

ORDINANCE NO. 2442

AN ORDINANCE AMENDING BEND MUNICIPAL CODE SECTION 1.20.010 PROVIDING FOR STIPENDS FOR BOARD, COMMITTEE, OR COMMISSION MEMBERS

Findings:

A. The 2021-2023 Council Goal Framework plan includes a goal of Accessible & Effective City Government. The goal includes a strategy to “increase the opportunity for Council and Committees to effectively serve all of the community”. To implement this goal and strategy, the plan includes an action to “Remove barriers to participation on City Boards and Committees and provide equitable access to Council meetings.”

B. As part of the City’s overall strategy to apply an equity lens across all City services and City Council’s commitment to serving everyone equitably and creating a more connected community, staff began to explore ways to expand opportunities for community members to connect with the City and ways the City can work to lower barriers to engagement.

C. The City leans on volunteer advisory groups (committees, commissions and boards) as a critical point of community input in decision-making processes. Board, committee, and commission meetings occur both in-person and online, and volunteer members may incur costs to participate, including travel, internet connection, and other direct costs. These costs may present barriers to participation, and may result in greater representation by community members who are financially able to support their own involvement.

D. A stipend can offset the expenses incurred by members to attend meetings and provide their expertise to the City. A stipend program is one way to reduce barriers to participation in advisory boards, committees, and commissions, and invest in the success of community members who volunteer their time, expertise, and life experience to the City of Bend. The stipend is not intended as compensation or payment for services, but is a nominal fee to cover member expenses that are merely incidental to the volunteer activity being performed. Payment of a stipend, as authorized, is not intended to result in members losing their volunteer status.

E. Staff reviewed applicable federal and state laws, reviewed practices by other cities and peer entities, and presented a proposal to the Council Stewardship Subcommittee on March 28, 2022, for providing board, committee, and commission members with a nominal, per-meeting stipend to cover expenses of participation in meetings.

F. This code change clarifies that board, committee, and commission members serve as volunteers without compensation, and are not employees of the City, but may receive reimbursement for expenses incurred or a nominal stipend, through a program approved by the City Manager. No volunteer may receive more than \$500 in a single

year, regardless of service on multiple boards or committees, to maintain coverage under the federal Volunteer Protection Act. Committee members and the City will be responsible for meeting their own respective reporting requirements under state and federal tax laws.

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

Section 1. Bend Code Section 1.20.010 is amended as shown on the attached Exhibit A.


Section 2. All other provisions of Bend Municipal Code Chapter 1 remain unchanged and in full effect.

Section 3. The City Manager, or designee, is directed and authorized to establish a program consistent with this Ordinance and the attached Exhibit A.

First reading: April 20, 2022

Second reading and adoption by roll call vote: May 4, 2022

YES: Mayor Pro Tem Gena Goodman-Campbell NO: none
Councilor Barb Campbell
Councilor Melanie Kebler
Councilor Anthony Broadman
Councilor Megan Perkins
Councilor Rita Schenkelberg



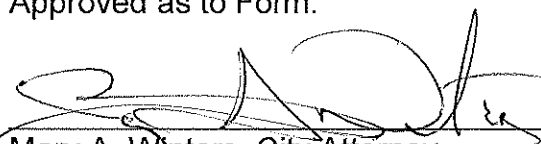
Sally Russell, Mayor

ATTEST:



Robyn Christie, City Recorder

Approved as to Form:



Mary A. Winters, City Attorney

EXHIBIT A

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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 appointments, or for a vacancy. The decision whether to interview applicants or select based on application materials is at the Mayor’s discretion.

C. 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. ~~All board, commission, and committee members shall serve without compensation:~~

~~*D. Status as Volunteers.* All board, commission, and committee members serve as volunteers without compensation or remuneration, 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 per year for any individual regardless of service on multiple committees.~~

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~~*E. 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.~~

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~~*F. 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.~~

~~*G. 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.~~

HG. *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.

HH. *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.

IJ. *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-2395, 2020; Ord. NS-2299, 2017; Ord. NS-2159, 2011]