

# **City of La Pine – Comprehensive Plan, Chapter 2 Citizen Involvement Program**

## **I. State Planning Goal 1, Citizen Involvement**

Oregon State Planning Goal 1 requires a citizen involvement program to be inherent in all aspects of land use planning, and that insures the opportunity for all citizens to be involved in all phases of the planning process. Local governing bodies must clearly define the public involvement process and develop a process that is appropriate to the scale of the planning effort being undertaken. Additionally, all information must be presented in a manner that enable citizens to identify and comprehend the issues. Each local government must create a citizen based committee, typically the Planning Commission, which is comprised of broad based representation. Not only does the citizen involvement process have to disseminate information to the public, it must also be available to receive comment and weigh public testimony appropriately. In conjunction with his Comprehensive Planning process, a series of public meetings were held, a Technical Advisory Committee was created, and City Council input was sought. A formal Planning Commission was not available until the end of the initial planning process, but was available for review of the final draft document and to take public testimony before making a recommendation to the City Council.

## **II. Purpose and Intent**

The provisions of this chapter provide a citizen involvement program to insure the opportunity for citizens to be involved in all phases of the planning process. This chapter defines the procedures by which the public will be involved in the ongoing land use process and to provide for a continuity of citizen participation and transmittal of information.

## **III. Issues and Goals**

City leaders have made it a goal to improve communications and, a new City like La Pine, will benefit a formal public involvement program.

## **IV. Policies and Programs**

It will be necessary to develop a program that includes effective two-way communication with all citizens of La Pine. The basic elements of the program should include the following tasks:

The City shall:

1. Establish a process to involve a cross section of affected citizens, ensure effective communication between citizens and elected officials, and assure citizens will receive a response from policy makers.
2. Assure compliance with all state requirements for open meetings and open records, as well as defining the process for standing for advisory committees in La Pine land use actions.
3. Provide two bodies for assisting in citizen involvement in La Pine:
  - a. The Committee for Citizen Involvement (CCI) shall be an advisory body to the City Council to assure that the intent and purposes of this chapter are met.
  - b. Citizen Advisory Committees (CAC's) shall insure plan amendments are developed in accordance with an overall City plan and advise the Council on individual land use matters. The La Pine Planning Commission is one example of such an advisory committee.

## **The Committee for Citizen Involvement (CCI)**

### **1. Creation and Composition**

The Committee for Citizen Involvement will act as a liaison between the City Council and the various Citizen Advisory Committees and citizens of La Pine. The Committee shall be composed of a member from each active CAC including one representative of the La Pine Planning Commission. The Planning Commission shall designate one of their members to serve as the Planning Commission Representative on the Committee for Citizen Involvement. The Planning Commission Representative shall serve on the Committee for a term of one year. With the exception of the Planning Commission representative, members shall also be appointed to serve on a Citizen Advisory Committee. Members shall represent a cross section of affected citizens, as well as all geographic areas and interests related to land use and land use decisions, and chosen by the City Council after a publicized and open selection process. Members of the Committee for Citizen Involvement will receive no compensation.

### **2. Tenure and Removal**

- a. Members shall serve for terms of three years; provided, however, that the initial membership of the Committee shall be on staggered terms so that each year no less than two, nor more than three, members may be appointed.
- b. A member of the Committee may be reappointed by the City Council to serve additional terms.

- c. Members of the Committee may be removed by the City Council for cause, which include, but is not limited to, neglect or inattention to duty, failure to attend meetings and failure to implement the policy and purpose of this program.
- d. A member of the Committee may resign at any time by submitting such resignation to the City Council.

### **3. Responsibilities**

- a. The Committee for Citizen Involvement shall be responsible to the City Council City Council for implementing and revising the La Pine Citizen Involvement Program, to promote and enhance citizen involvement in land use planning, further assisting in implementation of that Citizen Involvement Program and evaluation of the process used for citizen involvement.
- b. The Committee for Citizen Involvement shall be the designated agency for receipt and evaluation of communications from citizens regarding the citizen involvement process in La Pine and shall report periodically to the Council on the state of the program.
- c. The CCI shall be authorized to designate alternate members of their respective CAC's to attend CCI meetings in their absence.

