

RESOLUTION NO. 03-2023

A RESOLUTION OF CITY OF MADRAS CREATING THE HOMELESS ADVISORY COMMITTEE; AND PRESCRIBING THE COMMITTEE'S POWERS AND DUTIES.

WHEREAS, the Madras City Council (the "Council") is aware of concerns related to homelessness and homeless camping within the incorporated limits of the City of Madras ("City"); and

WHEREAS, the Council desires to establish a citizen advisory committee to work with knowledgeable community members to, among other things, (a) assist City in responding to homelessness and homeless camping within City's incorporated limits, and (b) provide advice to the Council on matters concerning homelessness and homeless camping.

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

1. Findings. The above-stated findings are hereby adopted.

2. Creation; Membership. This Resolution No. 03-2023 (this "Resolution") hereby establishes the Homelessness Advisory Committee (the "Committee"). The Committee will operate subject to, and in accordance with, this Resolution. The Committee will consist of thirteen (13) members, nine voting members and four non-voting members. All members will be appointed by the Council. The nine voting members will consist of the following individuals: (a) one Council member; (b) Jefferson County Health Department director; (c) one Best Care Treatment Behavior Health staff member; (d) one Faith Based Network staff member; (e) City's chief of police; (f) Jefferson County sheriff; (g) Jefferson County Fire & EMS staff member; (h) legal advocate; and (i) community partner. The four non-voting members will consist of the following individuals: (w) city administrator; (x) a City police sergeant; (y) City's community development director; and (z) City's public works director. Members will receive no compensation but will be reimbursed for expenses authorized by the Council. If the Council is unable to fill the Committee membership with individuals meeting the classifications identified above after the exercise of reasonable efforts, the 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).

3. Term. Each member is appointed to serve on the Committee commencing on his or her appointment. Each member is appointed to serve until his or her successor is appointed by the Council. Any vacancy in the Committee will be filled by the Council.

4. Removal of Committee Members. Notwithstanding anything contained in this Resolution to the contrary, a member may be removed by the 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 act of misconduct or nonperformance.

5. Committee Duties. The Committee will act as an advisory body to the Council. To this end, and except as otherwise provided or directed by the Council from time to time, the Committee will have the following advisory duties and responsibilities: (a) serve as an advisory body to the Council concerning homelessness and homeless camping within City's incorporated limits; (b) development of City's homeless camping time, place, and manner regulations (which regulations

are required under ORS 195.530); and (c) provide advice to the Council concerning any other policy issues concerning homelessness and/or homeless camping concerning or affecting City which the Council may identify from time to time. The Committee will review homelessness and homeless camping-related issues that have been referred to the Committee by the Council from time to time and will make recommendations on these issues.

6. Member Responsibilities. In addition to any other duties and/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 Council, one or more members will attend any Council meeting that relates to homelessness, homeless camping, and/or related issues that may impact or affect 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 Council will be in writing.

7. 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 chair and vice-chair must be voting members 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 Council.

8. 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.

9. Minutes; Reports. The secretary will keep an accurate record (e.g., audio recording or written minutes) of all Committee proceedings. The recording or written 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 Council, the Committee will prepare and deliver to the Council a written report summarizing all Committee activities, actions, and matters before the Committee (and any other information requested by the Council).

10. Staff to the Committee. The city administrator, 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 administrator prior to requesting the assistance of the city attorney and/or other City staff.

11. Committee Meetings. Commencing in March 2023, the Committee will hold one or more monthly meetings, 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, city administrator, city attorney, or the 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.

12. Quorum; Voting. A majority of voting Committee members constitute a quorum. A majority vote of a quorum is necessary to act on any matter before the Committee.

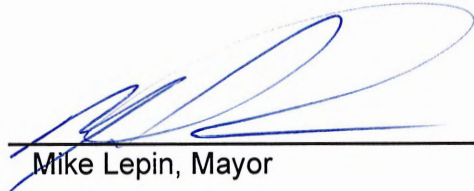
13. Conflict of Interest Activities. A member will not participate in any Committee proceeding or action in which any of the following has a direct or substantial financial interest: (a) the member or the spouse, brother, sister, child, parent, father-in-law, mother-in-law of the member; (b) any business 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.

14. Authority; Expenditures. The Committee will operate at the direction of the Council and in conformance with, and subject to, this Resolution, Oregon law, and all City rules, procedures, resolutions, and ordinances now in force and/or which may hereafter be created, amended, modified, enacted, and/or promulgated. The Committee has no authority to bind City or represent to any person that the Committee may bind City. The Committee has no authority to make expenditures on behalf of City, or to obligate City for payment of any sums of money, unless and until the 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).

15. Interpretation; Severability; Errors. The provisions of this Resolution are severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Resolution. Any reference to a federal, state, or local law means the federal, state, or local law as now existing and hereafter amended. This Resolution will be in full force and effect from and after its approval and adoption.

ADOPTED by the City Council of the City of Madras and signed by the Mayor this 14th day of March, 2023.

Ayes: 5
Nays: 0
Abstentions: 0
Absences: 1
Vacancies: 0



Mike Lepin, Mayor

ATTEST:



Lysa Vattimo, City Recorder