
26 appointment decisions. Liaison appointments shall be for a term of one year unless otherwise
27 expressly stated. Appointments are generally made on an annual basis in January, and the Mayor
28 shall make an effort to rotate **Liaison liaison** assignments if there is more than one Councilor
29 expressing a preference for a specific appointment.

H. Removal from a Liaison Assignment. The Mayor or a Councilor may be removed for any reason from a specific **Liaison liaison position or** assignment upon **a** two-thirds vote of the entire Council.

SECTION 2. Codification. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect, or substance of the ordinance, but within such limitations, may:

- (a) Renumber and rearrange sections and parts of sections of the ordinance;
 - (b) Change reference numbers to agree with renumbered chapters, sections or other parts;
 - (c) Delete references to repealed sections;
 - (d) Substitute the proper subsection, section, or chapter numbers;
 - (e) Change capitalization and spelling for the purpose of uniformity; and
 - (f) Correct manifest clerical, grammatical, or typographical errors.

SECTION 3. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2019.

ATTEST:

Melissa Huhtala, City Recorder

SIGNED and APPROVED this _____ day of _____, 2019.

John Stromberg, Mayor

Reviewed as to form:

David H. Lohman, City Attorney