## **The Citizen Advisory Committees (CAC's)**

- 1. The City Council shall have the authority to establish and dissolve Citizen Advisory Committees, subject to the provisions of this chapter.
- 2. The City Council shall have the authority to establish, modify and abolish the boundaries in which Citizen Advisory Committees shall exercise their functions.
- 3. The City Council may undertake the activities listed in this section by City Council order only after consultation with the Committee for Citizen Involvement. Until such time, however, the Citizen Advisory Committees as composed on the effective date of this ordinance and the boundaries of each Citizen Advisory Committee are hereby ratified and affirmed.

### **Membership Requirements**

- 1. Each Citizen Advisory Committee shall have five, seven or nine positions as designated by the City Council upon an order creating or modifying such committee. A CAC may exceed the designated positions temporarily, because of CAC boundary or issue change.
- 2. Members of each Citizen Advisory Committee shall be residents of the area served by such committee or a represent an issue connected to the subject matter.
- 3. Membership of each Citizen Advisory Committee shall be representative of a broad cross section of the citizens living in the area served by the Citizen Advisory Committee or represent an issue that relates to the committee function.

### **Applications and Appointments**

- 1. All persons residing in each Citizen Advisory Committee Area are eligible to apply for membership on the committee of that district or in the case of special issues, be representative on that issue.

2. Applications for appointments to Citizen Advisory Committees shall be submitted to the City Council, Committee for Citizen Involvement or the Planning Director on forms provided by the Director.

3. Applications received for committee membership shall be treated as follows:

a. If no vacancy exists on a Citizen Advisory Committee, such application shall be held by the Planning Director for at least one year for consideration by the Committee for Citizen Involvement and the City Council when vacancies occur. The applicant shall be notified of the fact that no vacancy exists and that the application will be held for one year.

b. Where a vacancy on a Citizen Advisory Committee does exist, the application shall be referred to the Committee for Citizen Involvement for review. The Committee shall advise the City Council as to their recommendations on disposition of outstanding applications according to the following criteria:

(1) Whether there is sufficient number of applications to provide a reasonable choice among applicants, consistent with the overall goal of providing for an effective cross section of citizen involvement in the Advisory Committee area. If the Committee does not feel that there are a sufficient number of applications, it may recommend to the City Council that action be deferred until the Committee has undertaken to seek out an additional number of applicants. The City Council may, on its own motion, also undertake such recruitment.

(2) If the Committee be satisfied that appointment of one or more applicants would provide for a balance of representation on a Citizen Advisory Committee, based upon interests, occupation and geographic location, it shall recommend to the City Council that one or more of the applicants be appointed.

c. Applications for Citizen Advisory Committee membership shall be forwarded to the City Council, together with recommendations from the Committee, not less than 30 days after the Committee is notified of an existing vacancy, unless the Committee or the City Council undertakes additional active recruiting.

d. From the list of applicants submitted to the Committee for its recommendations, the City Council shall consider the recommendations of the Committee and fill the vacancy or vacancies from a list supplied by the Committee. If the City Council finds all names submitted by the Committee unacceptable, it shall return the list to the Committee with their reason for rejection and request additional lists of selections. The Committee shall, within a reasonable time of return of the list, submit to the City Council a new list for action by the City Council.

### **Term of Appointment**

1. The term of membership on a Citizen Advisory Committee shall be three years from the date of appointment, except as otherwise provided for in this chapter.

2. A member may be reappointed by the City Council for additional terms.

3. When a vacancy occurs prior to the end of the three-year term, the City Council shall appoint a member to serve the portions of a Citizen Advisory Committee member's term.

### **Removal and Resignation**

1. The City Council may remove a member of a Citizen Advisory Committee only after receiving a recommendation from the Committee for Citizen Involvement, if the City Council finds that the policies of this chapter or the Comprehensive Plan are not met, or for the particular reasons set forth in this section. The City Council will also request that the Committee for Citizen Involvement undertake an investigation with respect to the grounds for removal or to respond to any complaints brought against any member of any Citizen Advisory Committee, or any Committee as a whole. The investigation shall include a Fact Finding Meeting to which all involved parties will receive a written invitation at least ten (10) days prior to the meeting. Statements will be taken, findings prepared and a recommendation for action made to the City Council.
2. The City Council may remove a member of a Citizen Advisory Committee for failure to participate actively or failure to perform adequately the duties and responsibilities of such membership. A CAC member's failure to attend three or more consecutive meetings, without explanation, shall be considered justification for removal. In all cases, the City Council shall request the recommendation of the Committee for Citizen Involvement prior to taking action.
3. A member of a Citizen Advisory Committee may resign at any time by submitting such resignation to the City.

