

ORDINANCE NO. 14-871-O

AN ORDINANCE CODIFYING THE PARKS AND RECREATION  
COMMISSION AMENDING ORDINANCE 10-853-O.

WHEREAS the City Council of Talent, Oregon desires to codify the creation of the Parks and Recreation Commission in the Talent Municipal Code

THE CITY TALENT DOES ORDAIN AS FOLLOWS:

A new Chapter is hereby established to read as follows:

Section 1. [Parks and Recreation Commission Created] There is hereby created a commission to be known as the Parks and Recreation Commission. Its primary purpose shall be to assist and advise the City of Talent in the planning and developing City Parks, Recreation Program and Cultural Programs and facilities.

Section 2. [General Duties and Responsibilities] The Parks and Recreation Commission is an appointed citizen body with the Primary responsibility of providing recommendations to the Mayor and City Council on direction, planning and policy on matters pertaining to the acquisition and development of public parks, greenways, open spaces, recreational programs and cultural facilities, and to make such other recommendations to assist the Council in developing and preserving aesthetic, recreational and cultural values that serve the public interest. It shall also perform such other related duties as may be assigned by the council, which may include, but not be limited to:

1. Perform periodic reviews of the City's Parks Master Plan.
2. Compile data to assist City policy making in the preservation and beautification of parks, recreational areas, and aesthetic areas in the City of Talent.
3. Make recommendations to the City Council on potential revisions and future delivery of services by the City of Talent as they pertain to Parks and Recreation.
4. Make recommendations to the City Council for modifications or additions to existing ordinances, policies and practices that help promote and make available recreational opportunities in the City of Talent.
5. Work in conjunction with other city commissions, Boards, Committees to help ensure coordination of various elements of the Parks Master Plan, Recreation Programs and Cultural Programs.
6. Conduct public meetings and make recommendations to the City council on Parks and Recreation issues and ordinances.
7. Make recommendations for capital improvements and operations relating to the City of Talent's Parks and Recreation and its facilities.
8. Review and comment on fund-raising efforts and donations made on behalf of the City of Talent's Parks and Recreation.
9. Foster public awareness and involvement in all aspects of the City of Talent's Parks and Recreation and its facilities.

Section 3. [Membership – Compensation]. The Parks and Recreation commission shall consist of seven (7) members to be appointed by the Mayor with the consent of the City Council. One (1) member may live outside the city limits of Talent. Commission members shall receive no compensation. The mayor or a City Council member appointed by the Mayor shall serve as an ex-officio member of the commission, but shall have no vote and shall not count toward a quorum.

Section 4. [Terms of Office – Vacancy]. Terms of office shall be for a period of two (2) years and shall expire on December 31 of the second year. Any vacancy shall be filled by the mayor, with the consent of the council, for the unexpired portion of the term.

Section 5. [Officers]. The Parks and Recreation Commission shall, at its first meeting of each calendar year, elect from its appointed members a Chair, Vice-Chair and Secretary.

Section 6. [Duties of Chair and Vice Chair]. The Chair shall preside at all meetings, set the agenda, recommend the creation of sub-committees, and appoint members to such sub-committees as are authorized. The Vice Chair shall perform the duties of the Chair in the absence of the Chair, and such other duties as may be assigned by the Chair. The Chair or Vice Chair shall preserve the decorum at the Parks and Recreation meetings.

Section 7. [Minutes]. The secretary shall keep an accurate record of all Parks and Recreation proceedings, including written minutes of all meetings. A copy of the approved minutes, signed by the Chair of each Parks and Recreation commission meeting shall be delivered to the City Recorder for filing and said minutes shall be a public record and available for public inspection.

Section 8. [Quorum – Meetings – Rules And Procedures—Number of Meetings]. Four (4) of the voting members of the Commission shall constitute a quorum. The Parks and Recreation Commission shall adopt rules and procedures consistent with city ordinances and this resolution. The Commission meetings shall include at least one (1) regularly scheduled meeting per month, unless canceled at the direction of the Chair due to lack of Commission business or other good reason. Meetings may be run informally in accordance with the latest edition of *Roberts Rules of Order* or in accordance with the Parks Commission By-Laws.

