

**CITY OF DUNES CITY,  
LANE COUNTY, OREGON**

**RESOLUTION SERIES 2012, NO. 1 (1/12/2012)**

**APPROVING THE CHARTER AND AGREEMENT OF THE  
LANE COUNCIL OF GOVERNMENTS**

**Whereas**, the Lane Council of Governments was established by the agreement of local governments in 1971 under the authority of ORS 190.003 to 190.110; and

**Whereas**, the parties to that agreement recognize the need to jointly plan for facilities, utilities, and services of an area-wide, or multi-agency, nature in order to strengthen local governments and better serve the public; and

**Whereas**, the parties further recognize the need to inform each other of proposals, plans, developments, and operations which have an area-wide effect; and

**Whereas**, membership in the Lane Council of Governments is open to any public agency that has an operating budget, is located in Lane County, Oregon, has a service area wholly or primarily in Lane County, Oregon, and, further, which has a policy-level governing body comprised of officials elected directly to that body by popular vote; and

**Whereas**, the City of Dunes City meets these membership requirements and desires to participate as a member of the Lane Council of Governments and party to its Charter and Agreement:

**Now, therefore, be it resolved that:**

The Dunes City Council approves the Charter and Agreement of the Lane Council of Governments, a copy of which is attached and made part of this Resolution, and agrees to abide by and support its provisions; and

**Be it further resolved that** the City of Dunes City affirms its membership in the Lane Council of Governments.

**APPROVED BY THE CITY COUNCIL THIS 12<sup>TH</sup> DAY OF JANUARY 2012.**

Ayes:   6   Nays:   0   Abstain:        Absent:        Vacant:       

[Signed copy available at City Hall]

Rebecca Ruede, Mayor

ATTEST:

[Signed copy available at City Hall]

Fred Hilden, City Recorder

## CHARTER AND AGREEMENT

### LANE COUNCIL OF GOVERNMENTS

This Charter and Intergovernmental Agreement is made and entered into this 30<sup>th</sup> day of November, 1971 (Amended 5/22/75), (Amended 12/10/81), (Amended 2/27/92), (Amended 9/25/97), (Amended 4/23/98) by and between the agencies that adopted the attached resolutions.

#### ARTICLE I. ESTABLISHMENT

The Lane Council of Government (hereinafter called the Council) is established by authority of ORS190.003 to 190.110 and amendments hereafter made thereto, and by this Agreement among its members.

This Agreement supersedes all previous agreements which established or provided for the governance of LCOG and its predecessor agencies. The Council established by this Charter and Agreement shall assume all assets, liabilities, obligations, functions, and authority heretofore vested in or assumed by the Lane Council of Governments.

#### ARTICLE II. NATURE OF AGREEMENT

The members hereby recognize the need to jointly plan for facilities, utilities, and services of an areawide, or multi-agency, nature within Lane County, Oregon, in order to strengthen local governments and better serve the public. The members also recognize the need to inform each other of proposals, plans, developments, and operations which have an areawide effect; and while recognizing that not all these activities need be jointly planned, the members hereby agree to bring all such to the attention of the Council for its review and recommendation.

#### ARTICLE III. MEMBERSHIP

Section 1. Membership in the Council is open to any public agency that has an operating budget, is located in Lane County, has a service area wholly or primarily in Lane County, and has a policy-level governing body comprised of officials elected directly to that body by popular vote.

Section 2. The governing body of any public agency may attain membership by adopting a resolution approving the Charter and Agreement and by defraying a portion of the expenses of the Council as determined by the Council.

Section 3. Representation: Each member agency shall be entitled to a regular and an alternate representative on the Council selected from the elected governing body, designated by and serving at the pleasure of the member government's governing body.

#### ARTICLE IV. GOVERNING BODY AND VOTING

Section 1. The governing body of the Council shall be the Lane Council of Governments Board of Directors.

Section 2. General Board of Directors Voting Procedure—to be used for all meetings except when Section 3 is invoked.

A. General Purpose Government Members

Each member city shall be entitled to a single vote. Lane County shall be entitled to two votes cast by a single representative.

B. Special Purpose Government Members—Entitled To One Vote

1. School districts with full-time equivalent enrollment, as recorded by the Oregon State Board of Education, in excess of three thousand (3,000) students shall each have one vote.
2. Lane Education Service District shall have one vote.
3. Lane Community College District shall have one vote.
4. Member water and/or electric utility districts with service accounts in Lane County in excess of ten thousand (10,000) shall each have one vote.

C. Special Purpose Government Members—Entitled to Share Votes

1. School districts with full-time equivalent enrollment less than three thousand (3,000) students shall together be entitled to one vote.
2. Water and/or electric utility districts with service accounts in Lane County numbering less than ten thousand (10,000) shall together be entitled to one vote.
3. Port districts and soil and water conservation districts shall together be entitled to one vote.
4. Park and recreation districts shall together be entitled to one vote.
5. Other special districts, as defined by ORS 198.010 and meeting the membership requirements set forth in Article III, shall together be entitled to one vote.

Alternates to voting members shall be voting alternates in the absence of the regular member. Non-voting members and alternates shall be entitled to all rights and privileges of voting members except the right to vote or hold office.

Section 3. “One Person, One Vote” Procedure—to be used only when a voting member representing general purpose government specifically requests the chairman to follow the “One Person, One Vote” procedure. Each member city shall have one vote per 1,000 population or major portion thereof, and the county shall have one vote per 1,000 population or major portion thereof for the balance of the population in the county. In the case of member cities having a population of less than 1,000, the member city shall be entitled to one vote.