### **Liability**

1. Citizen Advisory Committee members shall be considered agents of the City within the coverage of ORS 30.260 to 30.330 in any actions taken by a Citizen Advisory Committee in performance of the duties, responsibilities and functions as set forth in this chapter.
2. La Pine shall not indemnify CAC members for legal fees, judgments or other costs associated with legal suits or actions filed against any Citizen Advisory Committee or members thereof for any action taken outside of the scope of the duties, responsibilities, and functions of the Citizen Advisory Committee.
3. Upon recommendation from the Committee for Citizen Involvement, the City Council may waive the provisions of this section if the City Council finds it is necessary to undertake such action to protect citizen involvement in La Pine and the action is consistent with ORS 30.287(1).
4. No provision of this section shall be construed to diminish or deny any rights of CAC members under ORS 30.260 to 30.330, when such CAC members are acting as agents of the City.

### **Duties, Responsibilities and Functions of Citizen Advisory Committee Members**

1. Each Citizen Advisory Committee shall elect a chairperson, vice chairperson and secretary at the first regular meeting of the calendar year.
  - a. The chairperson shall call meetings of the Citizen Advisory Committee as necessary and appropriate to discuss and respond to planning program issues.
  - b. The vice chairperson shall act as chairperson pro-tem in the absence of the chairperson.
  - c. The secretary shall take minutes of such Committee meetings.
2. Each Committee shall comply with all provisions of the Oregon Public

Meeting Law (ORS 192.610 to 192.990).

- a. All meetings of the advisory committees shall be open to the public and all persons shall be permitted to attend any such meeting. A committee shall have no authority to conduct executive sessions under ORS 192.660.
- b. Each Citizen Advisory Committee shall provide notice of the time, place and subject matter of its meetings either to the Planning Director or to the Citizen Involvement Coordinator during business hours at the Planning Department. The Citizen Involvement Coordinator shall be responsible for providing notice to the media in time for them to publish the notice at least 24 hours prior to the meeting.
- c. The CAC secretary shall take minutes which shall include:
  1. the names of all CAC members present;
  2. all motions and their disposition;
  3. the results of all votes and the vote of each member, by name;
  4. the substance of any document discussed;
  5. reference to any document discussed.

CAC minutes should also contain the date, time, and location of the meeting, the names of any guests present, and land use application references such as the applicant's name and the Planning Department file number.

The CAC minutes shall be submitted to the Planning Director no more than ten days after the meeting.

3. The Citizen Advisory Committees shall participate in the development of the La Pine Comprehensive Plan, and amendments and revisions thereto, and shall advise the City Council with regard to any concerns or comments the advisory committee may have with respect to such Plan, amendments or revisions.
  - a. The Planning Director shall submit proposals for Comprehensive Plans, or amendments or revisions thereto, at least 15 days in advance of the expected date of Citizen Advisory Committee comments; provided, however, that this paragraph shall not apply to amendments or revisions to Comprehensive Plans changed at public hearings before the Planning Commission or the City Council, if the subject matter of such plans, amendments or revisions were submitted previously to the Planning Advisory Committees.
  - b. Each Citizen Advisory Committee shall have the authority to conduct meetings to review and evaluate such Plans, or amendments or revisions thereto, and may comment in writing by submitting their responses to the Planning Director, Planning Commission or City Council, or comment orally at hearings held on such Plans, revisions or amendments.
  - c. Each Citizen Advisory Committee shall allow interested persons to participate in the review and evaluation of such Plans, revisions or amendments thereto, by means of oral or written testimony.
  - d. Citizen Advisory Committee members are encouraged to participate in the workshops and regional meetings held on Comprehensive Plans or revisions thereto.

e. Upon completion of Comprehensive Plan Elements, or revisions thereto, each Citizen Advisory Committee shall participate in the review of land use maps for its area or region of the City.

f. Citizen Advisory Committee members shall be entitled to participate in regional workshop meetings dealing with selection of preferred map alternatives to be submitted to the Planning Commission and City Council in conjunction with the adoption or revision of a Comprehensive Plan.