Section 9. [Alternate Members]. Not more than two (2) Alternate members shall be appointed by the Mayor with consent of the City Council. Such Members shall serve with no compensation for the terms of two (2) years, which shall expire on December 31 of the second calendar year after appointment. The Alternate member's primary function shall be to assist the Parks and Recreation Commission, as requested. In the case of an absenteeism or vacancy on the Parks and Recreation Commission the Chair, with consent of the Commission, shall appoint an Alternate member to occupy the vacant position on a meeting by meeting basis. That Alternate member shall have the same rights and voting privileges as the absent commissioner and is required to attend meetings regularly.

Section 10. [Removal From Commission]. If a member of the Parks and Recreation Commission or Alternate should, without valid reason, miss three (3) regular commission meetings within the same calendar year, that member shall be subject to removal from the commission. In addition, a

Commissioner may be removed for misconduct, with consent of the City Council, following a public hearing. This process may be initiated by the City council or by a recommendation from the Parks and Recreation Commission.

**Section 11. Commissioners. (The term of a Commissioner for which the Commissioner has been appointed by the Mayor). Seven Commissioners shall be appointed by position number running from one to seven, each for a two-year term. Terms will overlap so three Commissioners term expire on December 31 of the second calendar year after appointment. Candidates for Commissioner, will be designated the number of the Commission seat to which they seek; further, one candidate may only apply for one position at the time of a vacancy.**

**Section 12. Bylaws for City of Talent Parks and Recreation Commission (see attached).**

Duly enacted by the City Council in open session on February 5, 2014 by the following vote:

Ayes: 4      Nays: 0      Abstain: 0      Absent: 2

By:



Melissa Huhtala, City Recorder and Custodian of City Records

## Bylaws for City of Talent Parks Commission

### 1. MISSION

The City of Talent Parks and Recreation Commission is an appointed citizen body, committed to the care and development of Talent City Parks, Recreations Program, and Cultural Programs and related facilities. The Commission assists and advises the City of Talent through recommendations to the City Council.

### 2. ORGANIZATION

The Commission consists of seven members and two alternate members appointed by the Mayor with the approval of the City Council. Members serve two (2) year terms, which may be repeated indefinitely. The three officers of the Commission are Chair, Vice-Chair, and Secretary.

Commissioners. (The term of a Commissioner for which the Commissioner has been appointed by the Mayor). Seven Commissioners shall be appointed by position number running from one to seven, each for a two-year term. Terms will overlap so three Commissioners term expire on December 31 of the second calendar year after appointment. Candidates for Commissioner, will be designated the number of the Commission seat to which they seek; further, one candidate may only apply for one position at the time of a vacancy.

### 3. ELECTION AND DUTIES OF CHAIR, VICE CHAIR AND SECRETARY

3.A. The Commission, at its first regular meeting in January of each year, shall elect a Chair, Vice-Chair, and Secretary.

3.B. After consultation with the Commission regarding availability, the Commission shall appoint representative(s) to sub committees as the need arises.

#### 3.C. Chair — Duties

1. The Chair shall preside at all meetings of the Commission providing general direction for the meetings, assuring proper order of the Commission and public in all proceedings. Such duties shall include:
2. Announcing the business on the meeting agenda in the order in which it is to be acted on;
3. Receiving and submitting all motions presented by the members of the Commission;
4. Putting to a vote all questions which are properly moved, or those that arise in the course of proceedings, and to announce the result thereof;

5. Informing the Commission when necessary, or when called to, on any point of order or practice. The Chair may call upon staff for advice on such matters;
6. Maintaining order at the meetings of the Commission;
7. Moving the agenda along, holding down redundancy, referencing handouts and procedures graciously during meetings;
8. Receiving documents or other physical evidence as part of the record;
9. Recognizing speakers and members of the Commission prior to receiving comments and presentations of physical evidence; i.e., plans and pictures;
10. The Chair may rule out of order any testimony or comment that is irrelevant, personal, or not pertinent to the matter being heard.