ARTICLE V. OFFICERS.

Section 1. There shall be a Chair and a Vice Chair of the Board of Directors. The voting members shall annually elect a Chair and a Vice Chair. The officers must be regular voting members of the Board of Directors.

Section 2. Duties of Chair: The Chair shall preside at all meetings of the Board of Directors, call meetings of the Board of Directors, and speak on its behalf. The Chair shall be entitled to vote on all matters before the Board of Directors.

Section 3. Duties of Vice Chair: The Vice Chair shall assume the duties of the Chair in his/her absence.

#### ARTICLE VI. EXECUTIVE COMMITTEE

Section 1. There shall be constituted, each year following the election of officers, an Executive Committee.

Section 2. The Executive Committee shall be comprised of: the Chair and the Vice Chair, and four additional Board members, appointed by the Chair and ratified by the Board, so that the Committee's composition is representative of general purpose governments, special districts, and member agencies from among the coastal jurisdictions.

Section 3. The purpose and function of the Executive Committee shall be to address policy issues which require action between regular meetings of the Board, to provide counsel and direction to the Executive Director regarding administrative matters, and to address special tasks, as required by the Board.

#### ARTICLE VII. MEETINGS

The Board of Directors shall meet at times to be set by the Chair. Special meetings may be called by the Chair or by four members, with notice to all members 48 hours in advance of the meeting.

#### ARTICLE VIII. FUNCTIONS

The Board of Directors may have the following functions and duties:

- A. Upon request, and in cooperation with other advisory agencies, commissions, and boards, the Board of Directors may:
  - 1. Initiate, conduct, or cause to be conducted broad planning studies of areawide or multi-agency significance.
  - 2. Prepare, or have prepared, and adopt comprehensive plans, programs, or policies pertaining to multi-agency or areawide facilities, utilities, and services; and prepare and adopt plans, policies, and programs recommending the governmental and organizational devices or structures necessary for providing or constructing such facilities, utilities, and services.
  - 3. Prepare, adopt, and recommend policies and programs to alleviate areawide problems or to improve the effectiveness and efficiency of private, quasi-public, and public agencies.
  - 4. Prepare and propose policies, resolutions, ordinances, codes, laws, and regulations for submission to public and private agencies for the consideration.
- B. Render advice and technical assistance to public and private agencies and citizens.

- C. Review public and private agency policies, programs, and projects of an areawide or multi-agency nature with respect to consistency with adopted policies, programs, or plans; and forward such findings to local, state, and federal agencies.
- D. Review the plans, programs, and planning activities of individual agencies and governments within Lane County; and make recommendations which will result in the coordination of such plans, programs, and planning activities, in conformity to adopted policies, plans, and programs.

#### ARTICLE IX. POWERS

In carrying out its functions, the Board of Directors may:

- A. Enter into agreements with the United States, the State of Oregon, public or private agencies or corporations, and individuals for the purpose of obtaining financial aid or other participation carrying out the objectives, programs, and purposes of the Council.
- B. Own or lease equipment and other property in its own name.
- C. Adopt a budget indicating the receipts and expenditures of the Council, and establish the amount of financial participation by each member government.
- D. Seek and accept grants, gifts, loans, and donations in the name of the Council, a member government or member governments, or other public or quasi-private agencies.
- E. Make, adopt, and amend bylaws consistent with this Charter and Agreement.
- F. Appoint or remove the Executive Director, retain consultants, or obtain the personal services of individuals or employees of other agencies.
- G. Establish advisory committees.
- H. Take such other actions as are necessary to enable the Council to carry out its functions and duties.

#### ARTICLE X. EXECUTIVE DIRECTOR

The Executive Director shall be the chief administrative officer of the Council. The responsibilities and authority are:

- A. Annually to direct the preparation and presentation of a proposed budget encompassing all activities of the Council for approval by the Board of Directors and to administer all aspects of the budget as approved.
- B. To direct the preparation of an organizational/functional plan for consideration and adoption by the Board of Directors, and to report on proposed revisions or modifications to said plan as needed.
- C. To appoint and remove all employees of the Council. He shall employ such staff as necessary to carry out the work of the Council.

- D. To be responsible to the Board of Directors for all matters relating to staff.
- E. To administer the business of the Council and perform other additional duties as the Board of Directors may require.

All existing LCOG staff shall be transferred to the Council at the time this Charter and Agreement becomes effective.

ARTICLE XI. DURATION AND TERMINATION

This Charter and Agreement shall continue and remain in full force, and the Council shall not be dissolved unless by a two-thirds vote of the general purpose governments under the “One Person, One Vote” procedure; provided, however that any such dissolution shall not become effective until such time as any contracts to which the Council is a party have been fully performed or are no longer in effect. In the event of such dissolution, assets on hand shall be distributed to Lane County.

Any member government may withdraw as a participating member in the Council under this charter and Agreement at the termination of the fiscal year (July 1 through June 30) by notifying each member at least six months prior to the end of the fiscal year of its interest to withdraw.

ARTICLE XII. AMENDMENTS

This Charter and Agreement may be amended by a two-thirds vote of the parties to the Agreement who are voting member.

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Roger W. McCorkle, Chair  
LCOG Board of Directors

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George Kloeppel  
Executive Director

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Date