4. Each Citizen Advisory Committee may participate in advising the Hearings Officer, Commission, or City Council with respect to quasi-judicial land use applications which lie within, or immediately affect land within, territory of the Citizen Advisory Committee.

a. Each Citizen Advisory Committee is entitled to become a party at hearings involving quasijudicial land use applications.

b. The Planning Director shall provide notice of hearings to the appropriate Citizen Advisory Committee, within the time limitations as provided. The CAC may respond to the notice as it deems appropriate.

c. No response to such notices shall be transmitted to the Planning Director, Hearings Officer, Commission or City Council except after a properly conducted meeting and affirmative vote of a quorum of such committee.

d. All such responses shall be in written form and shall contain the following information:

(1) Name of the Citizen Advisory Committee;

(2) A statement as to whether such committee desires standing as a party;

(3) A statement as to the reason for supporting or opposing the proposal; and

(4) A statement indicating whether the Citizen Advisory Committee wishes to be heard further, i.e., other than such written notice.

5. Citizen Advisory Committees may also advise the City on areas of community interests or concerns which the advisory committee feels are of importance to their area, the City, or planning activities.

### **Implementation Measures**

Citizen Advisory Committees shall be entitled to participate in the formulation, amendment, revision or repeal of all measures implementing Comprehensive Plans for La Pine in the same manner as that provided for in the adoption, amendment or revision of Comprehensive Plans for the City.

### **Planning Director Responsibilities for Citizen Participation and Coordination**

1. The Planning Director shall be responsible for assuring that the citizen involvement provisions of this chapter are implemented. To that end, the Director shall consult periodically with the Committee for Citizen Involvement and may make such recommendations as are necessary to implement the purposes of this chapter and LCDC Goal 1. The Planning Director may delegate his duties to a Citizen Involvement Coordinator; however, he/she shall reserve the authority to overrule such coordinator to assure compliance with the provisions of this chapter.

2. The Planning Director shall assure coordination between federal, state and regional agencies and special purpose districts to coordinate their planning efforts with La Pine

and shall make use of local citizen involvement programs established by other entities, where such programs affect La Pine.

3. The Planning Director shall provide such information to the Planning Advisory Committees as is necessary for those Committees, and the general public, to identify and comprehend planning and plan implementation issues. All information supplied by any department or agency of La Pine in planning or plan implementation matters shall be in simplified, understandable form and shall be coordinated through the Planning Director.

4. The Planning Director shall act as liaison between the citizens of La Pine and the City Council and shall respond to citizen comments on planning or plan implementation issues directly, or by referring the same to the appropriate agency for response. All departments and agencies of La Pine shall cooperate with the Planning Director in assuring effective two-way communication between citizens and their government.

5. The Planning Director shall make available to all Citizen Advisory Committees a copy of all proposed elements of any La Pine Comprehensive Plan, or amendments or revisions thereto, all implementing ordinances, or amendments or revisions thereto, and any studies, reports or background information, if any, necessary to understand such proposal, at least ten days prior to action by the City Council. Such proposals and background information shall be provided to the La Pine City Hall and at such other facilities the Planning Director may deem necessary to provide for an informed citizenry.

6. The Planning Director shall provide, in each annual budget request to the City Council, for sufficient financial support to insure adequate funding of a citizen involvement program to meet the purposes of this chapter.

7. The responsibilities of the Planning Director, under this section, shall continue, even after acknowledgement of the La Pine Comprehensive Plan and Implementing Ordinances by the Land Conservation and Development Commission.

### **Proposed CAC's**

1. Planning Commission
2. Public Utility/Infrastructure Committee
3. Economic Development Committee
4. Public Service/Volunteer Committee
5. Code Enforcement Committee
6. Residential Committee
7. Industrial/Commercial Committee