### 3.D. Duties of the Vice-Chair

During the absence of the Chair the Vice-Chair will have and perform all the duties and functions of the Chair.

### 3.E. Temporary Chair

In the event of the absence or disability of both the Chair and Vice-Chair, the Secretary calls the meeting to order, calls the roll, and the Commission shall elect a temporary Chair to serve until the Chair or Vice-Chair so absent or disabled shall return. In such event, the temporary Chair shall have all the powers and perform the functions and duties herein assigned to the Chair of the Commission.

### 3.F. Commissioners – Duties

The duties of the other Commissioners include: contributing ideas; keeping on subject; being aware of personal agendas and acknowledge if appropriate; aiding and contributing to all of the Chair's responsibilities.

### 3.G. Secretary – Duties

The secretary shall have the following duties:

1. Give notice of all Commission meetings as hereinafter provided; attend every meeting of the Commission, call the roll and record for the record all members in attendance, read communications, resolutions and other papers which are ordered to be read by the Chair of the meeting; and receive and bring to the attention of the Commission messages and other communications from other sources;

2. Keep the minutes of the proceedings of the Commission and record the same;

3. Perform such other duties as may be required by these rules.

### 3.H. Alternate Members – Duties

The Alternate member's primary function shall be to assist the Parks Commission, as requested, and members shall be encouraged to attend all Parks Commission meetings. In the case of an absence or vacancy on the Commission, the Chair, with consent of the Commission, shall appoint an Alternate member to occupy the vacant position on a meeting-by-meeting basis. That Alternate member shall have the same rights and voting privileges as any Commissioner.

## 4. CONDUCT OF COMMISSION MEMBERS

### 4.A. Preparation

Members of the Commission shall take such time as necessary to prepare themselves for hearings and meetings. If members visit or have familiarity with a site under discussion they shall disclose any relevant observations.

### 4.B. Attendance

Every member of the Commission shall attend the meetings of the Commission unless duly excused with advance notice or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the Chair as soon as possible. The secretary shall call the same to the attention of the Chair.

### 4.C. Addressing Members

Commission members shall address other members as "Commissioner" and their last names. This is for the benefit of the record and the public, who may not know the various commissioners by their first names.

## 5. MEETINGS

### 5.A. Place

Meetings of the Commission shall be held in the Community Center at 206 E. Main Street, Talent, Oregon, or at such other place in the City of Talent as the Commission may designate. A meeting having been convened at the place designated, may be adjourned by the Commission to any other place within the city

of Talent for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place.

#### 5.B. Regular Meetings

1. Regular meetings of the commission shall be held on the second Wednesday of each month at the hour of 6:30 PM.

2. At 8:30 PM the Parks Commission will consider finishing the item presently being considered, and no additional items will be heard after that time unless a motion is made by a member of the Commission and approved by a majority of those present requesting to continue the agenda. All items remaining to be heard will be forwarded to the next agenda for consideration.

#### 5.C. Special Meetings - Call

A special meeting may be called at any time by the Chair or by a majority vote of the Commission at any regular meeting of the Commission. Notice shall be given to each Commission member of the time and purpose of every special meeting of the Commission, delivered in accordance with City policy.

#### 5.D. Meetings - Matters Considered

Any matter pertaining to the affairs of the City of Talent Parks or Recreation may be considered and acted upon at any regular meeting of the Commission without prior notice thereof, unless other notice is required under statute or other noticing policies of the Commission. At special meetings, a matter not included within the notice may not be considered or acted upon.

#### 5.E. Quorum

1. Four (4) members of the Commission shall constitute a quorum.

2. Except as otherwise specifically provided in these Bylaws, a majority vote of the Commission members voting shall be required and shall be sufficient to transact any business before the Commission.

3. If all members of the Parks Commission abstain or are disqualified, all members present after stating their reasons for abstention or disqualification shall by doing so be re-qualified and proceed to resolve the issues.

4. If a quorum is not present, the Chair shall call the meeting to order, announce the lack of a quorum, and adjourn the meeting.

