

ORDINANCE NO. NS-2531

AN ORDINANCE OF THE CITY COUNCIL AMENDING BEND MUNICIPAL CODE 1.20.010 TO ALLOW FOR EX-OFFICIO MEMBERS AND ALTERNATES FOR BOARDS, COMMITTEES AND COMMISSIONS

Recitals

- A. Bend Municipal Code (BMC) Chapter 1.20 creates and governs the City's structure for advisory boards, committees, and commission.
- B. The advisory body structure in BMC 1.20 is an important part of the information exchange between the community and the City Council because of the service of community members who are appointed by the Mayor and Council to advisory bodies.
- C. As the City has expanded the advisory body structure over the years, and as the issues and opportunities facing Bend become more complex, the City's advisory bodies can often be better served, and provide more complete recommendations to the Council, by having ex-officio members that can be a critical information link between the City and other public entities and organizations in the community.
- D. Recruitment to advisory bodies can be enhanced when community members are engaged and prepared to serve once they are appointed by the Mayor and Council. Although City practices have allowed for the designation of alternates to advisory bodies, the practices and knowledge of how to implement and best-use designated alternates has varied. For these reasons, these proposed amendments would codify the ability for the Mayor to designate alternates to advisory bodies, so that designated individuals can be engaged and prepared to serve if subsequently appointed.
- E. These amendments, which are generally applicable to most City advisory bodies, will also serve as a prelude to proposed Municipal Code amendments later in 2025 to clarify and in some cases adjust the roles and responsibilities of several City advisory bodies in anticipation of making those bodies better-positioned to assist the Council in carrying out the 2025-2027 Council Goals.

Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:

- Section 1.** Bend Municipal Code 1.20.010 is amended as shown on the attached Exhibit A.
- Section 2.** If any provision, section, phrase, or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.
- Section 3.** All other provisions of the Bend Municipal Code remain unchanged by this ordinance and remain in effect.

First Reading Date: May 21, 2025

Second Reading and adoption by roll call vote: June 4, 2025

YES: Kebler, Franzosa, Méndez, Norris, Platt, Riley

NO:

ABSTAIN: Perkins



Melanie Kebler, Mayor

ATTEST:



Ashley Bontje, City Recorder's Office

Approved as to form:



Ian Leitheiser, City Attorney

1.20.010 Board, Committee, and Commission Appointments and Service.

A. *Application.* Persons interested in serving on a board, committee or commission shall complete an application and file it with the City.

B. *Selection Process.* The Mayor and Council members selected by the Mayor may interview applicants for a new board, committee or commission appointment, or for a vacancy. The decision whether to interview applicants or select based on application materials is at the Mayor's discretion.

C. *Ex-officio members.* A board, committee or commission other than the Planning Commission or Civil Service Commission may have ex-officio members, at the discretion of the Mayor and the Council, subject to the normal method of appointment. Ex-officio members may participate in discussions and deliberations by the board, committee or commission to which the member is appointed, but may not vote, will not be counted for purposes of determining a quorum, will not be included in any executive session of the board, committee or commission, and are not eligible for stipends or other reimbursement.

D. *Alternates.* A board, committee or commission may have alternate members, at the discretion of the Mayor. To be an alternate, the person must have been part of the selection process and the Mayor must note the designation of the alternate during a City Council meeting. Once designated, an alternate retains their alternate status for a period of one year. Alternates may not participate in any discussions or deliberations by the board, committee or commission, may not vote, and will not be counted for purposes of determining a quorum, unless otherwise specified in this chapter. Alternates have no status with the City and are intended to be ready to fill a vacancy on a board, committee or commission, but may only do so after being appointed subject to the normal method of appointment.

E. *Criteria for Appointment.* All appointments, including reappointments, to a board, committee, or commission shall be considered in accordance with this section, together with the ability of the applicant to further Council goals and, for reappointments, the individual's overall record of service. Consideration should be given, whenever possible, to representation of backgrounds consistent with the skill set needed for the board, commission or committee, a balance of viewpoints, and diversity, including representation for all of the community.

EXHIBIT A

FD. *Status as Volunteers.* All board, commission, and committee members serve as volunteers without compensation or renumeration, and are not employees of the City, as defined in ORS [657.015](#). Board, commission, and committee members may receive reimbursement for expenses incurred for participation in meetings or a nominal stipend, or any combination thereof, as authorized by the City Manager, not to exceed \$500.00 per year for any individual regardless of service on multiple committees.

GE. *Resident Requirement.* Board, committee and commission members should be residents of the City, except in rare circumstances where the person brings a unique skill that may be needed by a particular committee.

HF. *Method of Appointment.* Board, committee, or commission positions and vacancies are filled by appointment of the Mayor with confirmation by the Council. Council confirmation shall be by approval of a motion.

IG. *Terms.* Unless a different term number or length is provided for a committee under this chapter or State statute, appointments are made for terms not to exceed four years and will expire either January 1 or July 1 depending on the date appointed, if a replacement appointment has been made. Permanent committee or commission members may serve up to two consecutive full terms, or six years, whichever is greater, not including any partial term if a member was appointed in the middle of a term. Unless otherwise recommended to the Council by the Mayor, an incumbent seeking reappointment will be considered along with other applications, without needing to reapply. If no replacement is appointed to replace a member whose term is expiring, the member shall remain in office until a replacement is appointed. When the provisions governing membership or terms are amended, the term of existing members shall not be affected unless expressly stated in this chapter.

JH. *Multiple Committees.* Individuals with adequate time available may serve on more than one permanent, ad hoc or temporary commission, board, or committee; however, in the selection process, consideration may be given to including as many community members as possible to foster public engagement in Council recommendations.

KI. *Removal.* All members of temporary committees serve at the pleasure of the Mayor and may be removed at any time, in the discretion of the Mayor. Members of a board, committee, or commission serve at the pleasure of the Council and may be replaced at any time following a motion approved by the Council, unless otherwise provided by law.

EXHIBIT A

4. *Vacancies.* Unless otherwise provided by law, vacancies shall be filled in the same manner as an initial appointment unless there is an alternate, but the appointment shall be for the unexpired term. If a committee has alternates, alternates shall be appointed to fill any vacancy before others are appointed to the committee. [Ord. NS-2442, 2022; Ord. NS-2395, 2020; Ord. NS-2299, 2017; Ord. NS-2159, 2011]