

**CITY OF LA PINE
RESOLUTION NO. 2010-13**

**A RESOLUTION CREATING THE CITY OF LA PINE'S CHARTER ADVISORY
COMMITTEE; PRESCRIBING THE COMMITTEE'S POWERS AND DUTIES; AND
ESTABLISHING THE COMMITTEE MEMBERS' TERMS OF OFFICE.**

WHEREAS, the La Pine City Council (the "City Council") desires to establish the City of La Pine (the "City") charter advisory committee (the "Committee") to, among other things, (a) assist the City Council in the preparation of the City's charter, and (b) assist the City in its efforts to inform and educate the community about the process and purpose of the charter; and

WHEREAS, the City Council desires to establish certain rules and procedures to govern and control the Committee.

NOW, THEREFORE, BE IT RESOLVED, by and through the City Council meeting in regular session, as follows:

1. Creation and Membership. The Committee is established. The Committee will operate subject to, and in accordance with, this Resolution 2010-13 (this "Resolution"). The Committee will have nine members. Members will be appointed by the City Council and will consist of the following individuals: (a) four members will be non-residents of the City; and (b) five members will be residents of the City. Notwithstanding anything contained in this Resolution to the contrary, no member will be appointed who holds an elected position for the City and each member must be impartial, non-biased, and free of any perceived political gain. Members will receive no compensation but will be reimbursed for expenses authorized by the City Council. If the City Council is unable to fill the Committee membership with individuals meeting the classifications described above after the exercise of reasonable efforts, the City Council may appoint individuals to the Committee 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 as otherwise provided in this Resolution, each member will be appointed for a term of approximately eight months, or until their respective successors are appointed and qualified. Terms will commence on September 8, 2010 and will end at the time the charter is voted on by the people of the City. Any vacancy in the Committee will be filled by the City Council for the unexpired term of the predecessor in office.

3. Removal of Committee Members. Notwithstanding anything contained in this Resolution to the contrary, a member may be removed by the City Council for any of the following reasons: (a) failure to attend three regular Committee meetings; (b) commission of a felony; (c) incompetence; (d) failure to declare conflicts of interest; and/or (e) any other member acts of misconduct or nonperformance.

4. Committee Duties. The Committee will act as an advisory body to the City Council. To this end, and except as otherwise provided or directed by the City Council from time to time, the Committee will have the following advisory duties and responsibilities: (a) prepare, for the City Council's review, a draft charter that will serve the community on or before February 15, 2011; (b) serve as an advisory body to the City Council concerning the preparation and adoption of the charter; (c) inform and educate the community about the process and purpose of the city charter and the

importance of the city charter; (d) solicit community input concerning the city charter; and (e) provide advice to the City Council on charter issues or matters concerning or affecting the City. The Committee will review charter-related issues that have been referred to the Committee by the City 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 Committee meetings and must notify the City Recorder or chair when he or she will be unable to attend a Committee meeting. In addition, if requested by the City Council, one or more members will attend any City Council meeting that relates to charter issues that may impact or affect the City. Prior to each Committee meeting, members will review all pertinent written documents in preparation for deliberation and decision making. All Committee recommendations and suggestions made to the City Council will be in writing.

6. Election of Officers. The Committee will, at its first meeting, elect a chair, vice-chair, and secretary. The chair and vice-chair will hold office at the pleasure of the Committee. The secretary need not be a member of the Committee. The secretary will receive no compensation but will be reimbursed for expenses authorized by the City Council.

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

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

9. Staff to the Committee. The City Manager, City Attorney, and other City staff requested by the Committee will support the work of the Committee. The City Attorney will act as the Committee's legal advisor in the conduct of all hearings and matters. Notwithstanding anything contained in this Resolution to the contrary, the Committee must obtain the consent of the City Manager prior to requesting the assistance of the City Attorney and/or other City staff.

10. Committee Meetings. The Committee will hold at least one regularly scheduled meeting per month, unless canceled at the direction of the chair due to lack of Committee business or other reason. In addition to the regular meetings, the Committee will meet at such other times, dates, and places as may be deemed necessary or appropriate to carry out Committee business. Special meetings may be called by the chair, a majority of the members, the City Manager, City Attorney, or the City Council by giving at least forty-eight (48) hours' prior notice. All meetings of the Committee will be held in accordance with applicable Oregon law.

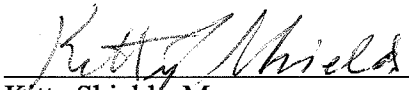
11. Quorum and Voting. A majority of the members will constitute a quorum. A majority vote of a quorum will be necessary to act on any matter before the Committee.

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

13. Authority and Expenditures. The Committee will operate at the direction of the City Council and in conformance with, and subject to, this Resolution, Oregon law, and any and all City rules, procedures, resolutions, and ordinances now in force and/or which may hereafter be created, amended, modified, enacted, or promulgated. The Committee has no authority to bind the City or represent to any person that the Committee may bind the City. The Committee has no authority to make expenditures on behalf of the City, or to obligate the City for payment of any sums of money, unless and until the City 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. Severability. The sections contained in this Resolution are severable. The invalidity of any one section will not affect the validity of the remaining sections.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the City Council on this 8th day of September, 2010.


Kitty Shields, Mayor

ATTEST:


Luana K. Damerval, City Recorder