## 5.F. Study Sessions

Study sessions may be held as part of a regular Commission meeting or called in the same manner as a special meeting in order for the Commission to discuss matters at greater length or to obtain additional background information. The Commission shall take no vote during such study session, but may give directions to Staff regarding the presentation of options for future consideration.

## 5.G. Oregon Public Meetings Law

All meetings of the Parks Commission shall be noticed in conformance with the requirements of Oregon's Public Meetings Law.

## 6. ORDER and DECORUM

### 6.A. Order of Consideration of Items

The following procedure will normally be observed in a public hearing or other matter before the Commission; however, it may be rearranged by the Chair for individual items, if necessary, for the expeditious conduct of business:

1. Chair introduces item;
2. Abstentions, conflicts of interest and challenges are entertained and any declaration of conflicts of interest;
3. Any opponents and/or proponents may comment;
4. Parks Commission members may question staff, proponents or opponents on all the above. Questioning of witnesses shall be brief and to the point. Questions shall be submitted through the chair, or asked by a commission member recognized by the Chair.
5. Closing of the public hearing, if applicable;
6. Staff may provide new recommendations based on testimony;
7. The Commission discusses the item. During discussion members may further question any party appearing for or against the proposal as necessary, but generally, questions should be asked while the public hearing is open.
8. Motion is made and seconded; the Chair states the question; the Parks Commission may discuss the item further before voting.

### 6.B. Public Hearings



The Chair of the Parks Commission shall have authority to:

1. Regulate the course and decorum of the meeting.
2. Dispose of procedural requests and similar matters.
3. Impose reasonable limitations on the number of witnesses heard and set reasonable time limits for oral presentation, questions, and rebuttal testimony.
4. Question any person appearing, and allow other members to question any such person.
5. Waive, at his/her discretion, the application of any rule herein where the circumstances of the hearing indicate that it would be expedient and proper to do so, provided that such waiver does not act to prejudice or deny any party his/her substantial rights as provided herein or otherwise by law.
6. Take such other action as authorized by the Parks Commission to appropriately conduct the hearing.

Any member of the Parks Commission present at the hearing may challenge a ruling of the Chair. The challenge must be seconded. A ruling may be reversed by a majority of the members present and voting. A tie vote upholds the Chair's decision.

#### 6.C. Guidelines for Persons speaking before the Commission

Persons making presentations or providing comments to the Parks Commission shall address the Commission from the podium or microphone, or from the audience only when recognized and waived from the requirement by the Chair, shall address all comments to the Parks Commission, and may not directly question other persons in the audience or at the podium.

If possible, persons presenting materials as evidence for an agenda item at a meeting shall submit a copy by email, fax or hard-copy to the city recorder for forwarding to the Parks Commission not less than one week before the meeting.

##### 6.C.1 Conduct

Proceedings shall at all times be orderly and respectful. The Chair may refuse to recognize or exclude from the hearing anyone who:

- a. Is disorderly, abusive, or disruptive.

- b. Takes part in or encourages audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive to the hearing.
- c. Testifies without first receiving recognition from the Chair and stating his or her full name and residence.
- d. Presents irrelevant, immaterial, or repetitious evidence.

#### 6.C.2 Time Restrictions

Persons speaking before the commission shall be limited to five(5) minutes for non-agenda items, and ten(10) minutes for agenda items, and may be invited to continue for an additional period of 5 minutes by the chair.

### 7. PROCEDURE — ORDER OF BUSINESS AND MOTIONS

#### 7.A. Order of Business

1. Roll call
2. Brief Announcements by staff
3. Approval of minutes of prior meetings
4. Public Comments on Non-Agenda Items
5. Public Hearings
6. Discussion Items
7. Report(s) of any active subcommittee
8. Propositions and Remarks from the Commission
9. Assignment of representatives to the City Council
10. Adjournment

#### 7.B. Making of Motions

Upon review of the full public record on a request and due deliberation among the members of the Parks Commission, any Commissioner may move or second a

motion. A second shall be required for each motion. Other members of the Commission may support the motion by adding compatible findings. A motion shall die in the absence of a second. Discussion of the motion should not take place until it has been seconded and the Chair has stated the motion and called for discussion.

#### 7.C. Withdrawing a Motion

When a motion has been made but not yet stated by the Chair, whether or not it has been seconded, it can be withdrawn or modified by the mover. The member simply says, "Chair, I withdraw the motion."

If the mover wishes to modify his/her motion, he/she should specify the modification. Any member may suggest that the mover withdraw or modify his/her motion, but only the mover may withdraw it.

If a motion is modified before being stated by the Chair, the second may withdraw his/her second.

After the Chair states a motion, it is the property of the commission. It can be withdrawn or modified at any time before voting by a majority vote to withdraw or modify.

#### 7.D. Amendments

All amendments must relate to the same subject as the original motion, resolution, proposition or ordinance. All amendments to the main motion require a second. If any amendment be offered, the question shall be first upon the amendment.

#### 7.E. Friendly Amendments

A Commissioner may make a friendly amendment without a formal motion with unanimous consent of the members present. Typically, such motions are appropriate for clean-up items or an issue discussed but inadvertently neglected by the maker of the motion.

### 8. PROCEDURE — DEBATE

#### 8.A. Commissioner Input

Members shall be recognized by the chair for input or questions in rotation, making effort to give all commissioners equal input. Second testimony by a Commissioner shall wait until all Commissioners have had an opportunity to speak.

### 9. PROCEDURE — VOTING

#### 9.A Voting

Voting shall be done by voice vote. Voting results on all motions, excepting minutes, shall be forwarded as recommendations to the City Council.

#### 9.B. Minutes Approval

The Chair shall ask the Commission if they have had the opportunity to read the minutes and if there are any additions or corrections. Upon hearing from the Commission, the Chair shall declare the minutes approved either as presented or as amended. If the Commission has not had an opportunity to review the minutes, approval shall be postponed to the next regular meeting.

#### 9.C. Changing Vote before Decision Announced

When a vote is taken on roll call on any question, any member may change his/her vote before the Chair has announced the decision of the question.

#### 9.D. Voting or Changing Vote after Decision Announced

On any such vote no member shall be permitted to vote or to change his/her vote after the decision is announced by the Chair unless the member has the permission of the Parks Commission by general consent or motion if a member objects.

#### 9.E. Late Voting

A member entering the Chamber after the question is put, and before it is decided, may have the question stated, record his/her vote and be counted.

#### 9.F. Tie Votes

If a motion regarding any matter before the Commission receives an equal number of affirmative and negative votes the motion fails. The Commission shall continue to make motions until a majority vote is obtained. The option of continuing an item with the possibility that an odd number of members of the Commission would be at a subsequent meeting may be considered.

#### 9.G. Explaining Vote

After the vote is taken, any member of the Commission desiring to explain his/her vote shall be allowed an opportunity to do so.

#### 9.H. No Vote unless Present

No member of the Commission shall vote on any question unless the member is present when the vote is taken and when the result is announced. No member shall give his/her proxy to any persons whomsoever.

#### 10. DOCUMENTS OF THE COMMISSION

10.A. Any and all materials submitted to the Parks Commission regarding a request shall be entered into the public record by the Chair by indicating that the material is "accepted for the record." The Staff Report submitted to the Parks Commission as part of the agenda is automatically part of the public record.

10.B. All notices, agendas, requests, agency or consultant letters or reports, staff reports, minutes of meetings, and resolutions of record shall constitute the documents of the Parks Commission and shall be indexed as public record.

#### 11. AMENDMENT

Adopted Bylaws may be amended at any regular meeting by a vote of the majority of the entire membership; or if the amendment was submitted in writing at the previous meeting, then they may be amended by a two-thirds vote of those voting, a quorum being present.

#### 12. MAINTAINING OF BYLAWS — COPIES TO BE FURNISHED

The secretary shall maintain a copy of these Bylaws, and all subsequent amendments thereto, and shall furnish an up-to-date copy to each member of the Commission in a form convenient for reference.